

THE STORY OF FRANCES GIBSON

Is there more to being a lawyer than working downtown in a large commercial firm and thinking about where you will bill your next 6 minutes? Although this may seem cynical, I was beginning to question if this is what I am supposed to be aspiring to. I often wonder what if I choose the alternate career path as a lawyer in legal aid or a community legal centre. Will I enjoy myself? Would it be fulfilling?

One person who ventured down this path is Frances Gibson. I had the pleasure of interviewing her and found out what a truly remarkable person she is. Like many law students, Frances decided to pursue a law degree because she “got the marks” and “didn’t know what else to do.” I wish I could say that Frances developed an immediate passion for the law, but this was not the case. After only one year she got fed up with her law degree and dropped it to concentrate on an Arts degree, before eventually working full time at her university in an administrative role photocopying and printing PhD papers. It was only after a year of doing this that she grudgingly went back and finished her law degree before heading off to England. Frances went to England with little money, no job but one huge desire to experience life and do something different. She ended up finding work helping the homeless - something that would end up being not far removed from her eventual career. Little did she know what the future would hold.

Coming back to Australia, Frances went about furiously applying for work in Sydney law firms. The priority was to find a job. With over 50 applications sent and only a handful of replies Frances was fortunate enough to find a job at Pigott Stinson, a medium size law firm where she consumed herself into the world of litigation advising clients ranging from the fire brigade to registered clubs. At the time Frances was only the second woman solicitor in Pigott Stinson’s 100 year history.

Frances enjoyed her time at Pigott Stinson, the people there were friendly, she was learning a great deal, but still she felt there was something missing. From afar it might seem like she had laid the foundations of a long and prosperous career in private practice and had it all going for her, but whilst working there she realised that she had very little in common with her fellow work colleagues.

It was at this point in our interview that we started talking more broadly about the culture of private firms. What I was told is that private firms are merely businesses with the primary objective of making money. It goes without saying that good service comes with a cost and good outcomes often lead to a share of the profit and a strong reputation in the market. These are the facts, but Frances was quick to point out that there is absolutely nothing wrong with this at all. Law can be used as an effective business tool, but it can also be used as a way to help people. The latter of the two is what Frances wanted in life.

To try and achieve this, Frances made a decision to leave Pigott Stinson and work for the Aboriginal Legal Service. Was this rewarding for her and did she help people? Yes, but it was also incredibly hard work. From day one, she acted as an advocate in court representing clients in a wide variety of matters. She was constantly stressed and often woke up in the middle of the night panicking about the following day. She also had this niggling feeling that she was not good enough in this role and the clients deserved better. She told me that this was the perfect job for people who love to stand up and argue, but it was not for her. She wanted to find a less stressful job and managed to find one at the Legal Aid Commission where her role was to assess applications for legal aid. This job did not consist of going to court at all, meaning she could finally enjoy good night sleeps on a regular basis. But still she was longing for something more, something different and as fate would have it she finally found her niche at Redfern Legal Centre in 1988 where she stayed for over 7 years.

Frances had actually been a regular volunteer at Redfern Legal Centre for many years stemming back from her early days at Pigott Stinson often helping out at evening advice sessions. During her tenure at Redfern Legal Centre Frances took on literally hundreds of cases. One of her most memorable cases was that of David Gundy.

On the 27 April 1998, Gundy was killed in a police raid on his home. Police were searching for a criminal that had recklessly shot two police officers three days before. Without reasonable belief, they used a search warrant to enter Gundy's home. They did not bother to wait for the time of 6.00 am which was the earliest time at which the warrants authorised the searches - the home was entered and Gundy shot six minutes before. Other requirements of the warrant were also

ignored. For example, the written notice required to be given to the occupier was never served. Things were taken from the premises for which there was no shadow of justification. Peaceful occupants were held at gun-point and made to lie on the floor, although they had not resisted the execution of the warrant in any way. The required report was not made to the justice of the peace until seven weeks after the raid, instead of the prescribed ten days.

It was the actions of police not just in this case but also more generally that continually haunted Frances and after a job at the Independent Commission Against Corruption (ICAC) was offered, it was something she couldn't refuse. It was an opportunity to really help change the culture of the police force. It was a position that paid a huge amount of money, but more importantly it was an opportunity to really make a difference. Or so she thought. As luck would have it, as soon as she started, all police corruption cases were handed over to the Wood Royal Commission. As a result Frances decided to go back to the legal centre work she loved and was lucky enough to find a job at Kingsford Legal Centre

Whilst Redfern Legal Centre has the sole focus of helping clients, Kingsford Legal Centre has this dual objective of not only helping clients but also educating law students as part of the University of New South Wales law course. As a result of this dual objective Frances was now not only a savvy lawyer but also developed into a legal educator. Over the 8 years she was at Kingsford Legal Centre, she served the local community and educated law students with great distinction. Her name became well known in legal education circles and this led to her current role as Senior Lecturer of the newly established law faculty at La Trobe's Bendigo Campus where she teaches first year law students.

Before interviewing Frances, I had this misconception that opportunities to travel overseas as part of your employment at a legal centre are somewhat limited. I thought that only lawyers from large commercial firms would be given such an opportunity. How wrong I was. Frances' legal centre work has taken her all over the world. In fact, she commented that one of her career highlights was an invitation to be the first Visiting Clinical Scholar at New York University. During her 6 months stay, she observed different clinical programs and law schools throughout United States and conducted independent research on American legal aid funding. Frances told me that there is so much interesting work and wonderful

opportunities at legal centres. It would be a real pity if law students do not recognise this when making choices about their future. Frances observed that those who choose to work at legal centres are the most inspired and committed people who do their bit to help those who would otherwise never get given help. I was told that if you want to work in a legal centre you don't need to worry about having 3 or 4 years experience in a large private firm. Just plunged straight into it. I then asked Frances, who are your "unsung heroes." The answer was instantaneous. It was those people who work in legal aid and legal centres.

Should students who choose to work in legal centres or legal aid be exempt from HECS, considering law's place in the highest fee bracket? This was one of the prepared questions I posed to Frances at this stage of our interview. After thinking about the issue for a brief moment, Frances noted that this may be something that the government should really look at but she did recognise there are certain issues which complicate the matter. For example, if students who enter legal aid or legal centres are exempt from paying HECS, the same benefits should also apply to other occupations such as social workers or doctors who work in rural areas. Also if an exemption does occur in the future, there should be a minimum period of employment of about 5 years in the field to stop people abusing the system.

Moving away from the topic of law, I then asked Frances what other interests she has. I already knew the answer to this, having done some research on her in preparation for the interview. Frances is a member of a band called "The Cannanes" which was established in 1984 during her days at Pigott Stinson. Frances has always had an interest in music. In fact, when asked by the Dean at her university what she wanted to do as a career, she naively stated that she would like to be a lawyer for the Rolling Stones.

At first I was under the impression that "The Cannanes" was just a small, rather unknown band. But after speaking to Frances and visiting the band's website (www.cannanes.com), I came to realise just how prominent the band is. Over the years the band has travelled extensively throughout the world, have released nine albums and been financed by established labels in the USA, the UK and the Antipodes. All this was done while Frances was balancing her legal career.

So from a girl who at one point wanted to be a lawyer for the Rolling Stones to an experienced, savvy but compassionate lawyer who has travelled widely both in her professional and musical life, Frances has been blessed with much more than most people would ever imagine and has well and truly achieved her goal of helping people and making that little bit of difference to the world. It just proves that there is more to life than working downtown in a large commercial firm and thinking about where you will bill your next 6 minutes. Just look at Frances!

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