

Graduation speech Noor Blumer

Faculty of Business, Government and Law, University of  
Canberra

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I acknowledge those of you that own and come from this land and thank you for allowing me to be here today. I recognize, regret and apologise for the actions and inactions of my forebears that have resulted in the worst incarceration rates in the world. I pledge my support to the Voice.

What a great honour it is to be asked to address the graduates of the faculty of Business, Government and Law and your, no doubt, fiercely proud families and friends.

You have been lectured to enough, so perhaps the best I can do is share some experiences of life and my own vision of success.

An important aspect of competency in any field, is being a 'finisher', and this is what you have now achieved.

Obtaining a degree is not just about learning and absorbing stuff.

My own path was a hard one, studying law by correspondence while living in the country, working full time and having 4 children along the way. Closed book exams and before the internet, it was hard yards and I failed many subjects before eventually just scraping through.

When I finally qualified as a lawyer at the age of 30, it was an incredible relief, but I hadn't thought about what happened after that, except that I knew I would work in my husband's family's law firm, so at least I had a job.

Back in 1992, as a young half Asian woman, I was not what people usually envisaged when they thought of a country solicitor and I was nervous as to whether or not our rural clients would accept me.

So I decided I would first try and practice law as myself, with my own personality and inclinations, and see if that worked and if it didn't, I would have to reinvent myself somehow.

I am pleased to say that 30 years later I have managed to stay myself.

With my own poor academic results, when hiring and training lawyers over the years I never looked at their university grades. Having trained dozens of lawyers, many of them graduates of this great University, I have never found a correlation between academic results and competency as a lawyer.

As in most professional fields, competency is not just a matter of understanding the law, that is just a basic necessity to get your ticket, it is a combination of :

1. Intelligence;
2. Courage;
3. Diligence;
4. Authenticity;
5. Common sense;
6. Personability;
7. Compassion;
8. Organisation;
9. Good manners;
10. Good communication skills; and
11. Being a finisher of tasks.

These traits rarely exist or thrive if also accompanied by :

- a. Arrogance;
- b. Hubris;
- c. Greed; and
- d. Lack of compassion.

In life, your reputation is everything.

Every bad thing I have said or done has come back to bite me on the bum 10 times.

Prize your excellent education but it is just the start of your journey.

Let me focus on courage.

A pivotal moment in my life was when I agreed to put my name and face to what happened at the University of Canberra Law Ball of 2013.

I was the ACT Law Society President at the time and was the guest of the University at the Law Ball; it had a James Bond theme, we were all lashed up.

The guest speaker was the eminent Dyson Heydon, who had recently retired from the High Court bench, a rock star position in the legal profession.

I was seated next to him, rather anxious in such erudite company, but did my best to be a pleasant dinner companion. His behavior was increasingly lewd and offensive , not just to me, but as it turned out, to others at the ball, including at least 2 young female students who were also subjected to groping.

For various good reasons, we did not 'out' him at the time. Was this out of character? And particularly for the students, what if they weren't believed? How would it effect their career in the future? I volunteered to support them if they wanted to

come out with it, but they didn't want to and I mostly kept his dirty secret for many years.

One of my regrets.

I should have done more at the time, I should have been prepared to get angry and protest what was happening, instead of worrying about being polite. If I had done, it may have saved many others from experiences that came after mine. But it was 10 years ago and times were different then.

In 2020 I was approached by Jacqueline Maley of the Sydney Morning Herald, who was about to release the stories of the High Court Associates who reported sexual harassment while working for Dyson Heydon.

She had heard a rumour about what had happened at the University of Canberra Law Ball.

I had already decided that I did not want to be a keeper of the dirty secret anymore.

I gave them my 'contemporaneous' file note, which I had written the morning after the ball.

They asked me if I was prepared to put my name to the story and, not without some fear, I said yes. They were thrilled as they had been told many stories by women, but few were prepared for their name to be used.

Fear is the opposite of courage. I thought about what I was afraid of.

Would I not be believed?

Would I forever be ridiculed as 'that woman'?

Would I be sued for defamation?

And I gathered all my rational faculties and years of calculating risks and decided it was a risk worth taking and that someone needed to take, so why not me? I did have the protection of my contemporaneous file note.

I was also mindful of my own position of strength, as opposed to the positions of those at the beginning of their careers.

Because I had served on so many national legal organisations, I had great colleagues throughout Australia, who, if asked, I hoped would say 'if Noor says its true then it must be'.

Also, I was a self-employed solicitor, who had no aspirations to public office or to be a judge.

I had grown up children who I was confident would not be embarrassed, but would probably be proud of me.

In fact, I had nothing much but my dignity to lose by doing it, and with great trepidation, agreed not just for my story to be told, but for my photograph to be taken.

And so it began, a media storm of massive proportions. My story was nothing compared to what many young women reported had happened to them. And eventually, some more women came out willing to tell their stories.

But many more remained silent.

As it turned out, I only gained by the experience. The hundreds of messages of support boosted my spirits. So many said I showed 'courage' and in a sense that was true. The opposite of courage is fear, and I didn't want fear to be my motivating emotion.

Instead, I felt a sense of pride and satisfaction.

In any path in life, and particularly as a litigation lawyer, as I am, there is no 'gold star' for being a 'scaredy cat'. Clients want lawyers with courage. Courts respect lawyers with courage.

And for those of you who are not going to be lawyers, the same is true in just about every endeavor.

Since that time, more and more stories have been told and we are beginning to see cultural and behavioral change actually happen.

I was at a gathering of lawyers last year when the WA Chief Justice Peter Quinlan spoke of his realisation there had been times when he was "too ignorant, wilfully blind or simply afraid" to call out sexual harassment and gendered discrimination he had witnessed in the workplace.

This was very refreshing to hear, and I felt guilty myself suspecting I had done the same on occasion.

At law, as in life, an omission can be just as negligent as a commission.

In your futures, you will find many occasions when you are confronted with a dilemma of whether to speak or to remain silent; whether to act or to turn away.

There is also the old maxim that it is somehow 'un-Australian' to be a 'dobber'. If the matter is trivial or unimportant, that can be valid.

But if the alternative is to stand by when wrong things are happening, being 'unAustralian' is the right thing to be!

When faced with those choices, give the issue your own cost/benefit analysis.

What is the worst that could happen? But also what is the best that could happen?

What harm if I do and what harm if I don't?

Will I be able to face myself if I do or if I don't?

What am I really afraid of?

I love my life and what I do. I hope I can still show courage when needed, indeed, it took some courage to stand up in front all of you today and broach a subject I am a little afraid of.

I congratulate you and wish you well in your future endeavours.