



**Valedictory ceremony upon the departure from the  
court of the Hon Justice Moynihan AO  
Senior Judge Administrator  
Friday 24 August 2007, 9:15am  
Banco Court**

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**The Hon Paul de Jersey AC  
Chief Justice**

In welcoming all present, I thank the Attorney-General for his attendance, and the Director-General, the Chief Judge and Judges of the District Court, the Acting Chief Magistrate and her colleagues, Judges of the Federal and Family Courts, and retired Judges.

As a close and long-standing friend of Justice Moynihan, Justice Glen Williams particularly regrets his inability to be here today, and asked me to mention that. His Honour is overseas, and I am sure, would agree in everything I am about to say.

Also present today are three distinguished Queensland architects from the firm Architectus Guymer Bailey, the designer of our proposed new metropolitan Supreme and District courthouse: Dr John Hockings, Mr John Grealy, and Mr Ralph Bailey. The project, to culminate in four years time, is now in the schematic design phase, which includes substantial consultation, and the architects are here to experience the dynamics of a major ceremonial event in the Banco Court. I urge everyone to look at the display on the new courthouse in the foyer of this building. It provides at least an inkling of what will be a magnificent principal courthouse for the people of Queensland. I again commend the government for its commitment to this important project.

We join to farewell from the court our distinguished colleague, the Honourable Justice Martin Patrick Moynihan AO, whose term on the court comes to an end today. In farewelling him, we acknowledge his immense contribution to the good workings of the Supreme Court and thereby the administration of justice in this State, and also, his great friendship and unswerving loyalty.



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Justice Moynihan was appointed to the Supreme Court by Order in Council of the 13<sup>th</sup> February 1984, after 19 successful years at the Bar, including four years as Queen's Counsel. While on the Supreme Court, in addition to his usual work as a Judge, he managed the Building and Engineering list for five years, and for seven years was President of the Queensland Industrial Court. He has since the year 1991 held the position of Senior Judge Administrator.

In the course of his 23 year judicial career, His Honour has unsurprisingly presided over many publicly important cases. Especially one must mention *Mabo*, in which over 66 days in 1986 and 1987, His Honour determined the facts on which the High Court ultimately reached its conclusions. As pointed out by *Quadrant*, His Honour was the only Judge who saw and heard the witnesses in that dramatically important litigation (March, 1998, p 59). In more recent times, only two years ago His Honour gave a very important judgment in relation to the Commission of Enquiry into the Queensland Health System, and sitting in the Legal Practice Tribunal, determined the disciplinary proceedings against the former solicitor Mr Michael Baker. But those cases aside, 23 years on the Supreme Court bench inevitably exposed His Honour to an extraordinary tapestry of infinitely various human behaviour.

Apart from His Honour's judicial work, he has advanced the administrative development of the court in many enduring ways. I instance two of them.

First, he has led the rejuvenation and stream-lining of the court registry, supremely important at this historical point. Similarly, his focus has for a long time rested on our optimal use of available technology. He pioneered a system for the electronic setting down of cases. He has worked closely with the profession, developing initiatives such as the electronic disclosure of documents.

Another major contribution has been at the fundamental level of relationships between the court and our reserve of resources, the Department of Justice and Attorney-General. His



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Honour has been a powerful agent for harmony, cooperation and productiveness at that interface. It is significant the Director-General is present this morning, and that he will speak from the Bar table. The current working relationship between the court and the department is excellent – it has never been more effective, and I thank the Director-General and Justice Moynihan for that state of affairs, so very important in facilitating the effective discharge of our mission.

Fittingly, His Honour was, in the June 2002 Queen's Birthday Honour's List, made an Officer of the Order of Australia, for "service to the judiciary, particularly through the development of improved processes for the administration of justice, to the legal profession, and as a contributor to the administration of health care services through the Mater Misericordiae Hospital".

Now an expression of personal appreciation: because of the prospective complexities of the workings of the trial division of the Supreme Court, the nature of the interaction between the Senior Judge Administrator and the Chief Justice is critical. Approaching a decade in my current role, I sincerely thank Justice Moynihan for his astute application to his large area of administration, for our interaction in relation to those matters, for his regular unstinting and invariably wise guidance to me in my leadership of the court, and for his supervening friendship and loyalty.

The best wishes of the court extend today to Marg O'Donnell, and the judge's children, with sincere thanks for their support of His Honour over many years. We farewell our colleague with great regret, and in the fervent hope that he will now, with Marg, enjoy a long and stimulating new chapter of life.

In conclusion, I am pleased to confirm that the Governor in Council has appointed Justice Byrne as Senior Judge Administrator, and that His Honour will take the requisite oaths this coming Monday. A Judge of this court since 1989, Justice Byrne brings eminent administrative talent to this role.



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That talent was evident many years ago through his 15 years service as an Infantry Officer in the Army Reserve, rising to the rank of Lieutenant-Colonel. It was recognised in more recent times, through His Honour's two year presidency from 2004, of the Australian Institute of Judicial Administration.

I look forward very much to working with Justice Byrne in that role, and express congratulations upon his appointment.

Because our primary concern today is to farewell Justice Moynihan, Justice Byrne has graciously foregone my invitation that he speak on this occasion.