

TRANSCRIPT OF PROCEEDINGS

MAGISTRATES COURT

JUDGE IRWIN, Chief Magistrate

VALEDICTORY CEREMONY IN HONOUR OF
MAGISTRATE JAMES PATRICK BARBELER

BRISBANE

..DATE 17/03/2006

WARNING: The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

Also present -

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The Honourable Linda Lavarch, Attorney-General and
Minister for Justice

On behalf of the Bar Association of Queensland:

Mr M Daubney SC, Vice-President

On behalf of the Queensland Law Society:

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Mr R Davis, President

On behalf of the Aboriginal and Torres Strait Islander Legal
Service:

Mr O'Sullivan

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HIS HONOUR: Good morning and welcome to this valedictory
ceremony to celebrate the career of James Patrick Barbeler,
Magistrate of Queensland, who regrettably upon reaching the
statutory retirement age on Monday the 20th of March is unable
to continue as a Magistrate for the State of Queensland.

I'd firstly like to recognise the traditional owners on whose
land we are gathered today, and I'd like to observe how
pleasing it is to see so many of you joining us for our first
valedictory ceremony in Brisbane.

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Again, we are pleased to be joined by the Attorney-General and
Minister for Justice the Honourable Linda Lavarch,
Mr Daubney, representing the Bar Association of Queensland and
Mr Davis, the President of the Queensland Law Society.

I'd also like to acknowledge Jim's family and in particular
his wife Gaye and also his colleagues, the members of the
Queensland Magistracy who are able to be with us this morning.

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I'd also like to acknowledge the presence this morning of the
President of the Court of Appeal Justice McMurdo, Justice
Jerrard, Justice Spender, his Honour Judge Boyce, his Honour
Judge Tony Healy, Justice Williams, Justice Barry and the many
other judicial officers - I can see his Honour Judge Botting
as well - who are here with us this morning, as well as the
Director of Public Prosecutions, the Director-General of the
Department of Justice, the Crown Solicitor and former
colleagues of Jim's as a private barrister who are with us
this morning and of course all of you, our distinguished
guests.

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I've received apologies from the Chief Justice, the Chief
Judge, Justice Carmody, Federal Magistrate Baumann, a number
of Magistrates who are unable to be with us this morning
because of their judicial duties and Mr Martin SC from the
Director of Public Prosecutions office.

It was only six weeks ago when we farewelled Magistrate Bill McKay who I'm pleased to say is with us today. Magistrate McKay had spent 49 years with our Court.

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Magistrate Barbeler has followed an exemplary legal career in so many different and interesting aspects of the law for over 47 years commencing as an articled clerk. After five years articles and passing the Solicitors Board he was admitted as a solicitor in 1964. He studied part-time at night at the University of Queensland and was admitted as a barrister in 1967. He has since worked with the Public Curator's Office, the prosecutions section of Crown Law, he has been an Assistant Public Defender, a Crown Prosecutor, as I've indicated a barrister in private practice and from 1990 to 1991 he was one of the inaugural part-time Commissioners of the fledgling Criminal Justice Commission, and since 1997 he has served with great distinction as a Magistrate at Petrie, at Warwick and in Brisbane.

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I have personally had the good fortune for my career to intersect with Jim's at a number of points, observing him as a clerk, instructing him when he was a Prosecutor, working with him at the Criminal Justice Commission, now the Crime and Misconduct Commission, appearing against him in Court and being a colleague with him on this Court.

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Having had these experiences, it did not come as any surprise to me that as we prepared for this occasion I was constantly told of the high esteem in which he is held and that is underlined by the people who are here today to say farewell.

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It also didn't come as any surprise to me that he was regarded as such a generous and important mentor for many members of the legal profession.

I can do no better than adopt the words of two absent friends, firstly Sir Max Bingham QC, the first chair of the Criminal Justice Commission, who has asked me to say, "Jim, that as a founding member of the CJC you displayed great integrity, loyalty, commonsense and good humour, and that you made a substantial contribution to the successful establishment of the commission." To this I would add my own observation: that you showed considerable courage during that time.

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Chief Judge Wolfe has written that "Jim is the epitome of a fine judicial officer who came to the Court after years of exemplary practice in the law".

Descriptions such as this and integrity, loyalty, commonsense and good humour sum up his Honour, as does passion as he demonstrated in his unofficial tour-guide capacity when I first visited Warwick, and his advocacy of the local pie maker when I asked him to give a farewell interview to the Warwick newspaper. Indeed, looking back at that interview that he gave some time ago, it's perhaps fitting to this occasion because the article in the Warwick Daily News was headed "Jim's Final Judgment", sub-headline "Warwick Pies Pass The Test", and it went on to say, if I can quote briefly,

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"Magistrate Jim Barbeler has a theory that a country town can be judged by the quality of its meat pies. According to Mr Barbeler, Warwick can consider itself true blue. I am pleased to say that Warwick has several purveyors of very palatable meat pies." That might be the last time that I ever direct a Magistrate to speak to the media. Who is it that says judicial officers are out of touch with the community?

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Jim, you will be missed. We hope that ways can be found for you to continue in some capacity your substantial contribution already to the community of the State of Queensland. On behalf of your colleagues, I wish you and Gaye a long, a happy and a healthy retirement which you so richly deserve.

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Could I call on you to address the Court, Madam Attorney?

THE ATTORNEY-GENERAL: Thank you. At the outset, I'd like to acknowledge the traditional owners of the land on which we're gathered here today.

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May I acknowledge Justice Margaret McMurdo, President of the Court of Appeal, Justice Spender from the Federal Court, Justice Jerrard from the Court of Appeal and the other Justices here with us this morning. To you Chief Magistrate and Deputy Chief Magistrate, good morning, and of course our guest of honour here today, Magistrate Barbeler, or if I may be so bold as to be informal and call you Jim here this morning.

Could I also acknowledge the Director-General of the Department of Justice Rachel Hunter, the Vice-President of the Bar Association Martin Daubney, and the President of the Queensland Law Society Rob Davis.

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Can I say that I'm very honoured to be here to share such a very special occasion with you, although for you I know it will be a sad occasion, that someone who has given so much to their career, given so much to the Court and given so much to the people of Queensland would like to continue in that service and I understand the angst that that has caused by the legislation which requires retirement for Magistrates at the age of 65.

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I am also very mindful that this is the first valedictory ceremony to be held here in Brisbane. It has been a new inception in the Court to have valedictory ceremonies but this is the first such occasion here in Brisbane and it is very fitting that it is for you, Jim.

You are to be congratulated on your distinguished 47-year career in the legal profession. Your experience, as outlined by the Chief Magistrate, is outstanding by any means. The numerous roles you've held in your career have put you in good stead for the work that you have done here in the Magistrates Court, from completing the Solicitors Board and attaining a Bachelor of Laws at the University of Queensland, most impressively studying at night. You were the Assistant Public Defender before commencing private practice as a barrister and

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I understand that during that time you had, shall we say, the tenacity to be defence counsel on the long-running Russell Island prosecution. You might be pleased to know that there are still matters that come before Cabinet that concern Russell Island and also very recently. You've made a major contribution to the State as an inaugural Commissioner of the Criminal Justice Commission. Being appointed a Magistrate on the 10th of March 1997, you have served at Brisbane, Petrie and Warwick. I can recall visiting you at the Petrie Magistrates Court. I don't know whether you have kept in touch with what has happened at Petrie, but I'm pleased to say that we have now found the land and have a design for a new courthouse. I'm hoping that construction will begin before the end of this year and we will have the new Petrie Courthouse, now to be named Pine Rivers Courthouse, operating at Strathpine. I'm sure that that would delight you given the surrounds of the current Petrie Courthouse.

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Can I also say that as a former solicitor who practised in the Petrie area I didn't have the opportunity to appear before you and now as a member of the general public didn't either, for which I'm most grateful. But as a local member we know if a Magistrate or Court staff has upset the general public, because we're always the second to know, and in the time that you were at Petrie can I say that I had no complaints, only praise for the work you did there.

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Since your appointment you have brought to the office a broad sense of community as well as legal experience and commonsense.

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Can I say to all Magistrates you are the frontline of the justice administration in this State. More people come into contact with the Magistrates Court than any other Court. For example, it is the Court in which approximately 96 per cent of all criminal matters are dealt with. It is also the Court in which we are seeing great innovation with new ways of addressing social problems being implemented.

I want to congratulate all who have been involved in the Drug Court Program. Legislation was passed before Parliament last week taking the program from a pilot program to a permanent program here in this State. It was overwhelmingly received by all sides of politics and by the community in general.

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We have other proposed innovations such as the Homeless Persons Court Diversion Program and the special circumstances list.

As was announced by my predecessor, the Honourable Rod Welford, the Department of Justice is pleased to fund a two years Homeless Persons Court Diversion Program by appointing a Court liaison officer to assist with referrals, assessment and accessing public and private resources to administer therapeutic jurisprudence for those persons.

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Jim, your experience reinforces the outstanding commitment to the service of the law to the community that you have so admirably fulfilled, not only in the various professional positions and statutory appointments you have held but also in other areas which have enhanced the services to the community. You have discharged your judicial functions with professionalism, commitment and that wonderful quality of commonsense and of course good humour.

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I have no doubt that everyone here would share with me today in saying that you will be an enormous loss to the Bench, an enormous loss to the administration of justice in this State.

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I wish you a very happy and prosperous retirement and all the best for the future, and on behalf of the people of Queensland say thank you for your service.

HIS HONOUR: Thank you, Madam Attorney. Mr Daubney?

MR DAUBNEY: May it please the Court. The reading for this morning's valedictory ceremony for his Honour Magistrate Barbeler is taken from the exegetical commentary on the Euterpian Cannon of the Venerable Frank Sinatra (revered by his memory on the turntable) My Way, verses 1 and 2.

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"And now the end is near and so I face the final curtain."

This heroic prelude defines the event and heralds the panegyric which is to follow.

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"My friend, I'll say it clear. I'll state my case of which I'm certain."

We are confronted immediately by the hallmarks of Your Honour's distinguished career as a barrister - plain-speaking advocacy, unswerving adherence to your duties to the Court, your clients and the law and complete confidence in the collegiate camaraderie of the Bar.

"I've lived a life that's full."

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This, of course, is an unsubtly coded reference to the fulfilment of Your Honour's legal career by appointment to and years of service on this Bench.

"I've travelled each and every highway."

The balladeer displays in this line remarkable prescience with what can only be allusions to Your Honour's juristic peregrinations to Petrie, to Warwick, and finally in and around Brisbane.

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"And more, much more than this I did it my way."

This anthemic leitmotif fixes the listener at an early point with the proposition that every aspect of Your Honour's long, distinguished and varied career has been marked by absolute propriety and independence.

"Regrets I've had a few."

Scholars remain divided as to precisely which regrets are referred to here. But two factors point to this not being a reference to Your Honour's career on the Bench. First, there is the raft of empirical and anecdotal evidence that Your Honour has only ever been held in the highest regard by your judicial colleagues and by those who appeared before you. Secondly, the notion would give rise to an internal inconsistency with the following line which notes that such regrets are *"then again too few to mention"*. This momentary melancholic indulgence is, however, quickly dispelled by an assertion:

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"I did what I had to do and saw it through without exemption."

Again, the lyricist has neatly paraphrased your Honour's known and demonstrated devotion to public duty dating back to your early days with the Public Curator and in Crown Law and later as an inaugural member of the Criminal Justice Commission and your fearless defence of clients when in private practice, including in such high profile matters as the Whisky-Au-Go-Go trials and the Russell Island Trial. And your term as a Magistrate has been characterised by your absolute fair-mindedness in determining the cases before you.

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"I planned each chartered course, each careful step along the byway."

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This is clearly a reference to the careful and reasoned deliberations which Your Honour has brought to all aspects of your career, particularly as a Magistrate.

"But more, much more than this".

This expansive bridge in the verse reminds us that your Honour enjoys a life beyond the law. It poignantly wraps in those nearest and dearest to you, particularly your family, and triggers the eschatological avowal

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"I did it my way!"

As your Honour has done.

So endeth the lesson, and so almost endeth what we have to say. Thank you.

Congratulations and our very best wishes to you and your family as you embark on the next chapter of your career. May it please the Court.

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HIS HONOUR: Thank you, Mr Daubney, for that exposition of the vision statement for Magistrates. I apologise for the lack of orchestral backing. We'll do better next time. Mr Davis?

MR DAVIS: May it please the Court. Your Honour Chief Magistrate Judge Marshall Irwin, your Honours, fellow

practitioners, distinguished guests, friends and family of Magistrate Barbeler, ladies and gentlemen, today we farewell from the Magistrates Court James Barbeler whose distinguished career in law began when he commenced his articles in January 1959 straight out of St Joseph's College, Gregory Terrace.

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There was no doubt in his own mind that he wanted to be a lawyer and that professional career decision has certainly proved to have been the right one.

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He completed five years articles and was admitted as a solicitor in 1964 and also, I understand, completed an LLB and went to the Bar in 1967, so by my account that means you qualified as a lawyer twice.

For three years in the mid-1960s his Honour worked as a legal officer at the Public Curator's Office and from January 1968 to March 1970 as Assistant Public Defender with the Public Defender's Office in Brisbane. It was at this time that he began to be noticed both as a barrister of great skill, expertise and determination and the foundations of a formidable reputation were laid.

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In April 1970 his Honour went into private practice at the Brisbane Bar where he remained until March 1997, apart from a three year tour of duty as a full-time Prosecutor with the Director of Public Prosecutions. A very considerable part of his Honour's Bar practice was in the criminal jurisdiction both as a defence counsel and a Crown Prosecutor, and his Honour developed a respected, fearsome and effective reputation as an advocate.

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His public service included being an official visitor at the Woodford Prison for a couple of years in the late 1980s and as a part-time Commissioner with the then Criminal Justice Commission from 1990 to 1991.

In March 1997 his Honour was of course appointed a Magistrate in Brisbane. It was an appointment widely welcomed both within the profession and beyond.

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Your Honour, it is a pity that you're retiring at such a young age. You retire from the Bench with the best wishes of all especially your colleagues in the profession and I can say without fear of contradiction that we'd all welcome his Honour back into private practice if that was his choice and I'm sure the Queensland Law Society would welcome him as a member of the solicitors' branch if that suited him.

Today marks his Honour's retirement and no doubt there will be some celebration of that. While I do hope that your many friends share a glass of wine to toast your retirement, I hope that they will all remember your comments in November 2004 when you were presiding at the Warwick Court and sentencing a young drink driver. His Honour at that time wondered why those who did indulge didn't do the sensible thing and take a taxi home and not deprive honest taxi drivers of their living. May it please the Court.

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HIS HONOUR: Thank you, Mr Davis. And because of Magistrate Barbeler's long connection with the Aboriginal and Torres Strait Islanders' Legal Service, which I note amongst other people is represented here today by Mr Shadbolt and Miss Rogencamp, it's appropriate that I call on Mr O'Sullivan from that office to address the Court on this occasion.
Mr O'Sullivan?

MR O'SULLIVAN: Thank you, your Honour. Look, I'll be quick. I actually wasn't ready because Falcon-Green was briefed in it and as usual he's not here. I tell you, the jobs that I get at ATSILS it's just impossible.

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HIS HONOUR: I know that you'll be able to rise to the occasion, Mr O'Sullivan.

MR O'SULLIVAN: Thank you, your Honour, I'm trying hard. I've got some quick notes. Daubney was spectacular, as usual - absolutely spectacular. I'll do it formally. Sorry, we're supposed to be formal.

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Your Guest of Honour, Mr Barbeler, your other Honours presiding, your other Honours supporting others, others and others. Good morning.

I'm representing really the Court 20 push, the Courts 1, 2, 3 push and the Petrie push. They're about the only blokes that represent [indistinct] - Falcon-Green is not here - and a couple of others that have to go off - we work early at Petrie - start at 9. But they all say that you've been wonderful to appear in front of and everyone has said here it's your good humour that we love. It's been a pleasure. I'll make it serious because the thing that we need to tell you is that we don't even know who the traditional owners are. I mean, we represent them. It could be the "Bunjella" - I don't know - I can't - it could be - there's another mob, Watsons, who reckon they own the river that goes through Brisbane but they don't own the land, so I don't know who the traditional owners are so I can't actually respect them at the moment and say we need to show that respect. Anyway, let's do it for the record. We act for them, anyway.

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It's important in an open Court to say these things to you. I mean, I know we can say it on the quiet and I've had quiet discussions with you on other occasions. But in open Court it's important because that's a cornerstone of our democracy and, as you know, there are six pillars. It's a hexagonal. There's the judiciary of which there's a ton here, there's the profession - they're decent - but then there's the Parliament - I don't know - there's the Government, rather - that's the Government over there - the Attorney-General - then there's the Parliament down the other end of George Street and then, of course, there's the great curious mail or, rather, you know, the media, which has just gone through a transition, as your Honour is doing as well, and it'll be a good transition for you because I think it's only two years you've got to spend out before you can come back to the profession.

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I think that's the rule. I don't know for sure, but I think - just while I've got the Attorney-General here, there's a big push as well to extend the age. We want it to be at least 72 because you're only hitting your straps at 65 in terms of judgment. I mean, imagine missing the wisdom that some - elders in the black-fellow community, they go till they die, and that's wisdom that's lost to this society by you giving it away today. Anyway, that's an aside.

I simply wanted to finish with the idea that a set of numbers is important and I want to remind the Attorney through you, Presiding Chair, of the numbers that are important. There's seven. That's the Jesuit age. Give me the boy at seven; I'll give you the man. There's 10. That's when you gain criminal responsibility but not presumed, just if the coppers can prove [indistinct]. Fourteen, it's presumed criminal responsibility. Seventeen, adult criminal. Why at 17 I'll never know because 18 is adult [indistinct] and yet the Government won't change the law which has been passed by Parliament because they don't have the money. Why? Because they don't increase taxes, or spend it on health. Twenty-one is adult in the USA. Forty-two is the answer to everything, as you know. That's middle age. Fifty-five, that's when women retire. Sixty-five, that's when blokes retire. Seventy, when a Judge retires. Seventy-two, when a High Court Judge retires. Seventy-five is three-quarters the way through. One hundred is when you get the Queen's - she's in town at the moment down in Melbourne. That's when you get the Queen's message to tell you to die. So don't die. Please come back. We'd love to have you. We'd love to employ you. We still employ, believe it or not, Paul Gerber. He's 82. He went through till 76 as a member of the AAT, wonderful, wonderful, wonderful man. You're equally up to his quality. You know that. I've said enough. Thank you, your Honours.

HIS HONOUR: Magistrate Barbeler, this is your opportunity to deliver your final judgment.

MAGISTRATE BARBELER: Thank you. Chief Magistrate, Deputy Chief Magistrate, Attorney-General Linda Lavarch, Mr Daubney, Mr Davis, Mr O'Sullivan, distinguished guests, fellow Magistrates, my family and friends, ladies and gentlemen: first of all, may I say that I'm honoured by the presence of all of you here today. I express my appreciation for the good wishes that I've received from the Chief Justice and others who are unable to attend and regret their inability to do so.

I thank you Attorney, Mr Daubney. I thank Mr Davis and Mr O'Sullivan for their kind words. I used to say, Attorney-General, in my darker days in the old Petrie Court when they found the white ants and other things and they promised a new Court that it would be very nice to see and to be there because they were sure that when they opened the Court we could travel to it on the Petrie to Redcliffe railway line. I'm glad that my pessimism was most unfounded and that it is well on the way. It's a wonderful place and it really does go ahead and deserves what you can give it.

Mr Daubney, I sometimes think that that might be the closest that you've been to church this week and perhaps you just got up early and watched Benny Hinn this morning. I don't know. Inspiration came to you somehow.

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Thank you, Mr Davis, for bringing us back to the land of the living.

And, Mr O'Sullivan, all I can say is that wide-ranging as it was, I was grateful that you didn't give us an exposition of one of your favourite topics, the Eureka Stockade. I've heard about that in private and your knowledge is extensive.

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Having been attending these types of ceremonies now for more than four or five decades - four decades, that's right; I can't exaggerate - I've noticed in speakers such as yourselves a tendency towards charitable exaggeration in your addresses.

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As, however, your remarks today warm the heart of one who is now to be regarded as being in a state of statutory senility, I will not attempt at all to correct you.

I wish to acknowledge a particular debt of gratitude to the people who over the years have been my friends, who have been in Chambers with me, who have worked with me and who have shared with me their knowledge, experience and wisdom. I thank the ladies who cheerfully try to restore order to my Chambers each night, the security staff for their courteous assistance to my wife and myself, the Court staff and particularly the very capable depositions clerks without whom no Magistrate could function properly. Their quiet words of advice on the side have often saved me from embarrassing oversights. I also record my appreciation for the competent and courteous way in which the Prosecutors, be they from the Police Service, the Director of Public Prosecutions Office or from the various Government Departments, go about the business of presenting their cases. On the other side, of course, I've always been greatly assisted by the barristers, solicitors and law clerks who've represented the defendants, particularly those from the Legal Aid Office and from the Aboriginal and Torres Strait Islander Legal Service who do a large part of the work in that regard. I do not forget the probation officers, the police and corrective service officers who are responsible for the remand prisoners and the Salvation Army officers who provide much needed support to the people appearing in Courts 1, 2 and 3. I hope anyone I have forgotten to mention will forgive me because without all of these people working together with us we Magistrates could not get through the work that has to be done.

During my service as a Magistrate I've also worked for some time at the Petrie and Warwick Courts and at the Courts in the other towns comprising the Warwick Court circuit. I enjoyed very much my time in each of those places and I'm proud to call the people I worked with my friends as well.

It would be remiss of me not to acknowledge how much we Magistrates benefit from the work done by the Chief Magistrate and the Deputy Chief Magistrate on our behalf. It is no easy task to be responsible for the smooth functioning of an organisation comprising 85 Magistrates, all with disparate personalities, all jealous of their independence and all spread over an area the size of Queensland. Add to that the constant round of meetings of all the departments, organisations, groups and individuals who have or want to have dealings with the Magistracy plus doing their own share of Court work and it can be seen that they have very full days. That they can do all this with consideration and good humour is for us a bonus. It's been a great pleasure to work with them, as it has been with all my other colleagues. I'll also miss the cheerful assistance given by the ladies who work in the Chief Magistrates Office and the polite way in which they always try to laugh at my joke of the day.

Finally on this aspect, I thank my wife and children for their patience and understanding over the years, particularly in coping with my physical absences on circuit but more so in dealing with the fact that even when I was physically present my mind was occupied mulling over the current case or the next one to come or even the last one that had just finished. I have indeed been a most fortunate man to have been sustained through all the ups and downs of the last 36 years by the never failing love and support of my wife.

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In a few days time I shall be a feather duster. I must admit, however, that I've quite enjoyed being a rooster for a while.

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When I first started as an articled clerk in 1959 I had no real idea of what the future might bring so far as my legal career was concerned. I did have in 1967 an opportunity for a career change when I was offered a position in the Diplomatic Service. I rejected that offer in favour of becoming a Public Defender and I've never regretted the choice I made then.

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In those early days the practice of law in Brisbane was of course quite different from what it is now. Everything proceeded at a much slower pace. The number of people in practice was such that everybody knew or knew of everybody else, both barristers and solicitors. The more leisurely pace seemed to allow for the development of legendary characters on both sides of the profession. Barristers gave short opinions, sometimes in their own handwriting. A seven guinea maintenance Court brief in the Magistrates Court was considered a good day's work for a young counsel, and indeed I recall briefly his Honour Mr Justice Williams in that regard many, many years ago. If you wore anything other than a white shirt under your Bar jacket, you risked a sharp rebuke from some Judges. Your secretary's best friends were her manual typewriter, her box of carbon paper and her bottle of whiteout fluid, which you could buy by the gross. Best of all, the mobile phone had not yet been invented. Nowadays the pace has become almost too frenetic and there is little time for the old-style characters to emerge. The number of unrepresented litigants grows daily and this adds to the length and complexity of proceedings.

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I have, however, enjoyed my life in the law notwithstanding Russell Island and in that regard I merely say this: that we would have all been spared a great deal of labour if the very generous offer put forward by defence counsel, as they are wont to do, to the Prosecutor was accepted, that is, that he go away, have a nice cup of tea and come back and drop everything. His Honour, Mr Justice Spender, as he then wasn't, went away and came back and didn't drop anything. I don't know whether he had the cup of tea but, anyway, the agony then began and continued and continued and continued. We lived on.

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One of the things I'll miss is interaction between the Bench and those at the Bar table, particularly with those who have a good sense of humour and/or a sense of the ridiculous. I will miss also the daily contact with such a wide cross-section of

people. It is a fact that each defendant is different and has a different story to tell, and it's this fact which makes dealing with the same offences day after day of continuing interest. I shall certainly miss the free car park in the centre of the city.

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I must say that I was proud and honoured to be appointed as a Magistrate and, by virtue of the work we do, to have an opportunity to make a significant contribution to the administration of justice in this State.

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I regard it as something of an accomplishment to have survived for 47 years in the law, 30 of them as a barrister. Because I believe that I still have a few good years left in me yet, my ambition now is still to be engaged in some form of legal work to the 50-year mark. Therefore, as I do not intend to fade gently into the sunset on Monday afternoon, I will not say good-bye. God willing, I will continue to see you all around. Your Honour.

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HIS HONOUR: Thank you, Jim.

Jim mentioned his role with the Public Defender's Office and I'd like to recognise Mr Devereaux who I can now see sitting amongst the assembled multitude this morning, Mr Hodgins the Chief Executive Officer of that office who's also with us, and it is pleasing, and says a great deal, for Jim to look out and see the wide-cross section of people who are here today - Judges, lawyers both from the prosecution and the defence and members of the community and the depositions clerks that were mentioned by Jim during his speech as well. They came here to indicate the regard in which they hold him.

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For those of you who are able, given the time of the morning, I hope that you'll be able to help us extend the festivities on Level 9 for morning tea with his Honour as we continue to celebrate St James Patrick Barbeler Day.

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KARA MURRAY APPOINTED AS RECORDER

HIS HONOUR: The Court is adjourned. Thank you.

THE COURT ADJOURNED

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