

# My Oath Lawyers Are Honest

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You have probably all heard them, the lawyer jokes. Most of them are harmless, but some are truly offensive.

Legal professionals are rarely thin-skinned, but you will find our profession takes exception to being called anything less than honest.

The reason I raise this is because recently at a social gathering, a little girl asked me what my job was. When I told her what I did, she asked what it meant. Her (less than informed) mother then piped up to explain that solicitors were the people who told lies for their clients, and kept the bad people out of jail.

My mouth fell open and I was (for once) speechless. It was the most insulting comment that could possibly have been directed at me. It is also the most inaccurate reflection of the profession I am so proud to be a part of.

When a legal practitioner is admitted to practise, it is not just a simple task of “getting a job”. There are suitability requirements we must meet, and among many other things, we must take an oath to the court.

Above all, legal practitioners have a duty to the court. We are considered “officers of the court”. We also have a duty to our client, but the administration of justice and our duty to the court overrides all other duties in our profession.

If it becomes apparent our client is telling a lie or engaged in other dishonest conduct, we have an obligation to advise the client that they must disclose that lie or conduct to the court, and if our client will not permit us to do so we must cease to act for that client.

I encourage you to take this on board. The legal profession in Australia is vastly different to that portrayed in the movies, and certainly not as glamorous.

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Elsbeth's articles can be accessed on the Daily Mercury website at <http://www.dailymercury.com.au/topic/elsbeth-ledwy/> or you can find Elsbeth's column “Mind Your Own Business” in the Daily Mercury newspaper each Wednesday.



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