



FIGHTING FOR OUR RULE BOOK

The new Dean of Law at UNSW, Professor George Williams, AO, has big plans for the university. He wants it to have a greater presence overseas. At home, he wants to fight to protect Australia's democracy. He talks to **JULIE MCCROSSIN** of his concerns about the gay marriage plebiscite, ASIO's powers to strip people of citizenship, and the Indigenous referendum.

PHOTOGRAPHY: JASON McCORMACK

George Williams lives a stone's throw from the University of NSW. When I arrive at his house, I am struck by its appearance. I've never seen a home with children that's so clean. Williams and his wife, Emma, a UNSW academic in the field of corporate law, have two children, Edward, 10, and Ellie, 6. The couple met in 1987 while studying first-year law at Macquarie University and have been together ever since.

The house is dotted with tiny chairs and toys, and there is evidence of Williams' passion for science fiction and fantasy. He is a regular reviewer of the genres for *The Weekend Australian* and ABC Radio National. It is his escape from an intense work schedule that often addresses the darker side of human behaviour.

As I talk to Williams about his new job as Dean of the Faculty of Law, I ask him what he would like as his legacy. He has been in the job less than six weeks, yet his plans are crystal clear. UNSW Law School is ranked 13th in the world, thanks to the work of his predecessor, Professor David Dixon. Williams wants to build on his successes in three ways. He wants to build on the school's already strong international relationships.

"I want us to be a truly global law school, reflecting the nature of the legal profession, where firms are integrating internationally. That means not only building strong relationships with the profession here, but also in Shanghai, New York, London, Jakarta and other places," he says with characteristic enthusiasm and energy.

"At the end of my period, I want to see us as a law faculty that really is operating on the world stage in terms

of ideas and those relationships."

UNSW Law School's China International Business and Economic Law initiative is part of this work.

"We've just appointed five Chinese academics as part of our global focus. We've got the biggest concentration of academic strength in Chinese international trade law of anywhere in the world outside China.

"These academics are now with us. They are based here. They are part of our goal to be a major player in the Chinese, Hong Kong, South-east Asian region."

A recent major curriculum review is part of the plan to have a "global orientation" in everything the faculty does. "We've now got a mandatory subject, 'Law in Global Context'. Every student has to study the rules internationally of both private and public law," Williams explains.

Williams' second priority is law and technology. He says the university has long been regarded as a leader in social justice and public law, but he would like to do more in areas such as private and corporate commercial law, particularly in relation to technology.

"We've already got academics involved in big data projects. How does the law of privacy relate to the aggregation of massive data across corporate interests?" he asks.

"We've got academics involved in cyber security issues. We're already doing well in this space, but I'd like to see us regarded as the go-to place for law and technology issues on the world stage."

His third priority reflects his own legal background and approach to public life. Williams left Blake Dawson Waldron (now Ashurst) to become an academic at the Australian National University in 1995, but he has continued to practise law.

"I've always been at the Bar. I do a lot of High Court work and a lot of advice work," he says. "My academic work has always been orientated towards the profession and practice. In particular, how can we have an impact? How can we change the world, whether it be the Indigenous referendum or the counter-terrorism laws? I want to see this become a systematic, core part of our business."

He says when a UNSW academic publishes in a leading journal, he doesn't want it to end there. "The next question is, 'What do I do next? Do I submit to an inquiry? How do I translate what I am doing to the profession, government, non-government organisations and policy to make a real change in the world?'"

Williams works mostly with

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PROF GEORGE WILLIAMS

constitutional law. He is concerned with the exercise of power and believes in the transformative power of education. His late father, John Williams, an economic historian and active unionist, continues to influence his thinking in both these areas. During our conversation, Williams shows me a photo of his father and speaks of him with warm affection and laughter.

"My father was someone who deeply questioned authority and was always of the view that the workers should destabilise," he says. "Strikes for him were the bread and butter of the workplace. It was a very different era in the '70s and '80s. He went from workplace to workplace, in part because he was such a troublemaker."

"He was at UNSW for a few years and then essentially didn't have his contract renewed. He always had an abiding love for education. He came from a family in Queenstown, a mining town in Tasmania. He was the first person in his family to go to university. He never left the militancy of his mining background."

Father and son shared an interest in power in public life, although they expressed this in very different ways.

"Constitutional law is the rule book of the nation," he says. "It is the laws that determine who can exercise power and who controls the lives of others. It is the rules that structure how the nation is governed and how the different tiers deal with each other. It is how citizens interact with power. It is the law that governs the exercise of politics and power."

Williams believes this "rule book of the nation" is under great stress. He cites the proposal for a plebiscite on same-sex marriage and the changes to the counter-terrorism and citizenship laws as examples.

"The success of our democracy depends on political leaders sharing a set of values to make it work. Much of the system depends upon conventions and understandings. These understandings are not written down.

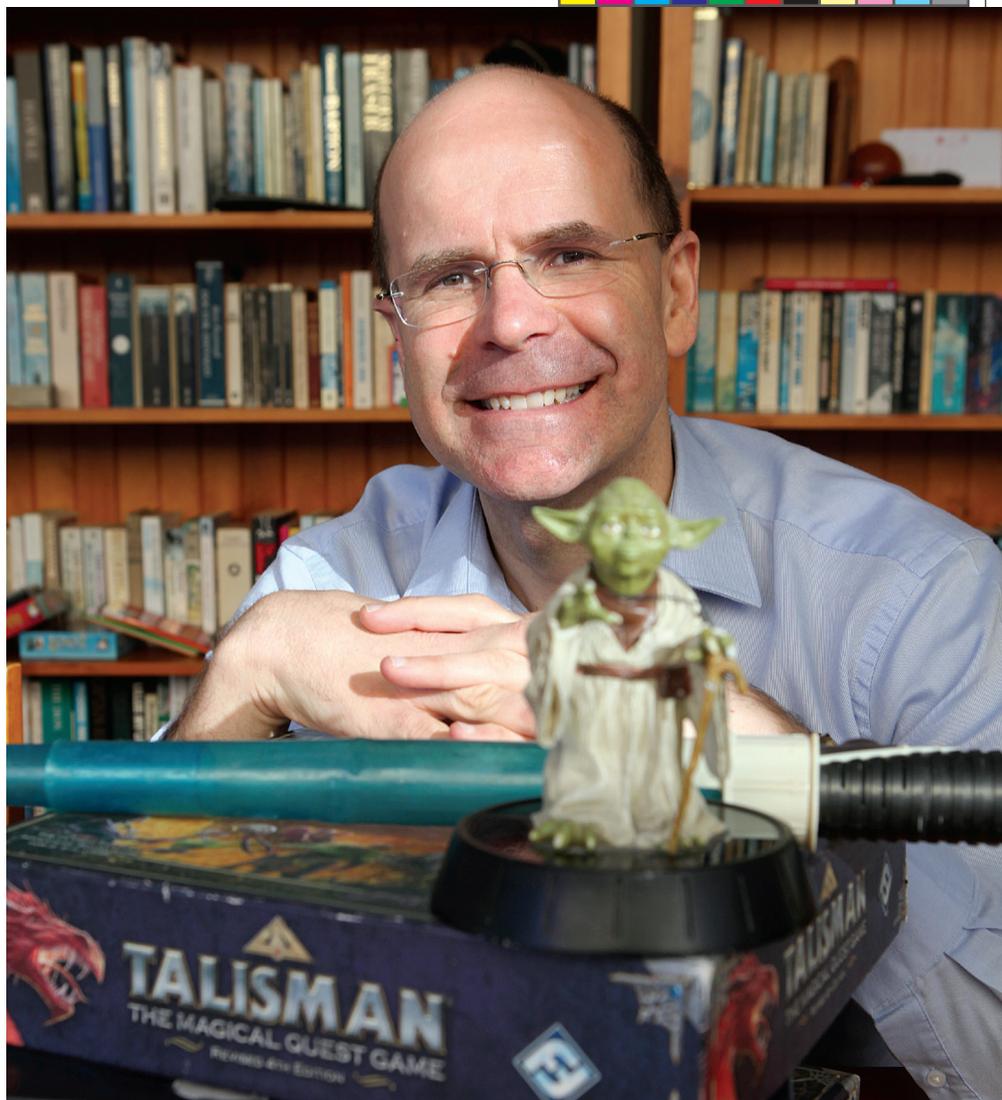
These values are often under strain, but never quite so much as we're seeing with [US Republican presidential candidate] Donald Trump. His direct, personal attack, for example, on a judge deciding a matter about him and questioning his ethnicity and independence – that sort of attack threatens some of these bedrock principles.”

Williams believes Australia is not immune to a similar challenge to such principles.

“I did a survey recently, as did the Chief Justice of NSW, looking at all laws that have been passed in response to counter-terrorism and other areas that infringe upon basic rights. I came up with 350 across the country. Citizenship is one example where government decisions, without courts being involved, can strip someone of citizenship and deport them. We've also got a number of offences where ASIO can engage in special intelligence operations that can be authorised to essentially breach the law.”

Williams is also deeply concerned about the proposed plebiscite on same-sex marriage. “It runs against the principle that we elect our representatives to make decisions – hard decisions – including the definition of marriage and family law. This is a worrying precedent for our democracy. It means that if we want to make important social or other reforms, there's going to be increasing pressure to say, ‘You did a plebiscite for same-sex marriage, you need to do it again’. We may create a set of expectations of doing things differently that I think would be a detriment to our system of government.”

The family passion for the law extends to Williams' mother, Shirley Murphy. As a mature student, and while raising Williams and his four sisters, she studied law at the University of Queensland. “Mum is one of the leading people in



UNSW Dean of Law and *Star Wars* fanatic Professor George Williams.

tax. She is still active in writing and teaching at Macquarie University.”

Born in Tasmania, 47-year-old Williams moved to the mainland as a young child. He went to many public schools, completing his education at St Ives High School on Sydney's Upper North Shore.

“I was inspired to have an interest in constitutional law by the Tasmanian Dam case in 1983. I studied it when I was in high school. I was fascinated how the law and the constitution could affect this important environmental issue. What did the High Court have to do with it? That's what fascinated me,” he remembers with evident passion.

He decided to be a barrister. After university, he was thrilled to become an associate to Justice Michael McHugh. He remembers walking through the doors of the High Court only two

weeks after graduation. “I was lucky. I got to work on the Mabo case and the free speech cases in 1992. It was the most interesting and active year of the High Court in its history.”

He cites Justice McHugh as a key mentor, along with his Macquarie University lecturer Professor Tony Blackshield, with whom he has published several highly influential texts.

“Tony was an inspirational teacher – beloved and eccentric,” he says. “I began to understand the power and importance of constitutional law and how it could shape the big debates in the nation.”

Williams has a strong media profile and has also written or co-edited 34 books. As Dean of the UNSW law faculty, he will promote an active role for the law – while also introducing his children to the joys of *Star Wars* and science fiction. **LSJ**