



## **Queensland Schools' Constitutional Conference** **Banco Court** **Wednesday 19 October 2005, 8:30am**

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I am very pleased to welcome you to the Supreme Court. I am at once impressed by your interest in the constitution, by which I mean primarily the Australian Constitution. It is that instrument which prescribes the fundamentals of our system of government, and in that I include the third arm of government, the judiciary. But we must not forget that Queensland has a comparable document. In the year 2001 the Queensland Constitution was consolidated: it had previously been spread over a number of Acts, and four years ago they were drawn together.

The odd thing about constitutions is that while they are very important, not many people know much about what's in them. They do not make for the most entertaining reading, it must be acknowledged. But it does seem rather offbeat that we live day by day in a highly regulated society without necessarily knowing how that regulation is justified. Likewise, I think it odd that a lot of people know very little about the operation of the courts of law. Apart from anything else, they pay a lot of money to keep them in operation.

These issues arose in the year 2001, when we celebrated the centenary of Australian federation. Events were staged, debates took place, there were articles in newspapers, millions of dollars were spent. The objective was to educate as well as to celebrate. I wonder how many people emerged from that much the wiser about our system of government? I suspect not many at all.

We all have the prospect of carrying out three important roles in relation to our system of government: first, we vote at elections; second, we may stand for election to a parliament; and third, we may participate in community assessment of how our representative democracy is faring. Now each of those involvements should proceed from an informed base, and that is why civics education in schools, is of great importance.

In welcoming you here today, there are three aspects of your physical surroundings I want to mention.



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This courthouse opened in 1981. From then until construction of the Federal Court on North Quay in 1992, the High Court would annually sit in this courtroom in July for a week – or perhaps four days. In the course of those hearings, the five, sometimes seven justice benches would invariably hear one or two or three constitutional cases. I am afraid if that created an “atmosphere” it is now long gone. The Supreme Court’s forays into constitutional law are infrequent.

Second, I point to the Godfrey Rivers portrait of Sir Samuel Griffith, third Chief Justice of Queensland, first Chief Justice of the High Court of Australia. Sir Samuel Griffith was a most distinguished, eminent Queenslander, significant to you today especially because of the substantial drafting he accomplished of the Australian Constitution.

That brings me to the third feature, the replication outside of the “upper deck gentlemen’s smoking room” of the Queensland Government Steam Yacht “Lucinda”. I hope you have the opportunity to explore that. In that room, Sir Samuel Griffith and his party completed much of the drafting of the Commonwealth Constitution in the year 1890, while the vessel was moored in Refuge Bay off the Hawkesbury River in Sydney.

So you are in an atmosphere which drips heavily of aspects constitutional. I trust your morning will be productive, and above all, interesting and stimulating. Welcome to the Supreme Court!