

PHILLIPA CHRISTINE WEEKS 1953 – 2006

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PHILLIPA CHRISTINE WEEKS

Phillipa was born in Sydney in 1953, the eldest of four children. When she was two, the family moved to Harden, where she attended Harden Catholic Primary School. She later went to Cootamundra Catholic High School to Year 10, and then Cootamundra High School to Year 12, where she was School Captain.

Aged only 16, she arrived at ANU in 1970 on a National Undergraduate Scholarship, and graduated with a BA (First Class Honours) in 1974. After a stint as a tutor in history at Flinders University of South Australia in 1974, she spent 1975 as an officer in the Department of Foreign Affairs in Canberra, simultaneously tutoring in history at ANU. In 1976, she enrolled in the graduate-entry LLB program at ANU, graduating in 1979 with First Class Honours and a swag of prizes, including the Supreme Court Judges Prize for the best honours result on graduation.

In the same year, Phillipa was appointed to the academic staff of the law school, rising to the rank of Professor in 2001. Along the way, she took out an LLM degree, her thesis on trade union security winning ANU's prestigious Crawford Prize in 1987, and in 1999 was awarded a Visiting Fellowship to Wolfson College at the University of Cambridge. She taught mainly in property law and labour law, publishing widely on the latter and becoming one of Australia's leading scholars in the area.

Phillipa served the law school and the university in almost every conceivable administrative capacity, culminating in her period as Associate Dean and Head of School from 2000 to 2005, and served the broader community through activities as diverse as Director of the Credit Union of Canberra, Member of the Social Security Appeals Tribunal, and Chair of the ACT Government Sex Industry Consultative Group. She was awarded the University Medal for Outstanding Service to the Campus Community in 2005. After battling cancer for a little over a year, Phillipa died on 4 August 2006 at the age of 53.

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EULOGY: PHILLIPA WEEKS 1953 – 2006[1]

Ian, Pat, Jack, members of the Weeks and Hancock families, colleagues, and friends of Phillipa.

Can I say first to Phillipa's family how much we share in your loss. All of Phillipa's wonderful qualities you experienced within the family were also very much a part of our privileged experience of Phillipa as a friend and colleague. Many of us change, chameleon-like, according to the circumstances, but I have no doubt that Phillipa was a constant — universally all of the things you knew her as. She was also universally admired, respected, and loved. I was leaving work late last Friday, the day Phillipa died, and Vlad, our law school cleaner of eleven years, asked me why I was looking so downcast. I explained that Phillipa had died earlier in the day, after battling cancer for a little over a year. (You won't be surprised, by the way, if you knew anything about Phillipa's work habits, that she would have been well-known to the after-hours inhabitants of the building!) 'Oh', said Vlad, visibly distressed. He paused for a moment of reflective silence of the kind one has in these situations. Then, in his distinctive Macedonian English, he said, 'she was very good person'. He knew, from the merest acquaintance. And she was good — good at what she did, and intrinsically good. Her outer self and her inner self were a perfect match.

How meagre, though, is the English language, or indeed the spoken word in any language, when it comes to capturing a person's essential qualities. Vlad captured it in the single deep and multi-layered word, 'good' — but, like all of us in the last few days, he was really expressing raw emotion. The emotions are impossible to suppress, but I am going to try to put into words how all of us feel about a very, very special person.

I speak both in a personal capacity and a representative capacity. Indeed, I am deeply honoured, and a little overawed, that Phillipa and Ian should together have asked me to give this eulogy. I do so particularly on behalf of everyone who is part of the ANU community, of which Phillipa was not merely a part but, in everything she did and every breath she breathed, its very definition, its moving force, its lodestar. We pride ourselves at the ANU on having a particularly collegial law school. We didn't create this by consulting a rule book. We needed only to observe and emulate Phillipa Weeks — effortlessly and naturally being herself. She was the most wonderful colleague, and an inspiration to all those around her. With a little help from my colleagues, who, with many of our students, have flooded me with their tributes and stories of their personal experiences, I am going to tell you why.

First, though, I just want to remind you that, despite the picture of near perfection that I am going to paint, and which I passionately believe, she was, after all, human. I recall an incident in the relatively recent past when, having taught a class in the Coombs Lecture Theatre, she forgot to turn off her lapel microphone. Thus, her entire

1 Eulogy delivered by Australian National University Dean of Law Professor Michael Coper at the funeral of Professor Phillipa Weeks on Wednesday 9 August 2006 at the Holy Rosary Catholic Church, Watson, Canberra.

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private conversation on the walk back from Coombs to the law school was unwittingly broadcast for the edification of the somewhat startled students leaving the lecture theatre, as well as an equally startled group entering for the next class. I doubt that the incident rivalled the famous occasion when a Play School presenter on ABC Television said what she really thought of her little charges when she believed — incorrectly — that she was off camera. Even if Phillipa said what she really thought, and I have no reason to think that she didn't, her comments would without doubt have displayed the same generosity, wisdom, patience, respect, integrity, and compassion that she always displayed. Her students loved her, not just because she was an outstanding teacher with a great command of her subject and unrivalled skill in communicating it, but because she cared.

That came home to me so strongly in the flurry of over 50 emails I received within hours of announcing Phillipa's passing last Friday. Those emails included, by the way, condolences from over a dozen other Australian law schools, underlining that Phillipa was an icon not only at ANU but also in the academic community generally. They came also from Canada, they came from the UK, and they came from New Zealand. But what really struck me about the emails from students, and from colleagues remembering their own experiences as ANU students up to 20 years ago, was their mention of Phillipa's practice of writing personal notes of congratulation and encouragement to all of those who had performed well. This clearly continued to make as big an impression on current students as it did on past students. A final year student writes: 'I remember doing *Lawyers, Justice and Ethics* with Phillipa in my first year, and receiving a personalised letter from her congratulating me on my mark. It was by no means the best mark in the course, yet her words of encouragement really made me feel special — I still have that letter. I think it was this sort of gesture which epitomised the kind of special person that she was.'

We naturally tend to remember Phillipa as a teacher and as a colleague, as these are the capacities that most revealed her remarkable personal qualities. It is those personal qualities on which I want to dwell. But they should not obscure the fact that she was also a very fine scholar. Of course, to secure a position in the ANU professoriate one has to be an accomplished scholar, and that may lead us to take Phillipa's contribution in this respect for granted. But there are scholars and scholars. Phillipa's scholarship stood out, for me — and I am speaking personally, as I read much of it, most recently her outstanding essay in the Faculty's book *Interpreting Statutes*[2] — in a number of ways. First, she was clearly a leader in her field of labour law — the tributes that have poured in from the labour law community leave no doubt of that. This is hardly surprising, given her brilliant record as a student: double firsts in Arts and Law and the Crawford Prize for her Masters dissertation. Secondly, though, her scholarship should not be thought of as compartmentalised and separated from the rest of her life. As I have said on another occasion, we are what we write — and Phillipa's writing shows all the hallmarks of her character that we loved so much: her grace, her insight, her compassion, her balance, and her judgment. These qualities transcended her writing, but, unsurprisingly, they are evident there too. Again, the tributes from her colleagues make that so clear. And I expect those qualities to continue to be evident in

2 Phillipa Weeks, 'Employment Law – A Test of Coherence between Statute and Common Law' in Suzanne Corcoran and Stephen Bottomley (eds), *Interpreting Statutes* (2005) 166.

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her last work, a book with Marilyn Pittard of Monash University to be published by ANU E Press,[3] the final proofs of which she checked not long before she died.

I should add, on a lighter note, that, according to a story told by Charles Rowland, Phillipa was lucky to survive an encounter with Charles with her intellect intact. 'About 20 years ago,' Charles writes, 'I introduced her to sailing and succeeded in banging her over the head with the boom, twice in two minutes. It did not injure her, but it did hurt. She kept her courage and her cheerfulness, and she never blamed me, though it was my fault.' An early example, I think, of Phillipa's great generosity of spirit, a quality she had, according to Sue Tongue, 'before the term was even invented'.

These anecdotes, or word-pictures, contain many memories. Fiona Wheeler has reminded me of Phillipa's close identification with her old, red, distinctively gurgling VW Beetle, which had been parked for so long under so many trees that it had developed what David Kinley called a bad case of black spot disease. Matt Rimmer and others have urged me not to overlook Phillipa's sporting prowess. 'Hailing from country NSW,' Matt says, 'Phillipa was bilingual in both rugby and AFL, and her dominance of the tipping competitions was unsurpassed.' Robert McCorquodale, Phillipa's predecessor as Associate Dean and Head of School and now at the University of Nottingham, remembers Phillipa as a wise and wonderful colleague, though he does observe that, when she assumed the role of Head of School, at least she did not have to face the problem he had of having to remove his predecessor's chaotic papers and aromatic soccer gear. Ian Holloway, another former colleague and now Dean of Law at the University of Western Ontario, writes, fittingly for a royalist, that 'Phillipa probably would not have cared for this comparison, but to me she was the Queen — absolutely the most noble and dutiful and loyal person I ever met.' He was then moved to quote some lines from Sir Walter Scott:

> Now is the stately column broke
> The beacon light is quenched in smoke
> The trumpet's silver sound is still
> The warden silent on the hill

I am not sure how Phillipa would have reacted to this lovely outbreak of romanticism from Ian Holloway — perhaps, like her reaction to Charles Rowland's carelessness with the boom, she would have said it was not really Ian's fault — but she was, as I said, in proofing mode shortly before her death, and I can just hear her saying, 'Ian, I think that last line should be "warder", not "warden"!'.

Friends, I make light of tragic circumstances, but nothing I can say or do relieves the pain and sense of loss I feel and that we all feel. Phillipa was a wonderful person, who touched us all. I wish I could read to you every tribute I have received. It has been so hard for me to prepare this eulogy, because every time I sat down to read my emails, the tributes moved me to tears. Personal experiences of kindness, courtesy, and grace; of encouragement to others and modesty, even reticence, about herself; of inspirational teaching and extraordinary impact; relentless examples of her good sense and wonderful collegiality; of the genuine pleasure she took in what she did; of her wisdom, her humanity, and her commitment; her integrity, her warmth, her humility and her sense of humour; her intellectual and moral stature; her professionalism, her positive approach, and her honesty; her selflessness, her generosity, her courage, and

3 Marilyn Pittard and Phillipa Weeks (eds), *Public Sector Employment in the Twenty-First Century* (ANU E Press, forthcoming 2006).

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her dignity; her empathy, her unaffectedness, and her friendship. What an astonishing catalogue of saintly characteristics; what an antidote to cynicism and competition; what a role model; what a treasure.

I have made reference a number of times to Phillipa's collegiality, a quality that is vividly illustrated by the recurring nominations of Phillipa for the 'Dean's Cup', our annual law school collegiality award, in total defiance of my rule that it should go to a different person each year — indeed, last year it was suggested that it simply be awarded to Phillipa in perpetuity. I am very gratified to be able to say that this defining characteristic of Phillipa's was well recognised in the ANU community as a whole. I was so pleased that, at the law graduation ceremony last December, we were able to honour Phillipa's unsurpassed contribution to the ANU community while she was well enough to be there and to be a part of the celebration. Who could forget the spontaneous and sustained standing ovation? It gives me some comfort that we were able to tell Phillipa what we thought of her during her lifetime. No doubt she thought it was a lot of unnecessary fuss. But it wasn't. It was right and proper. And can I just add that amongst the emails I received last Friday was a particularly touching one from a colleague in the ANU central administration. As we struggle, this colleague wrote, to combine academic excellence with the values of collegiality, respect, responsibility, and care for others, Phillipa's example will remain inspirational. She saw these things effortlessly, he said, as integral parts of the academic whole, redefining academic integrity as a harmonious blend of all of these qualities.

I said that I am speaking both in a representative and a personal capacity. I worked very closely with Phillipa while she was Head of School for a record five-year term. No Dean could have wished for or invented a more supportive Head of School. Of course, we didn't always agree. I remember when I joined ANU in 1995 that I proposed to present a paper at a seminar on Back to Basics in Teaching and Learning provocatively entitled 'Lectures are a Waste of Time'. Showing all her skills of diplomacy and discretion, she persuaded me to transpose the first two words and convert my confrontational title into the less pre-emptive question, 'Are Lectures a Waste of Time?' Phillipa had of course shrewdly perceived that I was actually arguing for a more Socratic approach; and, without the slightest hint of triumph or point-scoring, she steered me gently into a more Socratic way of doing so!

I know that Phillipa really valued her five years as Head of School. Indeed, her extraordinary selflessness and sense of duty was starkly underlined when she remarked that she was grateful that her illness cut only into her period of leave and did not interfere with her job as Head of School. You know, she and I never really articulated what it was that enabled us to work so well together — those of you who were at the Head of School handover function a year ago may recall that we both struggled to do so. In retrospect, I think it was a bit like a good marriage, the key to which is not the drafting of an extensive pre-nuptial agreement, or even achieving a clear division of responsibilities, but is rather the holding of shared values, shared deep values. I have already catalogued some of the values that Phillipa brought to the table. May those values live and flourish in our academic community as an enduring way of honouring Phillipa's memory.

Finally, may I mention that we cancelled all classes and meetings at the law school today, to enable people to attend this funeral and as a mark of respect to such a beloved friend and colleague. But it is deeper than that. A sad occasion like this demands that we stop and think about deeper things — why are we doing what we

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do, what are our goals, and what contribution can we make? The answer is different for every individual, but Phillipa's life — cut short as it was so prematurely and when she still had so much to give — stands as an inspiration. We mourn her loss, but we celebrate her life — a special person who always made others feel special. That is overwhelmingly how we will remember her.

I want to let Phillipa's husband, Ian Hancock, have the last word. Ian and I talked about Phillipa the other night, and he remarked how fortunate we were at the law school that Phillipa's skills of tact and diplomacy were deployed with us and not wasted on the Russians, as they might have been had Phillipa stayed with the Department of Foreign Affairs and Trade. I wish we could have heard a bit more from Ian today, but occasions like this are nearly always too much for the surviving partner. Ian told me that he had encapsulated his feelings in a single sentence in Phillipa's death notice, and that, finally, is what I want to share with you. These are Ian's words: 'Phillipa Weeks — my spouse and best friend, the shrewdest of critics, the calmest of partners, and the wisest of counsellors'.

Amen to that.

Michael Coper
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PHILLIPA WEEKS: MEMORIAL GATHERING

ANU COLLEGE OF LAW — 31 AUGUST 2006

Michael Coper[4]

Colleagues, students, friends, and Phillipa's family, who are here today.

Four weeks ago tomorrow, we lost one of the most loved members of our community. Three weeks ago, many of us here attended the most amazing farewell — 600 people jammed into a church that held only 500, all there for a common purpose, to say goodbye to a wonderful person and to share our grief at her premature passing. To me, that gathering had an energy that was palpable, and in truth not a single word needed to be spoken. We knew why we were there, we knew what we had lost, and we knew that we all shared in that loss.

Today we gather to remember and to celebrate Phillipa's life and work, especially as it related to the ANU, which first entered her life at the tender age of 16 and continued over 3½ decades. Of course, we are still grieving, individually and collectively, and we are doing so in diverse ways. It is not compulsory to do so collectively, and no one should be judgmental about any absent colleagues or friends, who may understandably be more comfortable with their own personal ways of finding solace. But today is an opportunity for us, as a community, to share some perspectives on Phillipa's unique contribution to our collective enterprise and to our well-being.

I emphasise the latter, our well-being, because Phillipa was one of those rare individuals who, just through the privilege of knowing her, really enriched our lives. That, I am sure, will be the theme, stated or unstated, of much that you will hear this afternoon.

I should say, in case anyone is unsure, that this is a secular gathering, not a religious service or ceremony. That is not in any way to belittle Phillipa's faith, which was strong, or your faith, or to exclude a spiritual dimension from our remembrance or from our grieving, which, as I said, is ongoing. It is just to put the emphasis today, in as inclusive a way as possible, on the celebration of Phillipa's life, and to honour her memory. We are a Faculty that embraces many faiths — Christian, Jewish, Buddhist, Islamic, and more — but we come together today from a universal perspective, and that is our love and respect for a unique and wonderful colleague.

Four of our colleagues, and one of our students, are going to address different aspects of Phillipa's life. Phillipa's early life was in the country, particularly in Cootamundra, and the more observant amongst you will not have failed to notice the Cootamundra wattle illegally harvested by some of my colleagues in a dawn raid this morning.

4 Robert Garran Professor of Law and Dean, ANU College of Law.

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Phillipa then arrived at the ANU, too young even to lawfully purchase a drink at the university union bar, and took her first degree in history. She came to law as a graduate student in 1976, and had the good fortune to be taught by many of our colleagues who remain with us as distinguished emeritus professors. One of these was *David Hambly*, and I would ask you to welcome him to the podium.

David Hambly[5]

On 30 January 1970, the front page of *The Cootamundra Herald* announced the award by the ANU of a National Undergraduate Scholarship to Phillipa Weeks, the School Captain of Cootamundra High School. In her HSC, Phillipa was equal first in NSW in Modern History, fifth in French, sixteenth in English. Her History teacher commented: 'A tremendous mind; a tremendous worker'.

The Herald's editorial congratulated 'a girl of such tender years [who] has been able to attain maturity in personality and study and be respected so highly by her fellow students'. Phillipa was then 16.

When I recently told some colleagues that all the qualities that we cherished in Phillipa had been even more remarkable when she was in her 20s, Fiona Wheeler replied 'And quite extraordinary when she was 16', and she showed me *The Cootamundra Herald*.

Four years later, Phillipa had a first class Honours degree in History. The ANU History Department, led by Professor Manning Clark, was then exceptionally strong — both its staff and its Honours students. Yet in Manning Clark's autobiography, he went out of his way to mention Phillipa, and to liken her to his former Melbourne students, Professor Geoffrey Blainey and Professor Ken Inglis. All three, he said, 'put what was in the mind into their essays rather than into frivolous tutorial discussions.'[6] All this before she was 21.

After brief periods as a History tutor at Flinders University and in the Department of Foreign Affairs, Phillipa returned here to do the LLB (G) from 1976–78. She joined an unusually talented, ambitious and intensely competitive group of students. Then, as in later years, she was not drawn into the rivalries that can bedevil all levels of academic life. She never strove for effect. By quietly being herself, she was the friend of everyone.

The ANU was then recovering from our only experience of a rancorous, campus-wide upheaval in staff-student relations. Phillipa was elected to a new post as the law students' representative on the Board of the Faculties. It was there that I met her. Then, as later, everything she did in campus politics showed the merit of a gentle, principled activism over stridency and factionalism.

In 1978, her final year, she was in my Family Law class. I was to go on study leave in 1979. The Faculty had severe staff shortages. My colleagues were strangely reluctant to teach Family Law while I was away. The Dean, Professor Greig, had an unorthodox, risky, brilliant idea: to offer a temporary lectureship to Phillipa, to teach Family Law in 1979. I agreed. We hoped to attract her into an academic career. She accepted the invitation, and with her consummate discretion, she continued as a student in the Family Law class with the secret knowledge that she would be the lecturer next year.

5 Emeritus Professor, ANU College of Law.
6 Manning Clark, *The Quest for Grace* (1990) 212; and see 149.

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So, at 25, she graduated with the Supreme Court Prize, and started to teach here. From the very beginning, her rigorous mind and her warm, compassionate spirit made her an inspiring teacher and colleague. In the next four years, while she subsisted on yearly appointments and tutored in diverse subjects to alleviate our staff problems, she made a prodigious contribution to administration, and to staff and student welfare, in the Law School and throughout the University, and she was also busily engaged in the general community. The gentle activist was inexhaustible.

At last, in 1982, a rare tenurable lectureship was advertised, but with the stipulation that the person appointed must teach Property. This was one field in which Phillipa had not yet been asked to teach, but she rightly felt that she must apply. Amid some controversy, which she bore gracefully, she was, thank heavens, appointed. And so she embarked on many years of teaching Property, and far beyond that, her profound enrichment of every aspect of our life here.

I hope that we can find ways to honour her that will inspire us to follow her example.

Michael Coper

Phillipa made a very rapid transition from student to teacher, and as a result of her teaching over more than 25 years at ANU, there are innumerable students who could attest to her remarkable gifts in that respect. In fact, you can read some of the extraordinary testimonials on the back of the program. *Aparna Rao*, a former President of the ANU Students' Association, is one of Phillipa's former students, and I would ask you to welcome her to the podium.

Aparna Rao[7]

There are so many people who could testify to Phillipa Weeks' quality as a lecturer. So I am genuinely honoured to be asked to take part in remembering one of the best lecturers I have had at the ANU. I can say this now, at her memorial, because I have been able to say it from the very first time Phillipa taught me. As a teacher she showed complete control of her subjects, and the rare ability to show a student how to gain the same control.

More than that, Phillipa made you feel appreciated as a person who wanted to learn. When you approached her after a lecture to ask the proverbial 'uh, this might be a stupid question, but …', she wouldn't let on if it really *was* a stupid question. Instead she would take the time to answer and gently direct you to the reading you hadn't yet done. If you had a good question, she would tell you it was a good question. You could always get a time to see her: she was conversant with email, her office was open, and she wrote comments on exam papers! And beneath Phillipa's gentle manner was an expectation that you would take the subject seriously — because she was serious about teaching it.

Since her death, I have heard many stories from students about Phillipa, each one an example of her remarkable approach to teaching. My own story comes from my first year in 2002, when I was mortified because I missed a lecture of Lawyers, Justice and Ethics. The lectures *were* taped, and when I listened to the cassette in the library, I heard, not the sound of a noisy class that you usually hear before the lecture starts. Instead I heard Phillipa's calm voice telling me that because the tape hadn't worked in

7 Student, ANU College of Law.

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class that day, she was re-recording the whole lecture again at home. This consideration for me — and other students who had not attended class — left me with a profound impression, which I still have today, of how good Phillipa was: not simply as a lecturer but as a person. I felt like it mattered then: that I was trying to master this subject. And in first year that is a great motivation.

In a world where students and teaching, research and administration are all increasingly demanding lecturers' time and attention, Phillipa's approach was that teaching was at least as important as her other vital work in the University. This has always given me hope that students can learn for the sake of learning alone, and lecturers can teach as Phillipa did, just for the sake of passing on knowledge and encouraging thinking by others.

Even during her illness, she displayed the same amazing qualities and strength of mind. She would tell me that she was doing fine, and it was 'a treat to have uninterrupted study time' while she was on study leave. I know we wish she had returned from that leave. Although we are here to celebrate her life and contribution to the ANU College of Law, I must be allowed to feel sad that she is no longer here to teach more law students with the same enthusiasm, clarity and attention with which she taught me, and taught many of you. I think most students will agree when I say that Phillipa's lectures were worth attending, because you felt that she cared if you came, she cared if you listened, she cared if you asked questions, and she cared that you learnt something.

Your students will miss you, Phillipa, while we remember the commitment to teaching you showed us, the time and energy you gave us, and the principles of law you taught us. Thank you.

Michael Coper

I said at the funeral that the sheer power of the memory of Phillipa as a teacher and colleague was apt to overshadow her achievements as a scholar. But these achievements were equally remarkable, and deserve being recalled on an occasion like this. *Shae McCrystal* is a colleague who worked very closely with Phillipa in labour law. It was impossible for Shae to be here today, but she has recorded this tribute.

Shae McCrystal[8] **[*by video*]**

In the preface to her 1995 book, *Trade Union Security Law*,[9] Phillipa Weeks thanked her parents for inspiring in her 'a vocation of labour law'. A vocation is also thought of as 'a calling' — a natural aptitude or gift — and this encapsulates Phillipa's contribution to labour law scholarship. She was a natural and she leaves us with the gift of her writing — the highest standards of labour law scholarship.

Phillipa did not begin her academic endeavours with the study of law. Instead, her earliest studies were in the field of history. After coming equal first in New South Wales in modern history in her HSC, Phillipa undertook an Arts degree, majoring in history at ANU. During this time she was a student editor of the *ANU Historical Journal*

8 Lecturer, ANU College of Law.

9 Phillipa Weeks, *Trade Union Security Law: A Study of Preference and Compulsory Unionism* (1995).

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and published a paper on 'Trade Unions in One Party States'[10] — an early indication of the two passions that would drive her scholarship, history and trade union rights. After completing her Arts degree and working at the Department of Foreign Affairs, Phillipa returned to study, undertaking a law degree at ANU. During her time as a student she was a case-note editor for the *Federal Law Review*. In 1977 she published a case-note on a constitutional case, *Bistricic v Rokov*,[11] concerning the plight of an injured maritime worker — a seaman — attempting to receive compensation in the face of a difficult constitutional law argument about the applicability of British law in Australia. While her case-note, displaying her future trademarks of meticulous research and precise prose, comprehensively dealt with the constitutional issues involved, she ended the paper with a labour law angle — a plea for urgent statutory reform in the area to protect against 'rare … sources of hardship to individuals'.[12]

Phillipa joined the ANU Faculty of Law in January 1979, beginning an academic career that would see her produce an extensive body of research in the areas of trade union rights, public sector employment, occupational health and safety, family planning, tenancy and property law, women's rights (including chairing the ACT Government sex industry consultative group) and the Australian Industrial Relations Commission. However, within this broader field it is her work on trade union rights and public sector employment that has had the greatest impact in the labour law field — the field that I am most qualified to comment on.

Her 1995 book — *Trade Union Security Law* — emerged out of Phillipa's Crawford Prize winning LLM thesis. The monograph is an impressive study of the complex issues surrounding freedom of association and the history of union involvement in the conciliation and arbitration system. The book is meticulously researched, demonstrating a depth and breadth of understanding of these difficult issues that is unrivalled in Australian scholarship in the area of the relationship between trade unions and law. Further, the book is extremely accessible, the prose demonstrating Phillipa's gift for clarity and understatement. The publication of this book confirmed Phillipa as the leading Australian expert on union security issues. It has continued to be widely cited, despite significant changes to the federal legal system in 1996, just one year after its publication.

In addition to her expertise on the relationship between trade unions and the law, Phillipa was one of the leading Australian experts on public sector employment law, making the most of her connection with the federal public service in Canberra. In recent years she published many papers on public sector issues and in the last 12 months completed an edited book on public sector law with Marilyn Pittard from Monash University. Although this book is not yet in publication, I had the privilege of reviewing an earlier draft of the book during the pre-publication process. In my report to the publishers I noted that this book will provide 'a substantial contribution to scholarship in Australia and significantly extend the bounds of present knowledge with respect to public sector employment'. When published, the book *Public Sector*

10 'Trade Unions and One Party States: Kenya and Tanganyika, 1961-1966' (1973-74) 10-11 *ANU Historical Journal* 50.
11 (1976) 135 CLR 552.
12 (1977) 8 *Federal Law Review* 346, 356.

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Employment in the Twenty First Century[13] will be a testament to all of those qualities that I hold dear in Phillipa's scholarship:

- it is multidisciplinary encompassing labour law, management, comparative and especially historical perspectives;
- it will be of enduring worth and value;
- it is meticulously researched (and likely edited to within an inch of its life!);
- it is precise and detailed; and
- it will quickly become the standard reference work for public sector employment issues.

Finally, I would like to add that I had the highest privilege of completing my PhD with Phillipa Weeks as one of my supervisors. In this work I benefited beyond measure from her compassion, attention to detail, breadth of understanding, and boundless patience. As a new labour lawyer, I could not have had a better mentor to introduce me to what is, at times, a complex and frustrating area of scholarship.

I would like to finish this tribute to Phillipa's scholarship with one small anecdote that I believe speaks volumes. At one point during my studies I was struggling to find the answer to a question about the right to strike in customary international law. I spent at least a week struggling through international materials and textbooks. Finally I went to see Phillipa about it, unsure if she could help me given that she did not specialise in either strike law or international labour law. She thought for a moment and then matter-of-factly directed me to a page in the High Court judgment in *Victoria v Commonwealth ('the Industrial Relations Act Case')*[14] to examine a footnote in which the majority judgment makes a comment about the relationship between the right to strike and customary international law. My struggle was over.

She was a true scholar — with a vocation for labour law — and she will be sorely missed by the labour law community.

Michael Coper

Beyond teaching and scholarship, Phillipa's contribution to the law school community, the ANU community, and the outside world, was astonishing. With the impossible task of encapsulating it in under 10 minutes is a long-standing colleague and workmate of Phillipa's and her successor as Head of School, *Stephen Bottomley*.

Stephen Bottomley[15]

I want to say something about Phillipa's remarkable contribution and service to the Law School, to the ANU, and to the wider community. Like my colleagues who are speaking today, I find this a very difficult thing to do. I mean that in two ways.

First, the sheer immensity of Phillipa's contributions across her academic career cannot adequately be compressed into the few minutes that I have today — although I'll give it a go.

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13 Marilyn Pittard and Phillipa Weeks (eds), *Public Sector Employment in the Twenty-First Century* (ANU E Press, forthcoming 2006).

14 (1996) 187 CLR 416.

15 Professor, Associate Dean and Head of School, ANU College of Law.

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But it is also difficult for me personally. I do not claim to have anything near the breadth and depth of Phillipa's record of commitment and service, but I do have some more personal connections with that work. I succeeded her as Sub-Dean when she finished in that role in 1993, and in 2005 I took over from her as Head of School when she concluded her five-year tour-de-force in that position, mid-way through last year. Following Phillipa's footsteps into those positions, turning to her for words of advice and relying on her as a sounding-board, has given me a close appreciation of the extent of her dedication to her work.

As I said, it is simply not possible to describe the detail of her contributions in such a short time, but let me try a quick summary.

In the wider community Phillipa's contribution and experience was amazingly diverse. She was a director of the Credit Union of Canberra from 1997 to 2001. She was a member of the Social Security Appeals Tribunal from 1995 to 2002; Chair of the ACT Government's Sex Industry Consultative Group, 1995-2001; a member of the Ethics Committees of the Family Planning Association ACT and Family Planning Australia, 1992–5; and an appointee of the Minister for Health (ACT) on the Advisory Council of the ACT Women's Health Centre, 1991. Again, that is only a snapshot of a much longer list.

Coming closer to home, Phillipa was a member or chair of over 30 university committees, and seven academic and professional bodies. Her reputation was widely known. In 2002, for example, she was invited to chair a review of the Law School at the University of New England, and in the same year she was a member of a panel that reviewed the School of Law at the University of Newcastle.

And turning to her role in the Law School, I mentioned earlier her defining roles as Sub-Dean (1991–93), and Head of School. She was also our Deputy Dean (Teaching and Learning) 1995–98. I can say, from first-hand experience, that Phillipa did not just 'do' those jobs; she transformed them, and re-defined them.

Beyond those roles, during her time in the Law Faculty Phillipa was a member of every major decision-making and policy-setting committee that we could come up with — often, it seemed, all of them at the same time, and frequently for much longer than the usual term of office.

It was always a relief to discover, at the beginning of each year when the Dean released the annual committee lists, that Phillipa was to be a fellow committee member: it was a guarantee that there would be a firm but gentle voice keeping us on track, and that there would be a spirit of professionalism in the committee's work.

It is probably wrong to pick out one example, but I know from conversations with her that one of her proudest achievements was her work on the Faculty Review Committee in 1990, culminating in the production of what has ever since been known as 'The Red Report'. The Report was a fundamental examination of the entirety of the Law Faculty's operations. Its 109 pages contained no less than 88 recommendations for change, and it became a foundational document in the subsequent history of the Law School. The Report states that it was published by the Committee. The truth is that Phillipa wrote that Report. I know, because I was on the committee with her. Modestly, as always, she shared the credit, but it was her persistence and determination and sheer hard work that got us there.

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But perhaps the best way that I can paint you a picture of Phillipa's excellence as a citizen, and of the deep appreciation we all had for her work, is to describe the Graduation Ceremony in December 2005, when Phillipa was awarded the University Medal for Outstanding Service to the Campus Community.

Llewellyn Hall was packed. Half of the Hall was filled with the new graduates, who had all just crossed the stage to receive their degrees and awards. The rest of the Hall was filled with family and friends. On the stage was the academic party, dressed in their robes, funny hats, and rainbow colours. There was a larger than usual number of Law academics in the party that day, because the news of Phillipa's award was known in advance.

The Vice-Chancellor walked to the lectern to announce the award. Phillipa had been sitting to one side on the stage, and she now stood, as the Vice-Chancellor spoke of her years of service (trying, as I have just tried, to summarise the unsummarisable). For some of us up on the stage, this was the first time we had seen Phillipa for a little while. So we sat and watched her, as she stood and listened.

Phillipa was never one to draw attention to her achievements, much less boast about them, but watching her as she stood there, listening the Vice-Chancellor, you could sense her quiet feeling of pride — so justified and so deserved.

As the Vice-Chancellor finished talking, Phillipa walked across the stage to receive her medal. The applause started straight away, and simultaneously every person in the academic party up on the stage rose to their feet. Immediately, so too did all of the new graduates. As did all of the families and friends throughout the rest of the auditorium. Every person in a packed Llewellyn Hall was on their feet, giving Phillipa a thunderous sustained standing ovation and 'thank you' that was so overdue.

From our vantage point on the stage, we saw tears in her eyes as she received her University Medal from the Pro-Chancellor. The applause continued unbroken. Words and digital images cannot do justice to that moment**:** truly, you had to have been there.

I'll conclude by repeating something I said at a party we had to celebrate with Phillipa the end of her five years as Head of School. I thanked her then, and I want to re-acknowledge now, our enduring debt for her care and commonsense, her diligence and dignity, and her skill and sensitivity.

Michael Coper

On the Faculty, we all knew Phillipa as a colleague, a mentor, and a friend. All of us could attest to her wonderful qualities in this respect, but the task today falls to our colleague *Fiona Wheeler*.

Fiona Wheeler[16]

I shall be brief. I tried to write something longer, but somehow I kept coming back to my original set of words.

Phillipa was the most wonderful colleague and mentor. As we've heard from others, an ethic of service underpinned her exceptional contribution to the university and the wider community as student, teacher, scholar and leader. Phillipa's ethic of service was in turn sustained by a set of humanist (and faith) values that positively shone in the collegiality, friendship and support she extended to all within the College.

16 Reader in Law, ANU College of Law.

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Phillipa volunteered for just about everything that involved assisting fellow members of staff and building a sense of Law School and university community. So she regularly put up her hand for Open Day, the Careers Fair, enrolling new students, Study Skills and other gatherings for first year, international and honours students. She was there for innumerable College seminars, book launches, conferences and graduation. She attended celebratory dinners and wrote congratulatory messages on the appointment and promotion of colleagues or the achievement of other personal milestones. I received a lovely card from her on receipt of my PhD.

Knowing that she was always willing to help, a stream of people sought Phillipa's advice about their teaching and scholarship, their administrative responsibilities and life in the College and university in general. I occupied the office next to hers for several years and I know — both because next door was always busy and because I was often in there seeking her counsel myself.

Phillipa's advice was always wise and empathetic but clear and direct. I for one always felt secure knowing that she was there to help — as she was on countless occasions. Her generosity in sharing her insight and experience with her colleagues was an extraordinary gift of time and energy on her part — and importantly it's a gift that remains with us and continues to grow because we are the ongoing beneficiaries of her wisdom.

Phillipa was no dutiful goody-goody though. Her humanist values were not manufactured — they came from deep down inside. So she had a great sense of humour, a fine sense of the absurd, she always liked to know what was going on (and if this was a lecture I'd say to the class underline that last passage in your notes), and on occasions could be mischievous and a little bit naughty as well (though always in aid of some greater cause).

Simply put, I can't imagine a finer colleague or mentor — we all loved her. And that is the finest testament for anyone.

Michael Coper

I said earlier that this is a secular rather than a religious occasion, but we have the opportunity now to think whatever private thoughts we like, to quietly reflect on a manifestly worthwhile life, and to draw from it our inspiration for the future. I would ask you, therefore, to observe a minute's silence, for a moment of quiet reflection.

[Silent reflection]

Michael Coper

Friends, I had the opportunity — a wonderful opportunity — at the funeral to say a few words on behalf of all of us. There is only one thing I want to repeat. I mentioned in my eulogy the many values that Phillipa embodied and that others have mentioned today — the values of integrity, compassion, courtesy, kindness, grace, modesty, collegiality, humanity, commitment, honesty, generosity, dignity, empathy, respect, and the list goes on. May I repeat just one line of my eulogy. Having articulated these values, I said: 'May these values live and flourish in our academic community as an enduring way of honouring Phillipa's memory'. There will be other ways of honouring Phillipa, and already the alumni have started raising money for a scholarship fund, but

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there could be no better monument than the preservation and transmission of these values.

That concludes the formal part of the proceedings, and we move now to one of the tangible ways in which we have decided to honour Phillipa's memory, and that is the planting of a tree in the courtyard. Could I ask you to let Phillipa's family move out first, and then join us outside for the tree planting, which will be led by my colleague *Peta Spender*. After that, please join us for refreshments, and perhaps just lastly before we exit, please thank our speakers, our other helpers, and our technical staff, for their wonderful contributions today.

[Adjournment to Law Courtyard for tree planting ceremony]

Peta Spender[17]

The novelist Rana Dasgupta has commented that, although death is proximate to all of life, most of the time we exile it and don't feel its nearness. We can therefore blithely lead our lives because there is still time. But when death does come, it comes urgently, and we feel the urgent need to tell our stories. The stories acknowledge the arc of life — the beginning, the middle, and the end.

We have told our stories of Phillipa today and we have chosen this tree to remember her. As you can see, it is a special tree — *Acer palmatum Senkaki* — with red bark that will become redder in the sun, and a light green foliage that will appear with the spring and be sprinkled with red and apricot in the autumn. Phillipa would have seen it in the north sun from her office window. She cherished the north sun.

We will have a plaque soon to commemorate Phillipa's life, but we want to choose the words carefully because Phillipa was very special to us.

We have asked *Heather Roberts* to place some earth on the tree. Heather worked very closely with Phillipa as a student, a tutor, and now a colleague, and she exemplifies the regeneration and renewal that is so much a part of this community.

[The hole in which the tree is planted is filled with earth]

Peta Spender

I ask you now to join us for afternoon tea in the foyer of the Law School, and to tell more stories of Phillipa. Thank you for coming today.

[End of Memorial Gathering]

17 Reader in Law and Sub-Dean, Students, ANU College of Law.

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