

ADDRESS BY
HER EXCELLENCY MS QUENTIN BRYCE AC
GOVERNOR-GENERAL OF THE COMMONWEALTH OF AUSTRALIA
ON THE OCCASION OF
**BOOK LAUNCH OF WOMEN AND THE LAW IN AUSTRALIA, EDITED BY PATRICIA
EASTEAL**
AUSTRALIAN WOMEN LAWYERS CONFERENCE, STAMFORD PLAZA, BRISBANE
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Ladies and gentlemen, I'm really thrilled

to be back here in Brisbane while the Australian Women Lawyers Conference is underway

and to listen to the discussion just had on gender discrimination and access to the law

these issues have been central to my work in the past, and will always be important to me professionally and personally

and now to be part of this very special occasion.

Friends, Professor Eastéal suggested that I might read out the foreword I wrote for this very fine book she has edited and

co-authored.

I was greatly relieved that this must have meant that she actually liked it!

But I have to say that it doesn't quite enthrall to the extent that we might demand for a book reading, so I'll leave you peruse it quietly later.

I will however mention a few things that prompted me to write what I did.

The authors of this book care not only about their profession, and how they practice it, they care about the law.

They understand its capacity to influence lives and whole societies.

They know that it underpins a system for the administration of justice in this country that was designed to preserve the rights, equality and freedoms of all individuals.

And while impartiality and freedom from bias are intrinsic to proper justice, they are not prepared to assume their uncompromising and unshakable presence.

Indeed, each chapter of this book prides open the practice of law across a vast range of areas

crime, family, discrimination, commercial and intellectual property, employment, public and trust law, just to name a few

the authors urge us to re-examine gender bias in the context of the processes we have for the administration of justice

how legislation is applied; evidence, adduced; judicial discretion, exercised; disputes, negotiated and mediated

and to observe how structural and systemic inequalities in those processes can and do erode essential fairness.

These authors are among our most eminent lawyers, legal academics and practitioners, but they are pragmatists and human too.

This is a book about the workings of the law and their interaction - often their collision - with women's experiences of living.

It is a text book and a hand book - a meticulous analysis and a practical guide that responds to the needs of women who are:

defendants

complainants

prisoners

victims

practitioners

and women who experience disadvantage due to their sexuality, disability, ethnicity, migrant status, education and age.

This is a serious and significant book.

And while it should be studied by all lawyers who practise in the territories it dares to tread, I can't help but infer a special message and opportunity for women lawyers.

Back in 2005 I gave a lecture at QUT marking the centenary of women in the law in Queensland.

I talked about what feminism means to me:

the values of justice, equality, inclusiveness

the strength of diversity

the dignity and worth of every human being

The distinctive qualities that women bring to every aspect of our society.

The values, qualities and beliefs that ensure that we:

protect what we might otherwise seek to dominate or suppress

and pay attention to what we might otherwise fail to see.

No wonder women make such good lawyers, I declared!

I ventured down a path that sought to acknowledge their difference from their male colleagues without in any way diluting their status.

And I called on the wisdom of Justice Mary Gaudron shared at the launch of Australian Women Lawyers in 1997, at which time she was a member of the High Court.

She said:

Many of us became honorary men who neither questioned the way in which legal practice was organised, nor articulated the possibility of the law's bias…

I believe that having acknowledged and asserted their difference, women lawyers can…

question the assumptions in the law and in the administration of law that work injustice,

either because they proceed by reference to differences which do not exist, or because they ignore those that do.

And having become sensitive to those matters, it will not be long before there is a realisation of the need to be sensitive to the different experiences and circumstances of others, to articulate those differences when necessary,

to question the assumptions of the law as it affects them.

In short, to be sensitive to the needs of justice.

Five years have passed since I quoted those words, but I am still firmly committed to their truth.

This distinctive capacity in women lawyers

by virtue of their difference

to perceive and respond to injustice

has meant that we have, from the start, also assumed the role of being our own protectors and attendants.

Of course, Professor Patricia Easteal is testament to this.

A talented, skilled and compassionate woman lawyer.

A leader, teacher, scholar and community activist who has throughout her outstanding career worked for public awareness, law reform and access to justice for those violated and discriminated against.

Ladies and gentlemen, this book requires that we uphold and cherish the value of these efforts:

by one

by all

by women for women.

Friends, it is my privilege and pleasure to launch Women and the Law in Australia.