

Trong Minh Bui – Fellow, 2015 Law Foundation of South Australia

LLM Report

Background

During my time at Adelaide Law School, I benefited greatly from the guidance, knowledge, and experience of members of the faculty. It was where I became interested in equity and legal socio-economic rights. After graduating from the University of Adelaide, I spent a year as the Associate to Justice John Mansfield at the Federal Court of Australia. During that time, I had the opportunity to learn from an experienced and highly regarded jurist and gain a better understanding of trial and appellate litigation, with a particular focus on native title, administrative law, and consumer law.

Concurrently with my time at the Federal Court of Australia, I was also a sessional tutor at Adelaide Law School for the subject 'Equity', as well as a research assistant at the South Australian Law Reform Institute. I continued my academic interest in law via these endeavours and, through encouragement from Justice Mansfield and the University faculty, began to consider postgraduate studies and opportunities for funding assistance.

The University of Cambridge

I knew I wanted to consider further the topics of equity and legal socio-economic rights, and how those issues have been considered in other jurisdictions. The Law Faculty of the University Cambridge is renowned for its international character, with pre-eminent academics from across the world, with a variety of legal backgrounds. In particular, the Master of Law program offers a wide selection of topics from common law and civil law jurisdictions.

I wanted to study a broad cross-section of legal topics – I was interested in the origins of our legal concepts and how disputes are adjudicated within domestic courts and international tribunals, while I also wanted to consider further how other jurisdictions have addressed legal issues that are facing Australia. I was interested in considering the different mechanisms in which those issues may be addressed – whether it would be through political means such as legislative reform and international agreements, or through the judicial system. Accordingly, I focused my studies at Cambridge on litigation, private law, international investment law, and English Legal History. It was enriching to engage and discuss ideas with experienced academics and other talented students from different legal backgrounds. We debated the nature of the issues we were studying and the differing approaches taken to respond to those issues by our respective home countries. This intellectually stimulating experience greatly improved my analytical capacities and problem-solving skills.

During my time at Cambridge, I also contributed to the Pro Bono Research Project. I worked on an *amicus curiae* brief in relation to an active case before Superior Court of Quebec dealing with the rights of transgender persons. Through that project, I gained a better understanding of how civil codes like the Quebec Civil Code work, and how jurisdictions around the world have considered the rights of transgender persons from a comparative perspective.

After Cambridge

My studies at Cambridge strengthened my interest in public law litigation, and upon my return to Australia I sought to use my new insights and skills to make a meaningful contribution to my community through working for the Australian government.

In July 2016, I was appointed as a Federal Prosecutor by the Commonwealth Director of Public Prosecutions. During my time there, I focused on the prosecution of fraud offences against the Commonwealth and other regulatory offences. The breadth of my practice covered every jurisdiction in Australia, including a civil aviation prosecution conducted in South Australia, and I was fortunate enough to work with other experienced and talented colleagues. The key insight I gained from my time as a Federal Prosecutor is the importance of balancing rigorous advocacy with impartiality in the conduct of prosecutions.

For the past year, I have been at the Australian Government Solicitor as a lawyer. My practice continues to be wide and I have primarily worked on civil litigation, including class actions and matters involving indigenous legal rights. The work is intellectually stimulating and I believe my experience at Cambridge has provided me with a strong foundation to work in a rigorous and fast-paced legal environment. I have had the opportunity to work on a native title matter which will be heard by the High Court of Australia in September 2018. The matter raises unprecedented questions of compensation for the extinguishment of native title, and it will undoubtedly have a lasting impact on the Australian legal landscape. My time at Cambridge equipped me with the skills to deal with legal questions such as this one, for which there is no direct precedent or where legislative reform is not immediately foreseeable.

In addition to these roles, I have continued to contribute to the legal community as sessional tutor at the Australian National University College of Law, leading classes in the topics of 'Equity & Trusts' and 'Property Law'. I find teaching to be an enriching experience, and I have been able to pass on my experience and critical reasoning skills that I learnt at Cambridge to the next generation of law students.

The Law Foundation Fellowship

While it was not a difficult decision choose to go to Cambridge, one of the challenges facing many aspiring postgraduate students is funding. Course fees and living costs were

quite high. Without the Law Foundation's generous funding assistance, it would not have been possible for me to pursue this great opportunity.

I would like to extend my deepest gratitude to the management, members, and staff of the Law Foundation of South Australia, in particular Justice Kelly, the Deans of the Law Schools of South Australia, nominees of the South Australian Attorney-General, nominees of the Law Society of South Australia, Ms Mary Walters, and Ms Caroline Apps. The Law Foundation has been very generous since its establishment in 1985. In the past few years, the Law Foundation had made grants to many important causes, such as legal advice clinics, community legal centres, and law reform projects. As a recipient of one of the grants, I am humbled at the confidence and trust that the Law Foundation placed in me.

My experience at Cambridge was invaluable and was only made possible by the generosity of the Law Foundation. I look forward to continuing to contribute to the Australian legal profession and the wider community.