



**Gold Coast District Law Association
L'Esprit Restaurant
Friday, 2 June 2006**

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

I am very pleased again to have the opportunity to be with you, ladies and gentlemen, and to acknowledge the vibrancy of the profession in this part of the State. I also, with gratitude, acknowledge the efforts of the District Law Association, under the enthusiastic Presidency of Ted Skuse, in reinforcing the collegiality of the profession in this area.

I asked Ted to assemble some information on the history of the Gold Coast profession. I will not burden you with a history lesson over lunch. But I think what Ted has given me, with the help of Mick Eastwood, is extremely interesting and bears some brief recounting, especially for the interests of the younger practitioners here today.

The Gold Coast Law Association was established in the early 1960's. There were between 25 and 30 members at the inaugural meeting, suggesting there were at that stage no more than about 20 firms practising on the Coast.

Benn Price confirms that the first firm of solicitors opened in 1928 at Southport. Benn's brother Kenneth Bennion Price was its sole proprietor, practising as Ken Price Solicitor. That was the firm which in 1954 became Price & Roobottom.

There is apparently some contest whether Mr Price or Mr Eric Hutcheon was the first to practise on the Coast. Eric Hutcheon began visiting the hinterland in about 1928: the contest between the two was never resolved.

Ken Price actually became the first barrister practising on the Coast. He left Price & Roobottom in the early 1950's and opened chambers, underneath the Pacific Hotel at Southport. Ken's call to the bar coincided with the appointment of the first resident Southport magistrate.



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Ken Price left the bar after a few years, and there was no resident counsel until Rick Oliver moved to chambers in the Meteora building at Southport in 1980. He returned to Brisbane after a couple of years. Since then barristers have been in continuous practice on the Coast. Their association was formed in July 2001. There are currently 28 barristers on the Coast, 17 at the private bar, 7 at the DPP, 2 at Legal Aid and 2 in academia. One barrister practises from chambers at Coolangatta.

The Law Association was, as I have said, established in the early 1960's. The inaugural meeting took place one day prior to lunch at The Huntington Club at Southport. Those present included Benn and Ken Price, Dennis Roobottom, Frank McLaughlin and John Gordon, David Hill and Peter Collis, Tony Primrose and Alan Couper, and Tony Steindl. Those names are well known to me.

From today's attendance, it is evident the Law Association has grown dramatically. Its current financial membership is 155. Ted is its twelfth president. I congratulate you all upon your support for the Association.

You would be disappointed if in this context I did not now revisit the question of the Supreme Court sitting at Southport. I remain very interested this should occur on a regular basis, but the court depends on you, ladies and gentlemen, to identify, reasonably in advance, a sufficient caseload to warrant reserving the week or two from time to time in the calendar. Please keep this in mind and liaise with the Principal Registrar. With the proximity of Brisbane, the cases which should be dealt with here, obviously enough, are those with a preponderant Gold Coast connection or flavour, where the clients and witnesses will benefit, in terms of convenience and expense, if the case is dealt with here.

I mention in this context the Commercial List, run by Justices Muir and Chesterman. The popularity of that List is increasing, and there is no reason of course why cases which arise outside Brisbane should not be placed on it. That would readily be understood. There is likewise no reason why those Judges would not sit at Southport to deal with a



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commercial cause where the preponderance of convenience warranted that. The Commercial List is an example of an initiative which rationally was begun in Brisbane, but need not end there.

So is the electronic searching of court file indexes, a facility available to practitioners State-wide. In the last reporting period, which was 2004/05, as many as 460,000 searches were conducted that way, with 128,000 of them occurring outside normal business hours, and that showed an increase of 57% over the previous year. On average, more than 1,300 on-line searches were conducted every business day. The strong popularity of that service is testament to its manifest convenience. I am hoping that we will in the near future be able to extend that to embrace the electronic searching of the contents of files. Electronic filing of documents is further down the track, as are so-called paperless hearings, but they will assuredly come. There is a body called the Council of Chief Justices of Australia and New Zealand. We meet twice a year. One of our important thrusts is keeping an informed eye on the electronic facilities available in all the respective jurisdictions. The work of that Council and SCAG, should guarantee that worthwhile electronic innovation is not overlooked.

You are fortunate, ladies and gentlemen, to practise in such a pleasant part of the State. Economic conditions here are conducive to vibrant and thriving legal practice.

Take house sales. As at the middle of last year, the median sale price was \$400,000. A decade earlier, it was only \$150,000. As many as 8,000 Gold Coast house properties are being sold each year. The City of the Gold Coast population, as at the middle of last year, was almost 500,000, with a median age of 37 years. By comparison, the City of Brisbane population was just short of 1,000,000. There are a lot of people in this region: there is a lot of money in circulation.

Ebullient economic conditions can create temptations for practitioners. There are people in the community with an unquenchable thirst for material wealth. Unfortunately they are



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often the least prepared to seek to understand, and certainly not accept, the ethical standards which constrain legal practitioners. They are also often forceful and persuasive people, inclined to employ their wealth and consequent power as an instrument of pressure. It can therefore be a particular challenge, in a region like this, to resist those sorts of temptations, but resisted they must be.

The legitimacy of commercial life depends on broad adherence to generally accepted standards of commercial morality. Any departure diminishes the commercial community generally, and introduces a broad unfairness viz a viz those who play the game. It is similar in the law, although our ethical regime is much more stringent and rigorously monitored.

Over recent decades right up to the moment, there have been substantial queries raised as to standards in some areas of commercial life on the Gold Coast. I am pleased to be able to say that that has not been the case with the legal profession in this region. Some questions have been asked, as we know, but ethically the profession has generally operated and presented well, and that must certainly remain the position.

I warmly commend you all for your commitment to that goal, and I wish you well not only in the maintenance, but also in the development, of your practices.