

**SPEECH AT LAUNCH OF THE JUSTICE PETER HELY
MEMORIAL SCHOLARSHIP
27 MAY 2008**

J D Heydon

Dean, Jane Hely, Ben and Catherine Hely, Tony and Wendy Hely, Patsy Hely, ladies and gentlemen.

I want to do two things.

The first is to take up the point Rod Meagher made at the end of that excellent address. The Hely Fund totals about \$340,000. That is about enough to fund one Hely Scholarship per year. It is not a bad response. But, in the words of many a school report, one must say: "Has not done badly. Can do much better."

This year four candidates for the scholarship were short-listed for interview. It was hard to separate them, and each would have merited the scholarship. It would be nice to have more than one scholarship to give. What is more, while \$20,000 goes a reasonable distance in Australia, it does not go all that far towards paying fees and living costs in the Northern Hemisphere on either side of the Atlantic.

I know there are many pressing calls on one's charitable instincts.

I know individual circumstances can vary.

I know that times are hard financially.

I know we all count as rich in the eyes of Mr Swan.

I know that his budget, while good for working families, was hard on those he views as rich.

I know that he left the top marginal tax rate at a high level.

But the beauty of what he has done, or not done, is that to give to a charity like the Hely Scholarship means one is getting a greater tax advantage than if marginal rates were lower.

In that spirit I ask you to direct money away from the Commonwealth's bloated income tax revenues and towards a much better cause, the memory of Peter Hely.

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I turn to a happier subject – the first Hely scholar, Lucas Bastin. He has a First Class Honours Degree in English Literature, and another in Law. He won many prizes. Of particular significance is his success as a mooter in the International Law Mooting Competition named after the distinguished American international lawyer, Phillip C Jessup. Last year he represented this Law School. There were 550 teams from all over the world, and 2,500 participants. His team won, and he was declared the "Best Oralist" in the world final round. This is a great tribute both to him and to the Law School. He has also won two other world mooting championships. He has numerous sporting interests and achievements. He is engaged in many other extra curricular and community activities.

I am happy to say that he has been admitted to Oxford to read for the degree of Bachelor of Civil Law. The darker side, as Rod Meagher would say, is that he has chosen to go to, and has been admitted by, Magdalen College. Well, it's a bit of bad luck. It could have happened to anyone.

The committee which chose him – the Dean, Peter Jacobson and myself – were very pleased with the quality of applicants, and very happy to have selected Lucas Bastin as the first holder of the Hely Scholarship.

I conclude by asking you to acclaim him.