



**Swearing in of the Hon Justice P A Keane as a Judge of the
Supreme Court and as a Judge of Appeal
Banco Court
Monday 21 February 2005, 9:15am**

**The Hon P de Jersey AC,
Chief Justice**

In welcoming all present here this morning, I acknowledge with thanks the presence of the Chief Judge and Judges of the District Court, Judges of the Federal and Family Courts, Magistrates, Tribunal members, and retired Judges. Some of our colleagues cannot be here: all would wish to be associated with what I am about to say.

I should not however develop the celebratory aspect of this morning's ceremony without first acknowledging, with profound regret, the inexpressible tragedy which has befallen our Federal Court colleague and friend, Justice Richard Cooper. I speak for all the Judges of the court in confirming our heartfelt concern for the Judge, and for Mrs Penny Cooper and their children, and our anxiety to seek to provide any support which may be desired.

I warmly welcome Justice Keane to the Supreme Court and its Court of Appeal division. His Honour becomes one of the 24 Judges of our State's highest court, and the eighth appointee to the Court of Appeal division in its 14 year history. For those who enjoy lists and data, I mention that Justice Keane is in fact, on my additions, the 99th appointee to the Supreme Court in its 143 year history. As a point of interest, more than a third of these appointments have occurred in the last 25 years, consistently with the recent development of the State with increasing need for legal, including judicial, facilities.

All members of the Supreme Court must be lawyers of indisputable learning, wisdom, experience and common sense, with all of those qualities evident in very high measure. Judges of Appeal must additionally exhibit talent for appellate determination. In those contexts, Justice Keane brings impressive credentials to the court.

I am obviously very pleased to acknowledge the government has risen well to the challenge of finding a highly qualified replacement for Justice Davies, who resigned from the court on 11 February. It is of the utmost importance to maintain the conspicuously



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high quality of the Supreme Court bench. The strength of a State's judiciary has many serious impacts, including economic. Those inclined to invest in the State, for example, expect an utterly reliable high level dispute resolution mechanism. The People's Republic of China in recent decades is coming to an acute appreciation of that. Fortunately we do in this State boast a Supreme Court of high quality. I am reassured by the government's apparent dedication to the maintenance of that standard.

We are gratified by our former colleague, Justice Davies' presence here this morning. He eschewed a valedictory ceremony, but acquiesces in my saying six short sentences about him this morning, although I should make clear he has left their content to my discretion. Justice Davies served on the Court of Appeal from its inception in 1991, and with great distinction. Our much respected former colleague, and continuing friend, exemplified the qualities characteristic of judicial pre-eminence, and my saying that has nothing to do with elitism or judicial pretension. It bears on the real needs of our community, which presuppose appointments of the highest order to this the State's highest court. Justice Davies' contribution to the court was substantial. With others, I look forward very much to his continuing contribution to legal debate and reform within the State and nation. I am confident it will be well-informed, inspired, and challenging.

Our new colleague Justice Keane comes to the court from a distinguished 27 year career at the Bar. Admitted to the Bar in 1977, his flourishing practice led to his appointment as Queen's Counsel in 1988, and he has since 1992 held office as the State's Solicitor-General. He has, through all of this, exhibited distinctive expertise, as an astute lawyer, especially in commercial and constitutional matters, and as a compelling advocate.

He earlier attained the highest echelons of academic achievement, with an Open Scholarship in 1969, first class honours and a university medal upon his graduation in law in 1976, and a Vinerian Scholarship from Oxford in 1977 – among other qualifications and honours.



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In welcoming Justice Keane to the court, we welcome also, into the court community, his wife Mrs Shelley Keane, and their three sons.