

Valedictory Ceremony to mark  
the retirement of

The Honourable Justice A G  
Demack

Friday 19 May 2000

9.15am Banco Court

The Hon Paul de Jersey

Chief Justice of Queensland

In an article published in the Australian Law Journal in 1992 ("The Life of the Law in Rockhampton: A Supreme Court Judge's View" (1992) 66 ALJ 623, 629), the Honourable Justice Demack observed, of the Central Queensland legal community, that "if one is proud of the past and confident in the future, celebration comes naturally". That might be an appropriate subtext for this morning's ceremony. Today's follows a similar ceremony yesterday in the Supreme Court at Rockhampton attended by the President, Justice Dutney and me.

Not all Judges can be here this morning. All would wish to be associated with what follows. Mr Justice McPherson, who is currently sitting in Sydney, asked that his apology be specifically recorded, and likewise that of the Chief Judge. I note with pleasure the presence of Justice Callinan of the High Court of Australia, and Judges of the District, Federal and Family Courts, Magistrates, members of the Land and Resources Tribunal, and retired Judges of the Supreme and District Courts including a former Central Judge, the Hon D M Campbell. The Rt Hon Sir Harry Gibbs and the Hon W C Lee have asked that their apologies for inability to be present be recorded.

Justice Demack's long judicial career, spanning as many as 28 years, is a catalogue of achievement of which the Judge should be justly proud, and which we rightly celebrate. The people of central Queensland should be confident that the Supreme Court at Rockhampton, which His Honour now leaves after 22 years as Central Judge, is a model of judicial efficiency. It passes into the very capable hands of Justice Dutney, as only the 11th Central Judge since 20 December 1895.

It is unusual for a judicial officer to have been a member of three courts. In the case of Justice Demack, it illustrates the respect which the Executive has felt for his judicial capacity and wisdom. He was appointed a Judge of the District Court in 1972 at the age of only 37 years. Four years later he was appointed a Senior

Judge of the Family Court of Australia, where he remained for two years during the early history of that important court. Then on 16 January 1978 he was appointed as a Judge of this Court, to serve as Central Judge.

The role of resident judge at a regional centre carries unique significance. Of course it serves this vast State's appropriate governmental policy of decentralisation. But apart from that, a resident judge outside Brisbane has an arguably greater capacity to leave a lasting beneficial mark on a regional community. As Justice Demack put it in that same article, the resident judge becomes "a focus for the resident legal profession", and in perhaps more practical terms, "the administration of the law is seen to be more personal because more people come to know the judge". In both those respects, Justice Demack has been outstandingly successful. He is enormously respected and admired in Central Queensland especially, and rightly so.

It is customary on these occasions for the Chief Justice to set down some brief detail of the Court's departing member. Born in Caboolture, Justice Demack was educated at the Caboolture State School and then Brisbane Boys College and the University of Queensland. He records that he was greatly influenced by Sir Rosslyn Philp, to whom he was Associate while that judge was Senior Puisne Judge. At the bar he found time to serve as Secretary of the Bar Association, and as reporter for the Queensland State Reports, also editing the Queensland Justice of the Peace Reports. While a District Court Judge, he chaired inquiries, a Commission of Inquiry into the Status of Women in 1973, and a Commission of Inquiry into Youth in 1974-5. Five years after his appointment to the Supreme Court, he chaired the Special Committee appointed by the Queensland Government to inquire into the laws relating to artificial insemination, in vitro fertilisation, and other related matters.

His Honour has authored legal texts, the Practice of the District Court of Queensland in 1968, and Allen's Police Offences of Queensland in 1971.

Justice Demack has exemplified in large measure all of the qualities considered as typifying the very best judges: an irrevocable personal commitment fearlessly and independently to uphold the rule of law, unquestioned moral character and probity, high intellect and well informed legal learning, compassionate sensitivity to cultural gender and ethnic considerations, a lively interest in legal history and the roots of the common law, in court calm rationality expressed with patient courtesy, and out of court a capacity to interact beneficially with the local community, facilitating a better understanding of the judicial process, and while attracting the admiration of that community, effectively preserving the necessary authority of the Court and of his judicial office.

Justice Demack's legacy to the Court and the people of Queensland is of substantial proportion. In all his judicial work he has had the benefit of the

wonderful support of his wife, Dorothy: we warmly thank Mrs Demack for that. In farewelling the Judge and Mrs Demack, we wish them both well for the future, and express thanks, on behalf of the State of Queensland, for their magnificent contribution through this role to the good government of the people.