

## A FINAL FOUR OUTSTANDING LAW ACADEMICS IN AUSTRALIAN LEGAL EDUCATION

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### ABSTRACT

Over the past three ALTA/ALAA conferences, the author has endeavoured to highlight the achievements of leading Australian law academics and their influence on the development of Australian legal education. The intention has been to reflect on the accomplishments of these individuals, reviewing their contribution to what has been described as a ‘great and noble occupation’.<sup>†</sup> The selection is limited to law academics who are deceased, retired or have moved on from their original career of law teaching.

A third paper, presented at the 2019 ALAA Conference at Southern Cross University, was meant to be the final reflection.<sup>‡</sup> However, a view was expressed that there should be the opportunity for a final four academics to be considered under this unique heading. This would also afford the opportunity to consider whether the idea of focusing on outstanding academics had reached its climax and that such disruptive and innovative forms of team teaching, online teaching and other technological forms of legal education had made the concept of law teaching icons redundant.

These final four names of eminent law academics include Sir Zelman Cowen (former Australian Governor-General), the Hon Emeritus Professor Ralph Simmonds (former Justice of the Supreme Court of Western Australia), Emerita Professor Margaret Thornton (highly regarded commentator on the development of modern legal education) and the Hon Justice Sarah Derrington (currently Justice of the Australian Federal Court and President of the Australian Law Reform Commission).

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† Fiona Cownie and Ray Cocks, *A Great and Noble Occupation: The History of the Society of Legal Scholars* (Hart Publishing, 2009).

‡ David Barker, ‘Reflections on the Lives and Achievements of Michael Coper, David Weisbrot, Rosalind Croucher and Christopher Roper, Four Outstanding Legal Educators of the Modern Era of Australian Legal Education’ (2019) 12 *Journal of the Australasian Law Academics Association* 1.

## I INTRODUCTION

During the past three ALTA/ALAA conferences, this author has endeavoured to highlight the achievements of those who, in his view, have been the leading Australian law academics, and to illustrate their influence on the development of Australian legal education. The topic for this long-standing presentation arose because, unlike the United Kingdom and the United States where the names of Sir Frederic Maitland, Sir Frederick Pollock and Professor William Twining, or Professor Benjamin Cardozo, Professor Christopher Langdell and Professor Karl Llewellyn, respectively, are well regarded and revered as outstanding law academics, the same regard is not reserved for equivalent long-standing or high-profile Australian law academics.

Of course, any such exercise is highly subjective, and the choices are always open to criticism, but the intention has been that a selection of names spanning the period of Australian legal education from the time of European settlement in 1788 to the present day could give rise to a debate as to whether that selection was acceptable or needed further scrutiny. To avoid controversy over any comparison of the qualities of active legal educators, it was always intended to limit the selection to those law academics who are deceased, are retired or have moved on from their original career of law teaching, so that there has been sufficient time to properly analyse their accomplishments. To give a sense of perspective, Professors John Peden, William Moore, Dugald Gordon McDougall and Frank Beasley were selected for the 2017 Conference held at the University of South Australia Law School; Sir David Derham, and Professors Hal Wootten, Dennis Pearce and Tom Cain were selected for the 2018 Conference held at Curtin University Law School; and Professors Michael Coper, David Weisbrot, Rosalind Croucher and Christopher Roper were selected for the 2019 Conference at Southern Cross University.

## II A FINAL FOUR OUTSTANDING LAW ACADEMICS

The final four law academics might be regarded as somewhat eclectic choices. The first is an outstanding law academic of international standing, former Dean of the University of Melbourne Law School and also Governor-General of Australia, Sir Zelman Cowen. The second is former Foundation Dean and Professor of Law at Murdoch University, subsequently Justice of the Supreme Court of Western Australia, the Hon Ralph Simmonds. The third is former Professor of Law at both La Trobe and the Australian National University College of Law, Margaret Thornton — a socio-legal scholar, self-claimed as ‘committed to a critical approach to legal scholarship’.<sup>1</sup> The final selection is the previous Head of School and Dean of Law at the University of Queensland, the Hon Professor Sarah Derrington, currently the President of the Australian Law Commission and a Justice of the Federal Court of Australia.

In making this assessment and, in fact, in nominating any outstanding law academics, one could rightly question the criteria on which these candidates are being measured in their selection as Australia’s finest law academics? In comparing their life and achievements it is helpful to

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<sup>1</sup> Margaret Thornton, *Privatising the Public University: The Case of Law* (Routledge, 2012) xiv.

consider the standard adopted by R Gwynedd Parry, a Welsh legal author, who, when engaged in a similar exercise, answered this question by basing such a judgement on ‘legal scholarship’, stating that ‘by legal scholarship I mean the teaching of law, research and publication on the law and the provision of academic leadership through administrative roles and other offices that contribute to the maintenance and promotion of law as a subject of scholarly pursuit’.<sup>2</sup> In my view, these are admirable criteria for judging these current four selected law academics. Nevertheless, this is not a concern when reviewing the achievements of our first outstanding law academic, Sir Zelman Cowen.

### III SIR ZELMAN COWEN

I have used for my starting point when considering the life and influence of Sir Zelman Cowen an article by Mark Finnane published in the *Melbourne University Law Review* of 2015, entitled ‘Law as an Intellectual Vocation’.<sup>3</sup> In the abstract to his article, which reviews the lives of three law academics, including Cowen, Finnane expresses an extremely helpful overview of the social environment that was the background for Cowen’s life at the University of Melbourne Law School:

Academic law at the mid-20<sup>th</sup> century was a fledgling, uncertain of its place in relation to the profession and still finding its research legs. The institutional and political milieu of post-war Melbourne provided a fertile seedbed for those willing and able to shape the future of legal education and promote a vision of its relevance to a changing society. Exploring these propositions through a consideration of the lives of three leading figures in the Melbourne Law School in the 1950s, Sir Zelman Cowen, Norval Morris and Sir John Vincent Barry, this paper considers their academic, political and writing lives as the practice of a strong sense of vocation, of intellectual vocation, noteworthy for its intense engagement with the world beyond the university.<sup>4</sup>

To justify the use of the word ‘vocation’ in his article’s title, Finnane then continues by stating that he is attempting to ‘recapture the sense of obligation these three felt in reconstructing legal education and legal research as practices that intersected powerfully with the political and social world of which they were, very self-consciously, a part’.<sup>5</sup>

In this respect, he explains Cowen’s connection with the Law School by drawing on John Waugh’s history of the school, *First Principles*, in which Waugh selected the title of his chapter on this period by using ‘Cowen’s own laconic description of the endeavour that preoccupied him during these years: “building the new Jerusalem”’.<sup>6</sup>

Waugh provides an account of Cowen’s time in the Melbourne Law School and describes his profound influence on legal education in Australia and internationally, stating that ‘the

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<sup>2</sup> R Gwynedd Parry, *David Hughes Parry: A Jurist in Society* (University of Wales Press, 2010) xiii.

<sup>3</sup> Mark Finnane, ‘Law as an Intellectual Vocation’ (2015) 38(3) *Melbourne University Law Review* 1060.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid* 1061.

<sup>6</sup> *Ibid.* See also John Waugh, *First Principles: The Melbourne Law School 1857–2017* (Miegunyah Press, 2007) 152.

university found another star, but one that was home grown'.<sup>7</sup> Waugh acknowledges that when Cowen graduated from the Law School in 1941 it was 'with first-class honours and the final-year exhibition, one of his thirteen prizes in arts and law'.<sup>8</sup>

In 1945, after completing service in the Australian Navy during World War II, Cowen returned to the Law School as an acting law lecturer but also unofficial sub-Dean to the Dean at the time, Professor George Paton. This spell in Melbourne was short-lived, as he was awarded a Rhodes Scholarship to attend Oxford University. There, on completion of his Bachelor of Civil Law examination, he was awarded one of only two Vinerian Scholarships, and became a Fellow of Oriel College and a university lecturer in law. This was followed by a visiting lectureship at the University of Chicago in 1949, and on his return to Australia in 1950 he was offered the Chair in Public Law at the University of Melbourne Law School at the age of 31. Very soon after, Professor Paton became University Vice-Chancellor and Cowen replaced him as Dean of the Law School.<sup>9</sup> In acknowledging his work at the Law School, Waugh has described his influence:

The law school rather than the wider university absorbed him. He was a fluent writer of books and articles on an extraordinary range of topics, not only his legal specialities of private international law, family law and constitutional law but also international relations, public affairs, police, urban design and biography. He appeared frequently on radio and television.<sup>10</sup>

It is also important to place alongside this observation a further comment by Waugh:

The usually friendly relations among the staff owed much to Cowen's influence. When disagreement threatened over who should be dean in his absence overseas during 1964 he was dismayed. 'We have a very happy faculty and it is absolutely disastrous if bitterness breaks out in this way.' A round of reassuring letters from him dispelled the misunderstanding that started the trouble.<sup>11</sup>

He finally left the Law School in 1966 to become Vice-Chancellor of the University of New England (1966–70), and then moved as Vice-Chancellor to the University of Queensland (1970–77), after which he became Governor-General of Australia (1977–82), returning to academia as Provost of Oriel College, Oxford University (1982–90).

#### IV THE HON EMERITUS PROFESSOR RALPH SIMMONDS

Having previously been an Associate Professor and Associate Dean of McGill University in Montreal, Canada, Professor Ralph Simmonds was appointed Foundation Professor at the newly established Murdoch Law School in Western Australia in 1990 and Dean in 1991. Originally the law program at Murdoch had been in the School of Economics and Commerce,

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<sup>7</sup> Waugh (n 6) 150.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.* 152.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.* 158.

but in 1992 the Law School separated. Simmonds stated that one of the major aims of the new Murdoch Law School was

[t]o formulate a program of study that meets the requirements of the governing bodies of the West Australian legal profession for recognition for admission to articles of clerkship. But we will also offer the scope of earning two degrees through a carefully structured program of joint study of law and another major discipline.<sup>12</sup>

In his recollections of his time at Murdoch Law School, Simmonds commented on the advantage that Murdoch had in its early days in that its small initial number of 50 students afforded him the opportunity to get to know all the members of the first Law School cohort. This advantage was gradually eroded as subsequent intakes grew in number. However, early ambience of friendly relationships between staff and students has remained a feature of the school. As another Foundation Professor Michael Pendleton has remarked:

The first intake of Murdoch law students was an eclectic mix — far from typical law students but all enthusiastic for the new law school ... A significant cohort of mature age students marked these students aside from law students at UWA which at that time required a year of study in another course before transferring to law.<sup>13</sup>

Murdoch was given its early stability because Simmonds remained as Dean until 2003, except for a break from July 1995 to November 1996. His period as Dean marked the significant development of two lasting features of the Murdoch Law School. These were the establishment in April 1992 of an electronic law journal, and the formal opening of Murdoch's Student Legal Advisory Office by Sir Ronald Wilson, a Justice of the High Court. This then became the foundation for Western Australia's first legal clinic, the Southern Communities Advocacy, Legal and Education Service Inc (SCALES), which was opened in 1997 by the Hon Daryl Williams, the federal Attorney-General.

In Simmonds' view, the most important initiative of Murdoch Law School was the fundraising campaign for a new university law library. This campaign resulted in non-government sources committing AUD1.8 million by the middle of the first year of teaching of the law program in 1990. The total cost of the library was AUD6.5 million, which was raised from a variety of government and non-government sources. However, Simmonds believed that other advantages eventuated from the library fundraising campaign, particularly in establishing links with the legal profession:

The law library campaign was enormously helpful. Not only did it bring us to the attention of those who might otherwise only have been able to take a passing interest in our operation, it also helped our relations with firms and individuals with particular talents and interest to contribute to our teaching. Our first year

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<sup>12</sup> Philip Evans and Gabriel Moens (eds), *Murdoch Law School: The Search for Excellence* (Murdoch University, 2010) 8.

<sup>13</sup> *Ibid* 120.

tutorial staff and some of our more innovative teaching in our first years were in large part products of the campaign.<sup>14</sup>

While he continued as Dean of Murdoch Law School, Simmonds was appointed as a Commissioner of the Western Australian Law Reform Commission from 1996 to 2004, becoming its Chair in 2001. In 2004 he was appointed as a Justice of the Supreme Court of Western Australia, one of the select group of law academics in Australia to achieve promotion to the judiciary.

## V EMERITA PROFESSOR MARGARET THORNTON

Professor Margaret Thornton commenced her career as a law academic at Macquarie Law School, subsequently moving to La Trobe University Law School where she occupied the Richard McGarvie Chair of Socio-Legal Studies. She also served as Head of School, Director of Research, and Professorial Member of University Council. She was appointed as a Professor of Law at the Australian National University in 2006, where she remained until she retired in 2019, and was then appointed as Emerita Professor. She has held visiting fellowships at Oxford, London, Leeds, Columbia and Osgoode Hall (Canada).

Thornton is recognised as a socio-legal scholar whose work on the legal academy and the legal profession is internationally recognised. She has published extensively in the area of discrimination and the law. Her book *The Liberal Promise* remains the only critical study of discrimination law in Australia, whilst her book *Dissonance and Distrust* is the only study of women in the legal profession in Australia.<sup>15</sup> It is understandable that Thornton's association with the early foundation of La Trobe Law School would be reflected in the description given by Craig McInnis and Simon Marginson in their successor report to the 1987 Pearce Report:

La Trobe developed a reputation for critical approaches, particularly in the social science curriculum. The structure of schools rather than faculties symbolised the self-conscious effort of La Trobe to distinguish itself from the traditional model of university organisations. This was partly aimed at encouraging inter-disciplinary studies across the schools. Legal Studies offered its first course in 1972 in the School of Social Sciences with emphasis on its inter-disciplinary qualities.<sup>16</sup>

The outcome from a restructuring of the university in 1992 was the establishment of a Law and Legal Studies School as part of a Faculty of Education, Economics and Social Science. The original intention was that, with the introduction of the LLB into the new Law School's curriculum, 'La Trobe has maintained its emphasis on teaching law in a socio-legal framework

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<sup>14</sup> Ralph Simmonds, 'From Foundation to Ordinary Politics: Staffing, Financing and Promoting the School of Law at Murdoch University' in John Goldring, Charles Sampford and Ralph Simmonds (eds), *New Foundations in Legal Education* (Cavendish, 1998) 161.

<sup>15</sup> 'Emerita Professor Margaret Thornton FASSA, FAAL', *Australian National University College of Law* (Web Page) <<https://law.anu.edu.au/people/margaret-thornton>>.

<sup>16</sup> Craig McInnis, Simon Marginson and Alison Morris, *Australian Law Schools after the 1987 Pearce Report* (Australian Government Publishing Service, 1994) 133.

and argues that much of the law curriculum is indistinguishable from the legal studies curriculum'.<sup>17</sup>

However, Thornton has commented on how this socio-legal approach, which she had influenced and supported at the La Trobe Law School, was gradually eroded:

When an LLB was first mooted for La Trobe University, the intention was to draw on its socio-legal orientation, as legal studies had been taught to BA Students for 20 years. A critical stance was facilitated by the fact that the Department of Legal Studies was located within an interdisciplinary School of Social Sciences. However, it was not very long before socio-legal scholarship was traded in for commercial law and practical skills in order to offer what was perceived to be a more vocationally oriented LLB, as well as commercially oriented coursework masters degrees, short courses attractive to the professions and consultancies.<sup>18</sup>

This comment is taken from Thornton's book *Privatising the Public University*, in which she also states:

Because of the upheavals in governance, there is considerable tension, if not an overt power struggle between management and academics everywhere which is exacerbated by declining resources. It is paradoxical that the extent of government control has been ratcheted up as government funding has declined.<sup>19</sup>

The subject matter of this book had been foreshadowed in a 2007 article by Thornton, 'The Law School, the Market and the New Knowledge Economy':

Until recently, Australia was firmly committed to the idea of higher education as a public good. The swing from social liberalism to neo-liberalism has seen a rejection of this basic principle in favour of values associated with the market. Knowledge, education and credentialism have become highly desirable in the information age, but treating them as tradable commodities has profound repercussions for what is and how it is taught. Most significantly, we have moved to a mass education system where the focus is on applied and vocational knowledge. Within this new paradigm, law, business, information technology, hospitality and tourism courses have proliferated.<sup>20</sup>

In the 2007 article, Thornton considered how changes in higher education were impacting on the discipline of law, causing the critical scholarly space to contract in favour of that which is market-based and applied. In her view, '[t]he charging of high fees has transformed the delicate relationship between student and teacher into one of "customer" and "service provider"'. This has been added to by '[c]hanges in pedagogy, modes of delivery and assessment [that] have all contributed to a narrowing of the curriculum over the last two decades in a way that supports the market'.<sup>21</sup>

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<sup>17</sup> Ibid 134.

<sup>18</sup> Thornton (n 1) 16.

<sup>19</sup> Ibid 18.

<sup>20</sup> Margaret Thornton, 'The Law School, the Market and the New Knowledge Economy' (2008) 17(1/2) *Legal Education Review* 1.

<sup>21</sup> Ibid 1.

It must be acknowledged that Thornton has attributed much of this decline to the reforms introduced in 1988 by John Dawkins, Federal Minister for Employment, Education and Training. As has been observed, ‘Professor Margaret Thornton ... has been extremely forthright in her view that the Dawkins reforms have had an adverse effect on the development of universities’,<sup>22</sup> which in her view, ‘brought an end to the binary system in Australia in 1988, signalled the beginning of the end of the idea of the university as envisaged by Newman, and its replacement with the idea of the university as a business’.

With respect to law schools, Thornton was even more scathing about the effect of the Dawkins reforms:

Law Schools that have been able to retain at least a vestige of autonomous faculty status through the recent upheavals are better able to withstand the depredations than those schools which form merely a constituent element of a mega-faculty, commonly dominated by business or management.<sup>23</sup>

Whilst Thornton’s theories about the general failure of the quality and governance of some of the newer law schools would not necessarily be accepted by all law academics, there would be an agreement that she is an internationally recognised law academic and has had a major influence on how legal education has developed within the past four decades in Australia.

## VI PROFESSOR SARAH DERRINGTON

Professor Derrington was educated at the University of Queensland, where she graduated in 1990 with a BA/LLB (Hons), subsequently being awarded an LLM in 1996 and a PhD in Marine Insurance Law in 1999. Having been admitted to the Bar in Queensland in 1990 and as a Barrister and Solicitor of the Supreme Court of the ACT, she practised in the litigation section of Freehill Hollingdale & Page in Canberra before transferring to MinterEllison in Brisbane. Here she commenced part-time practice at the Bar whilst taking up an academic post at the University of Queensland (‘UQ’) in 1994, where she was Director of the Centre for Maritime Law and the Marine and Shipping Law Unit, Academic Advisor, Deputy Director of Studies (Law), Professor of Admiralty Law, and Associate Dean (Academic) of the Faculty of Business, Economics and Law.<sup>24</sup> She returned to full-time practice as a barrister, arbitrator and mediator in 2011, whilst maintaining an active role in the UQ Law School as an Adjunct Professor and as a mooting coach. It was in this role that she steered a UQ team to victory in the annual International Maritime Law Arbitration Moot in 2012.<sup>25</sup>

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<sup>22</sup> David Barker, *A History of Australian Legal Education* (Federation Press, 2017) 101.

<sup>23</sup> *Ibid.*

<sup>24</sup> ‘The Hon Sarah Catherine Derrington’, *Federal Court of Australia* (Web Page) <<https://www.fedcourt.gov.au/about/judges/current-judges-appointment/current-judges/sc-derrington-j>>.

<sup>25</sup> TC Beirne School of Law, ‘New Law Dean to Harness Industry Links’ (Media Release, 2 July 2013) <<https://www.uq.edu.au/news/article/2013/07/new-law-dean-harness-industry-links>>.



On 1 July 2013 she returned to the UQ Law School as Professor and Dean, declaring that she looked forward to returning to the Law School and tackling challenges faced by the higher education sector:

My priorities will be to encourage professional involvement with the School; to lift our research profile; and to make our student experience the very best that we make it. UQ has focus on educating and supporting the leaders of the future so we aim to ensure that each generation of law graduates is prepared for international practice and to successfully transition into a profession that has already experienced significant change over the past decade and will continue to evolve in the future.<sup>26</sup>

Regarding future research opportunities for the UQ Law School, she emphasised that

[t]he School's diverse community of scholars enables it to offer opportunities for multi-disciplinary and international collaboration on research that has a positive society in the areas of private law, international and comparative law, marine and shipping law and energy law, among others.<sup>27</sup>

As part of this spin-off, Derrington created a partnership between the UQ TC Beirne School of Law and the Indonesian Universitas Gadjah Mada (UGM) Faculty of Law, which enabled UGM Master of Law students to have the chance to complete two Master's degrees in two years from both UGM and UQ in the time it would normally take to complete one.<sup>28</sup>

During her time as Dean, Derrington led a number of major transitions for the Law School, including the reimagination and refurbishment of the Forgan Smith Building West Wing, and the introduction of a revised curriculum to ensure students received what was claimed to be a more relevant legal education experience. She also focused on increasing opportunities for students to access university significant funding for scholarships, culminating in a generous donation of AUD2 million for the LEAD scholarships, which were offered annually to deserving students from disadvantaged backgrounds who intended to study an undergraduate law program at UQ.<sup>29</sup>

In a major presentation to the Academy of Law in 2017, Derrington reviewed the current trends in legal education, offering an insight as to how legal education might be or had already been required to innovate and change as a result of legal consequences. In her conclusion, she stated:

What I hope has become obvious after this survey of what I see as the current and emerging trends in legal education is that those at the frontline of legal education, namely law schools, have decreasing autonomy over the way in which law is taught. We are increasingly dictated to by our universities' bureaucracies, by multiple regulators whose impact is felt at various stages along the educational

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<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> 'UQ Law Partnership Creates Links with Indonesia', *The University of Queensland Faculty of Business, Economics & Law* (Web Page, 4 December 2015) <<https://bel.uq.edu.au/article/2016/04/uq-law-partnership-creates-links-indonesia>>.

<sup>29</sup> TC Beirne School of Law, 'Head of Law School Looks Forward to New Challenges' (Media Release, 6 December 2017) <<https://law.uq.edu.au/article/2017/12/head-law-school-looks-forward-new-challenges>>.

pathway, and we are coming increasingly hostage to consumerism, be that from the perspective of the student or from that of the end user of legal services.<sup>30</sup>

With these comments she echoed the concerns that Professor Thornton had been expressing as to the direction that legal education in Australia was being led.

In December 2017, Derrington was appointed as President of the Australian Law Reform Commission and as a Judge of the Federal Court of Australia. It was at this time that the UQ School of Law was ranked 48<sup>th</sup> in the world in the QS World University Rankings, and its offerings were ranked 54<sup>th</sup> in the world by the Times Higher Education World University Rankings by subject. At her time of leaving, the Law School comprised 50 members of staff and approximately 2,000 students.<sup>31</sup> Its high world ranking in research was reflected in the fact that its expertise was based in four research centres comprising Australian Private Law, Centre for International Minerals and Energy Law, Centre for Public International and Comparative Law and a Marine and Shipping Unit.<sup>32</sup>

These outcomes from the UQ Law School were evidence of the all-round influence that Derrington as Dean was able to exercise on the school, in the areas of both teaching and research.

## VII THE FINAL CONCLUSION

Over the past five years the presentation of these reflections has been an excellent opportunity to identify those who have had a leading influence on the development of legal education in Australia. In conducting such a review, the nature of the influence exercised by the 16 nominees has varied greatly. Most of the original four, Professors John Peden, William Moore, Dugald Gordon McDougall and Frank Beasley, occupied their role as Dean in excess of 34 years and, in fact, for most of their tenure were the only full-time law academics in their particular law schools.

The influence of the second group of selected law academics — Professors Sir David Derham, Hal Wootten, Dennis Pearce and Tom Cain — has stemmed from their reputation as innovators. For Derham it was his influence on the Martin Report, and for Pearce on the report named after him, the Pearce Report. Wootten would be judged as the creator of the modern law school at the University of New South Wales, whilst Tom Cain would have similarly earned his reputation in establishing the QUT Law School.

By the third group, the review had moved forward to four legal academics who were termed as ‘outstanding legal educators of the modern era of Australian legal education’. Professors Michael Coper, David Weisbrot, Rosalind Croucher and Christopher Roper were

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<sup>30</sup> Sarah Derrington, ‘Trends in Legal Education’ (Australian Academy of Law Lecture, Sydney, 26 October 2017).

<sup>31</sup> ‘School of Law’, *The University of Queensland* (Web Page) <[www.law.uq.edu.au](http://www.law.uq.edu.au)>.

<sup>32</sup> ‘Research Groups and Partnerships’, *The University of Queensland School of Law* (Web Page) <<https://law.uq.edu.au/research/groups>>.

acknowledged for their participation in one of the most challenging times for legal education, when it had to retain and enhance its status as a major university discipline.

It now comes to the final four academics, whose professional lives have been considered in this concluding reflection. There should be no doubt as to the reputation of Sir Zelman Cowen, who would have had a tremendous influence at any stage of Australian legal education — someone who was not just an outstanding legal educator but occupied a major role in national and international life as Australian Governor-General.

The Hon Emeritus Professor Ralph Simmonds was another law academic who established his reputation as a Foundation Dean with Murdoch University Law School, serving as Chair of the Council of Australian Law Deans and becoming a long-serving member of the Western Australia judiciary.

There should be no questioning Professor Margaret Thornton's reputation as a leading socio-legal scholar, with particular influence on feminist legal theory, but it will always be her text *Privatising the Public University* for which she will be remembered, especially as to its challenge to the introduction of the market-based influence on modern legal education.

Our concluding law academic, Professor Sarah Derrington, illustrates the current influence of the modern law educator, in her major effect on the development of the University of Queensland Law School, in her appointment as a Judge of the Australian Federal Court, and, following in the footsteps of Professors David Weisbrot and Rosalind Croucher, in her appointment as President of the Australian Law Reform Commission.

In the first reflection, the author recognised that there would always be difficulties in undertaking a review of the careers of outstanding legal educators and considering the legacy that their respective approaches had left for legal education in Australia. The complex nature of the characters and variety of the influence of the final 16 law academics, spanning a period of approximately 170 years since the establishment of the first law school in Australia, was unexpected. The challenges that they have all faced in a drastically changing legal education setting have transformed law schools from their early role as small entities within universities to institutions with vastly more complex present-day functions. Nevertheless, accepting the fact that such a list could be added to or amended, it would be hoped that these final choices would be generally accepted by the legal community as appropriate candidates for having had a major influence on Australian legal education and acknowledged for their contributions towards this worthy objective.