

## *Law in the slow lane*

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By the time I graduated LLB in 1989 I was 60 years old. In order to explain how I came to be such a mature law student I will have to fill in some details about my background.

When I first went to university, straight from school, I was a very conventional student. I took the same five subjects for my degree that I had taken for Scholarship and they were, moreover, all subjects traditionally favoured by women. After I graduated MA with Honours in English I trained as a post-primary teacher, another conventional move. In Auckland, at any rate, most women Arts graduates, and many of the men too, "chose" teaching as a career. Possibly in Wellington graduates were more aware of job opportunities in the Public Service, but the only alternatives I myself fleetingly considered were journalism and library work. Fortunately I found I liked teaching.

I became aware of the presence of law students at the university through sharing classes with them. First-year Latin was then a compulsory LLB unit at Auckland - rather a neat way of restricting the study of law to pupils from traditional schools, especially the large boys' colleges - and when I went to my first Latin lecture I found myself in a very large class consisting mainly of young men, nearly two hundred of them, doing the subject for their law degree. There were good Classics students among them but many found Latin very difficult. Some despaired of ever passing and transferred to Victoria where Latin was not compulsory. Others relied on a provision that if you sat a subject six times without passing you could sit a seventh time and apply to be accredited.

Some, instead of just waiting out their seven years, did make an effort each year to pass the examination, usually by learning the cribs of the prescribed texts by heart. I remember one friend announcing after his fourth attempt, "This time I've cracked it! I recognised the bit about women running bare-breasted in the street so I just wrote the rest of the paragraph out from memory." I hardly had the heart to tell him that Caesar had described those bare-breasted women twice and he had written out the wrong passage.

When I took an extra subject at Auckland, instead of doing it for a Certificate of Proficiency, I entered it towards an LLB. Perhaps I had been influenced by my contact with law students in Latin but it is more likely that I saw an LLB as the only second degree then accessible to someone with no grounding in science or commerce.

Ten years later, after the birth of my third child, I felt the need for some outside interest. I did not consider looking for a job. While women of my generation (unlike our mothers) usually continued working for a while after marriage, it was still uncommon in the early sixties for mothers of young children to work outside the home unless they absolutely had to. To amuse myself, I decided to go back to university and take a general subject which could be counted towards a law degree. I settled on Roman

Law, which I saw as following on from Latin, but when I went up to Victoria to enrol I found that this was no longer being offered at undergraduate level. The Dean, Ivor Richardson, then and always most sympathetic and encouraging, suggested taking another law subject instead.

We were living with our three small children out at Porirua, at that time a raw new suburb, where I was involved with Plunket and was also tutoring adult education classes aimed at raising women's consciousness. As these and other activities brought me into contact with many people who had personal problems, I thought that Family Law would be the most relevant subject as far as I was concerned, but I discovered that law subjects had to be taken in a certain order and Family Law was way down the track.

When I was told that Legal System had to be taken in the first year but other subjects could be taken with it, I said that I would enrol for Legal Systems and Criminal Law, provided I could do them extramurally as there was no way I could get in to lectures. The Law Department was very fair. They explained that they were not geared for extramural students. They could not supply me with lecture materials but they could give me reading lists and send me out assignments, and if I completed them and sent them back the lecturers would try to find the time to mark them. One lecturer, more frank than the others, said I had no hope of passing his subject under those conditions but he "didn't mind my having a go."

One thing that seems extraordinary to me, looking back, was that I had no idea so few women were studying law in the early sixties. Nobody ever pointed this out to me or tried to dissuade me on those grounds and as I did not go to lectures I never saw for myself how few women attended them. I did use the University Law Library which being in the Hunter Building had a traditional academic ambience which I very much appreciated after the prefabs of post-war Auckland University College and the rawness of Porirua.

I barely scraped through those first two papers but I did pass and after that I took two subjects a year extramurally for the next three years. My worst experience as an extramural student was fronting up to the Company Law examination and finding a compulsory question on bankruptcy, which I had not realised was such an important part of the course. Incidentally, I was eight months pregnant at the time and my daughter Caroline likes to say she sat Company Law twice, once that time with me and again twenty years later on her own account.

I might say here that doing almost half my law degree extramurally caused complications later on when I needed a copy of my academic record. The clerk came back and told me in a hushed, sympathetic voice that having failed so many subjects I was far short of the number of units required to graduate. I explained that the "E"s on my card referred to Extramural and not to my grades.

At the beginning of the fifth year I again enrolled for two subjects but then two things happened - my first novel was published, and my husband was appointed to London. I was relieved when the university refused me permission to sit my examinations out of the country as otherwise I would have felt obliged to continue

studying and I wanted to do other things while away. My lecturers, when they heard I was going to London for three years, wanted me to "eat my dinners" and apply to be admitted to the Bar there but though I was given addresses and introductions I felt this was beyond me.

By the time we returned to New Zealand other things seemed more important than resuming my law degree. In particular, I had had three novels published by then and I wanted to go on with my writing. So for several years I taught in the morning and wrote in the afternoon and this worked very well. This routine was interrupted, though in the nicest possible way, when we went to live in Washington DC for four years.

While away, I was able to follow up a long-time interest by taking classes in art and later on, back in Wellington, I switched from teaching languages to teaching Art History which I enjoyed very much. I also continued writing, publishing short stories and so on, as well as six novels altogether, but I must admit the last of these came out some time ago.

Twenty years after starting my law degree I decided to take it up again. There were various reasons for this. I was, for example, involved with several women's organisations - in particular, I was National President of the Federation of University Women - and women's groups are passionate about second-chance education for women and support for mature students in general. At the same time, we were encouraging women to take non-traditional subjects and as law was still seen as a move away from female-dominated professions, I thought that by enrolling at university in my fifties to complete a law degree I would be seen to be doing what the organisations I belonged to were urging women to do. Another contributing factor was that my work as a Justice of the Peace had helped reawaken my interest in legal matters. I have to admit, though, that my main motivation was my own personal dissatisfaction at having an unfinished degree. I had passed some of the more demanding of the law subjects and it seemed a waste not to go ahead and do the rest. Besides, I still wanted to do Family Law.

When I went up to enrol I found the rules had changed again, and I would have to pass Constitutional Law before being able to take anything else. So the first year back I took only that one subject; it was a lucky chance it was such an interesting and important one. Rather cheekily, I raised the question of continuing extramurally but I was firmly told that was no longer on and I would henceforth have to attend lectures. So for the first time I took law classes with other students and I loved the company. In particular, I was tremendously impressed with the young people who were in the same tutorial group that I was. Is *this* what undergraduates are like these days? I marvelled. Later, I found out that these particular students were indeed special; most of them went on to do honours, win scholarships and so on. I was lucky to be associated with them for that year.

I was still working, part-time by choice, in spite of the disadvantages of not being a full-time member of staff. The lack of proper recognition of part-time work really annoys me, especially as I see it as very much a women's issue. Employers often view part-time employees as second-class workers, and unions and other employee organisations have generally been less than supportive of this group of workers. I am

pleased to see that some law firms are introducing more flexible working hours; this goes a long way towards helping women lawyers continue their careers.

Although I was now committed to finishing my LLB, I was not prepared to give up my job or my other interests and I therefore planned to proceed at a leisurely pace, taking only two subjects a year at most. This is what I did, although once when I was discussing with the then Dean which two out of three possible subjects I should take that year he threw his pencil down and said "For God's sake, Anne, take the lot." So I did.

How did I find attending classes as a mature student? The short answer is, I didn't find it significantly different from attending classes as a teenager. I was far from being the only mature student and as far as I could tell the other students and the staff accepted us quite calmly. I have heard other older people say they felt more confident about speaking up in class than they had as young students. I might have felt the same if I had been taking less specialised subjects but in law classes most of the time I was content to listen.

I had to overcome two technical difficulties relating to age. After years of reading for pleasure I found it extremely hard to slow my reading speed down sufficiently to tackle law materials, where every word has to be scrutinised. Also, as I had become used to a word processor, writing by hand, especially under pressure in examinations, was not as easy as it once had been. Indeed, I found that I now hated everything to do with examinations. Having become accustomed to the luxury of taking as much time as I needed to write a report or an article, it was very hard to readjust to a three-hour deadline. I remember distinctly in Constitutional Law I was still reading down the list of questions when I suddenly realised half an hour had passed without my writing a word, and this after many years of coaching school pupils in examination techniques!

It might sound frivolous, but the most frustrating and discouraging aspect of being a mature, part-time student at Victoria was finding a carpark each day. The authorities seemed to assume that all students were full-time, active youngsters who strode up the hill from the city in the morning and spent the whole day on campus. If Victoria is really serious about encouraging a wide range of students the parking problem will have to be tackled, perhaps by constructing multi-storey carpark buildings which students pay to use.

About the course itself, I did find it demanding, partly because although we had to complete and pass a number of major assignments during the year, in most cases these did not count towards our final result. Reducing the overriding importance of the end-of-year examination by taking term results into account would have taken some of the pressure off and would have allowed law students more time to join in extracurricular activities while at university. As it was, from observation it seemed to me that law students at Victoria in the 80s had a less well-rounded experience of university than Arts students at Auckland in the 40s. Partly a reflection of the times, I suppose, but it is still a pity.

When it came to the individual subjects, not surprisingly I found it easier to be interested in those which had a social or historical content, like Criminal Justice System and Equity. Intellectual Property was a good subject for me, as I could relate to the problems of copyright. I enjoyed International Trade Law although my husband had reservations about my taking it. At the time he was in charge of New Zealand's overseas trade so maybe he felt he would lose his job if his wife failed the subject!

Never having worked in any kind of office, I found the commercially oriented subjects heavy going. I remember complaining to one lecturer that he had *no idea* how business-illiterate students like me were. Ironically, when at last I was permitted to do Family Law, which I took at the same time as my daughter Caroline, I found I was no good at it. Somehow I just could not get on the right wave-length and I passed with only a few marks to spare. Industrial Law was what really interested me and if I had been twenty or thirty years younger I would like to have specialised in this field. My elder daughter, Joanna, has in fact done this.

My highest ambition, as far as law was concerned, had always been to graduate LLB but having achieved that I was persuaded to take the next step and get admitted to the Bar. Doing the Professional Legal Studies course in preparation for this was most enjoyable. Never having worked in a law office I was not blasé, as some of my fellow-students tended to be, and the practical exercises acted as a refresher course for the subjects I had taken nearly thirty years earlier. Even though I was so much older than anyone else on the course they were all extremely gracious and friendly, including me in all the out-of-class activities, for example, and my husband as well. When I commented on this to my family they said "Of course they are nice to you, Mum! They can afford to be. You're no threat to them", a remark which neatly managed to insult everyone concerned.

When I was admitted to the Bar, my two lawyer daughters supported me, which the local paper found worthy of comment. They sent an enthusiastic photographer who took dozens of shots of the three of us against various appropriate backgrounds. Later, he discovered he had no film in his camera. I should say here that I have a daughter-in-law who is also a lawyer. So as far as our family is concerned law is very much a female profession.

I had long reconciled myself to the fact that at my age getting my legal qualifications would have to be an end in itself and I made no attempt to get a job as a lawyer. Working as a legal volunteer at the Wellington South Community Law Centre and the Senior Citizens' Day Centre gave me a certain amount of experience in dealing with clients' problems, which I found quite absorbing. The provision of free legal advice is a wonderful service to the community and I am proud of the support the legal profession gives to these centres.

Another way in which I have been able to make use of my qualifications, still on a voluntary basis, has been as a member of the Parliamentary Watch Committee of the National Council of Women, a body which monitors pending legislation and prepares and presents submissions to select committees.

Like many others, throughout my life I have got a tremendous amount of interest and satisfaction out of voluntary work, but all the same it was a real thrill when I was unexpectedly given the chance of earning some money through law. In this context I would like to say to other mature students that if they get any chance to use their recently acquired knowledge in paid employment they should grab it. Personal satisfaction is certainly a good reason for studying but using your education for work that is paid for somehow validates your studies. In my case, being invited first to tutor and later to lecture part-time in law in the School of Commerce at Wellington Polytechnic made me feel for the first time that I was a fully qualified lawyer. The experience was rewarding in other ways as well. Having spent so many years around schools and universities, it was valuable getting to know how another kind of learning institution functioned and it was a real bonus for me to work alongside the lawyers who ran the course.

In 1991 I was appointed to the Indecent Publications Tribunal. While I am there as a writers' representative, my background in law helps make me a more useful member. Although a great deal of the material we have to classify is depressingly offensive, I still find it a fascinating intellectual exercise interpreting the law governing classification of publications, balancing personal freedoms against what could be injurious to the public good. Censorship is widely recognised as a legal and moral minefield and it is endlessly interesting picking one's way across it.

My reason for writing about my own experiences at such length has been to show that there are different paths one can follow to attain a university education and that once achieved such an education can open up unforeseen opportunities, whatever the age of the graduate.