

Address by Judge Irwin  
@ the retirement of Magistrate Bill McKay  
Friday, 27 January 2006

Distinguished Guests, welcome to this special occasion to celebrate the birthday of Bill Mackay and his outstanding 49 years of service to the people of Queensland, including 27 years as a magistrate. And just as significantly to recognise the contribution of his wife, Carol who shares this important day with him.

This is a birthday that I suspect Bill did not want to come too quickly, because it marks his final day as a magistrate having experienced the nostalgia of sitting in the arrest court this morning

Bill made it clear to me that he didn't want a formal valedictory and it is the first time that I have agreed to such a request. He told me that all he wanted to do was to slip away quietly after a small informal gathering with his friends.

This is the small informal gathering and you are his friends.

Bill, the number of people who are here today and the variety of backgrounds from which they come are eloquent testimony of the regard in which you are held.

This gathering includes:

- the Attorney-General and Minister for Justice
- the Chief Justice
- the Chief Judge

- other members of the judiciary, including current and retired magistrates, many of whom have travelled from outside Brisbane, and from as far away as Townsville to be here
- the Director-General of the Department of Justice and Attorney-General
- Commissioner of the Queensland Police Service.

The President of the Court of Appeal apologises that she is unable to be here this evening. However I am sure that she echoes the thoughts of all of us who are present when she says that you have been a “fine magistrate and have given great service to the people of Queensland.”

That service commenced in Childers in 1957 – direct from your State Junior Examination to the position of Clerk, Petty Sessions Office.

Armed with your copy of Kennedy Allen’s “The Justices Acts of Queensland” and the important commodity of commonsense, you followed a peripatetic existence which took you to Charleville, Maryborough, Innisfail, Normanton (where you were first appointed Clerk of the Court) and back to Childers in 1969.

You were first appointed an Acting Stipendiary Magistrate at Longreach in 1970.

After service at Monto, Beenleigh and Mount Isa you were appointed as Clerk of the Court, Brisbane in 1976.

You were appointed as a magistrate at Kingaroy in 1979.

You returned to Brisbane as Small Claims Tribunal referee in 1980, and, as they say, the rest is history.

Along the way you had the good fortune to meet and marry Carol whose support has been crucial to your achievements.

Reference to terms like “Petty Sessions” and “Stipendiary Magistrate” demonstrate how much change Bill has seen throughout his career, as the magistracy has evolved from the public service to becoming, in 1991, fully independent members of the judiciary.

During that period there has been a transition from recording evidence on manual noiseless typewriters, reel to reel tapes and cassette tapes to the digital technology of today.

When Bill started, magistrates serviced remote centres by train, bus, service vehicle or by some kind citizen, lawyer or police officer who happened to be going that way at the time.

Bill tells the story of travelling as a depositions clerk with his magistrate from Charleville to Tambo for a summary trial in the defendant’s solicitor’s vehicle. After finding the defendant “guilty” the magistrate had his work cut out convincing the solicitor to take them back to Charleville.

At Normanton in 1967 Bill became involved in an international incident as Harbour Master, one of the many posts that Clerks of the Court held in those days. With the Cold War not really thawed, a large Russian ship was competing with smaller local vessels for the fishing catch in the then international waters of the Gulf. The Royal Australian Navy became

involved. As Harbour Master, Bill activated his Coxswain, Boatman and Pilot Vessel “Gladys” to aid the naval vessels on entry to the Port of Karumba. Faced with Bill the Russian vessel soon voluntarily departed the area.

Returning to matters magisterial, Bill’s career has been notable not only for his ever impeccably ironed white shirts – another tribute to Carol – but the efficiency at which he has been able to dispatch the business of the court and his ability to deliver extempore decisions in even the most difficult of cases.

Even more importantly you have always been ready to share your experience with other magistrates; myself included, and you have become a great mentor and inspiration.

Since my appointment in September 2003 I have valued your support, advice and your collegiate approach to the work of the court. This approach allowed the vacancy for your position to be the subject of internal expressions of interest sufficiently in advance that Magistrate Paul Kluck from Cairns will fill it from next Monday, and a new Magistrate, Suzette Coates will be sworn in at the same time to replace him in Cairns.

And for Bill, at 12 midnight statutory retirement beckons after a career that we will not see the likes of again.

It is unlikely that any magistrate will retire in future after 49 years service to the people of Queensland.

In Bill's case at least, it is a good argument for increasing the retirement age to 66 years to enable him to reach the half century.

On behalf of everyone who is here today, and the many more people who would have liked to join us I extend to you and Carol our sincere thanks for your contribution and our very best wishes for a long and happy retirement together.

Judge Irwin  
Chief Magistrate  
27.01.2006