

Swearing In Speech
Justice Roslyn Atkinson

Banco Court 9th September 1998

Chief Justice, Mr Attorney, Mr Solicitor, Mr Gotterson and Mr Carne,

You honour me, but more importantly you honour the Court of which I am proud to have become a member, by your remarks and your good wishes.

May I thank those who honour the Court today with their presence: Judges of the Federal, Family and District Courts, members of the Magistracy, of the Administrative Appeals Tribunal and the Industrial Relations Commission, members of the legal profession, my family and friends, ladies and gentlemen.

I join this Court today aware of the enormous challenge that presents, and conscious of the great honour bestowed on me. This Court represents one of the great institutions of our society; an institution that exists by statute, but more importantly, an institution that exists because it has the confidence of the people whom it serves. The people it serves, that is, the citizens of this State, have confidence in the Court because it dispenses justice according to law, and together with the Parliament and the other Courts, represents the rule of law in this State.

The dispensation of justice according to law presupposes that Judges will act fairly and impartially, and recognises that the purpose of the law is to do justice. It also recognises that we work within a very human system. Those who dispense justice and those whose lives are irrevocably affected by the Courts bring with them their own experiences, knowledge and perceptions of the world, but all litigants and witnesses can and should expect, when they come to this Court, to be dealt with with respect, utmost fairness and fearless integrity.

The Court today is the inheritor of the tradition of the British common law system but I recognise that the Court has a similar objective, being the dispensation of justice, to that of the legal system of the traditional people of this area, the Jaggera people, who administered the law here on their traditional lands for tens of thousands of years.

The composition of the Court, as well as the composition of the Parliament, is today growing closer to the composition of society - not, one presumes, in order to create a "representative judiciary", but because the barriers to advancement which previously existed have slowly changed, and the expectations of bright young women in particular are now similar to the expectations of bright young men as they enter the legal profession and make their way in the world. This has enriched

our society and I hope it will enrich our institutions.

This Court has had many outstanding jurists as its members; in particular, Sir Charles Lilley, who did so much for the education of young women and young men in this State, and Sir Samuel Griffith, who drafted the Constitution of the Commonwealth of Australia. While it gives one great strength to be part of such a fine tradition, I am also acutely aware that, as the former Chief Justice of Australia, Sir Gerard Brennan, said, the heavy responsibility given to each Judge is exercised in the lonely room of his or her own conscience.

There are a number of people whose assistance in my progress as a lawyer I would today like to publicly acknowledge.

The first is a person who has had the greatest influence on my development as a legal thinker, and that is the former Chief Justice of Australia, Sir Gerard Brennan. It was a signal honour for me at the beginning of my career to work so closely with a man of utter integrity, rigorous intellect and great fairness. These qualities combined to create a Judge of great wisdom. Sir Gerard encouraged me to put up my shingle at the Bar and plunge into the great rewards and adventure that follow the life of a busy barrister. Those adventures have taken me to all parts of the country, from the lowest Courts in the land to the highest. I thank those legal practitioners with whom I have been associated, particularly those colleagues with whom I have been in Chambers and my staff, whose honesty and generosity has always encouraged me.

I should also like to specifically mention my colleagues at the Queensland Law Reform Commission and the Anti-Discrimination Tribunal and Commission. You have enriched my legal practice and taught me much about the legal problems faced in the community, and also about the innovative ways in which reform of the substantive law and of practice and procedure can assist in solving those problems.

Lastly, I would like to thank my family: my parents, Jock and Heather Atkinson, my husband, Richard, and our two wonderful children. They have always encouraged me and given me loving support. They have always been my best friends and confidantes. Without each of them, I would not be here today.

I cannot conclude without thanking the dozens of people - members of the Bar, solicitors, and even clients - who have been so generous in their congratulations to me over the past week. Your support has been very reassuring to me.

Particularly important however, has been the warmth and support offered to me by the Chief Justice and the other Judges of this Court. I am indeed honoured to be joining such a fine Court and hope I may fulfil the trust reposed in me.