

**Funeral service of Emeritus Professor Garth Nettheim AO**  
**Remarks by Emeritus Professor Paul Redmond AM**  
**19 February 2018**

1. The Dean of UNSW Law, Professor George Williams, is overseas. He has asked me to convey his regret at his inability to express the debt of gratitude we all feel for Garth Nettheim's many contributions to the school, legal education, scholarship and the community. I was a law school colleague of Garth's, commencing as a junior lecturer a few months after the departure of the foundation Dean, Emeritus Professor Hal Wootten. I also had the privilege of working closely with him in the Diplomacy Training Program which he co-founded.
2. As Emeritus Professor Hal Wootten AC QC has said, Garth Nettheim was appointed to a chair in Public Law at UNSW in 1971. He was instrumental in setting up its foundational courses in *Constitutional Law*, *Administrative Law* and *Legal System-Torts*. Later he developed courses in *Indigenous Rights and the Law* and *Human Rights Law*, pioneering courses, possibly the first such courses in Australian law schools. They are now mainstream.
3. Garth said that the interactive system of law teaching and the sense that students matter drew him to the new law school. He embodied both those ideas in his teaching practice. He was a natural teacher. He appreciated the essential humanity of the exchange between teacher and student and opportunity presented to contribute to the life and development of another person. He was committed to the new style of law teaching at UNSW, the Socratic method with assigned reading developed through question and answer dialogue between student and teacher. A famous photo shows Garth conducting an early class sitting on the ground under a paperbark tree. As for students mattering, one of Garth's former students, Terri Janke, will speak shortly with much greater authority.
4. Garth was the third Dean of the Faculty, from November 1975 to 1978 and again from 1987 to 1988, the only person to have two distinct appointments as Dean. He was a conscientious and effective Dean. In his first incarnation, he oversaw the unification of then scattered faculty offices into a law school at the top of the Library Tower. That temporary home endured for 30 years although Garth immediately prosecuted the cause of a permanent home and remained its active advocate for all his years at UNSW. The photo of Garth's crowded office in the Order of Service booklet shows him at work in the Tower although freed from the Dean's role.

5. As Dean Garth continued the foundation task of recruiting staff for the growing school. And he had the task of promoting the law school and its first crop of law graduates to a sometimes sceptical professional community — sceptical solely because the school had broken the traditional mould of NSW legal education and because staff such as Garth, through their research, tested law's capacity to effect positive social change. As Dean, Garth visited law firms, professional associations and regional law societies across the state to explain what the law school was doing and why its graduates were worth employing. The early success of that project is attributable to many causes but Garth's advocacy as Dean is high among them.
6. Garth contributed powerfully to the social justice orientation of UNSW Law, carrying on Hal Wootten's vision and embedding it in the school's DNA. He was its stalwart and gave it life and substance beyond any other colleague. Three major contributions stand out.
7. At one time more than half of all Indigenous law students in Australia were studying at UNSW. Garth played an enormous role in securing their place at the table and supporting them there. Garth recalled that, when he first read about Queensland's laws for Aboriginal and Torres Strait Islander peoples, "the hairs stood up on the back of my neck". From the outset at UNSW, Garth conducted research and advocacy, engaged in parliamentary inquiries, organised conferences and wrote extensively, acting as one of the first and strongest voices to draw together the issues of Indigenous rights and human rights in Australia. Several research projects came out of this period including his ground-breaking project *Out Lawed: Queensland's Aborigines and Islanders and the Rule of Law*, published in book form in 1973 and *Aborigines, Human Rights and the Law* published in the following year. A wealth of other books, articles and chapters followed including *Victims of the Law: Black Queenslanders Today* (1981), *Indigenous Legal Issues: Commentary and Materials* (now in its 4th ed, with Heather McRae), *Indigenous Peoples and Governance Structures* with Gary Meyers and Donna Craig (2002) and as Title Editor for "Aborigines and Torres Strait Islanders" in *The Laws of Australia*. Garth's *Understanding Law* with Richard Chisholm has introduced generations of law students to Australia's legal system.
8. Garth worked with a group that included young Aboriginal leaders such as the late Bob Belliar, Pat O'Shane and Chris Kirkbright to develop the Aboriginal Law Research Unit in 1981. Garth became its Director. In 1985 it became the Aboriginal Law Centre and later the Indigenous Law Centre. As John Pace said, the Centre combines research, advocacy and, above all,

outreach to affected Indigenous communities and organisations. The Centre and its publications, the *Indigenous Law Bulletin* and the *Australian Indigenous Law Review*, have grown in reach and pre-eminent significance. Garth passed stewardship of the Centre to Professor Megan Davis in 2006.

9. In 1986 Garth created the Australian Human Rights Centre in the Faculty, now the Australian Human Rights Institute. It flourished under his leadership for 20 years to become highly respected as a focus of academic and public intellectual thought on human rights in Australia and internationally. Its publications, the *Australian Journal of Human Rights* and the *Human Rights Defender*, have international reputations and reach, to academic and advocacy audiences.
10. The Diplomacy Training Program grew out of a chance meeting with Jose Ramos-Horta at a party in Geneva at the home of John Pace. Patrick will shortly read Jose's account of that meeting and the remarkable organisation they founded together at UNSW to empower civil society in the Asia Pacific region to use the international human rights system in advocacy. Garth guided the program and has been a key trainer in so many training programs, from Alice Springs to Myanmar, Fiji to Nepal. Over the past decade and more, Patrick Earle, as its Executive Director, has built on Garth's work to grow the capacity of NGOs supporting vulnerable migrant workers in the Gulf states and elsewhere.
11. How did we all find Garth personally? In a profile for the *Indigenous Law Bulletin* in 2006 a former student Roslyn Cook described Garth in these terms:

In person he maintains a rare mix of dignified composure and energy; he is at once light on his feet and undeniably, even gracefully, calm. But most of all, he is warm and understated and curious, quick to joke, and generous with his praise and encouragement of others. At times these qualities seem to belie his status as one of Australia's pre-eminent scholars and activists.
12. By universal consensus, Garth was gentle and unassuming, thoughtful and considerate, humble and self-effacing. In the words of another former student, Robynne Quiggan, Garth was "gentle, reflective and encouraging". She speaks for many – in reflections on Garth's legacy during the past week, a recurring theme has been Garth's kindness, thoughtfulness and decency. Another theme is the encouragement, support and opportunities he extended to others. He actively mentored generations of students and former students throughout his life.

13. I cannot recall hearing Garth say an unkind word or disparage another person. I also cannot recall him uttering a foolish remark. He had an innate respect for human dignity and a hunger for justice. He was a peacemaker who was at peace with himself.
14. Garth's self-effacement did not, however, conceal the deepest pride and admiration he felt for his three children, their achievements, their creative and scholarly gifts, and their characters. They reciprocate those sentiments in this celebration of his rich and enriching life.
15. Thank you for your attention and for the opportunity to participate in this celebration of a wonderful man. Our world is a much better place for his presence amongst us.