

# Transcript of Proceedings

MAGISTRATES COURT

JUDGE IRWIN, Chief Magistrate

IN THE MATTER OF THE SWEARING-IN OF  
MAGISTRATE MAXINE MARGARET BALDWIN  
AS A MAGISTRATE OF QUEENSLAND

BRISBANE

21/11/07

Also present:

Ms D O'Donoghue, on behalf of the Minister for Justice  
and Attorney-General

On behalf of the Bar Association of Queensland:

Mr L Kelly SC

On behalf of the Queensland Law Society:

Ms M Mahon QC, President

HIS HONOUR: Thank you, please be seated. Good afternoon,  
your Honours, distinguished guests. I welcome you to this  
ceremony for the swearing-in of Maxine Margaret Baldwin as a  
Queensland Magistrate.

I would firstly like to acknowledge the traditional owners and  
custodians of the land on which we gather today. I also  
acknowledge the presence at the Bar table and firstly, I  
should say that no-one should be concerned that there's been a  
change in the Minister for Justice and Attorney-General that  
none of us knew about today, but he's perhaps the first victim  
of our experiment in having this ceremony at 4.30.

Unfortunately, the Attorney has been caught in a meeting this  
afternoon. He sends his apologies and Ms O'Donoghue from his  
office to represent him and speak on his behalf today.

I also acknowledge Mr Kelly Senior Counsel representing the  
Bar Association of Queensland and Ms Mahon, the President of  
the Queensland Law Society.

It is pleasing to have with us today Queensland Magistrates  
including Magistrate Damien Dwyer who has been a member of our

Bench for the past two and a-half years and has joined us from Emerald because it is, in fact, his sister who is being sworn in today, and while it is always dangerous to claim that we're experiencing a first, I believe that you, Magistrate Baldwin, will become part of a first brother and sister combination who will sit as Queensland Magistrates and probably also as Queensland's first brother and sister judicial officers, just pipping at the post the Callaghans. Magistrate Bernadette Callaghan's brother, Chris, will be sworn in, in this Court on the 3rd of December 2007, so it really is a family affair.

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I'd also like to acknowledge the presence in the Court today of Magistrate Wadley of Townsville who was sworn in at a private ceremony at this Court on Monday, but will be the subject of a more formal public ceremony in her home Court of Townsville this Friday.

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Magistrate Baldwin, I would now invite you to stand and to take the oath of office.

OATHS OF ALLEGIANCE AND OF OFFICE ADMINISTERED

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HIS HONOUR: Congratulations.

MS BALDWIN: Thank you.

HIS HONOUR: And I congratulate you on behalf of all Queensland Magistrates and I invite you to take a seat on our Bench to proceed to discharge the duties of a Magistrate.

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I also take this opportunity to particularly welcome to our Court, a number of members of your family other than Damian who are present here today, including your husband, Bob, your daughters, Chloe, Phoebe and Bronte, your sister Cherry and your brother Sean. I know that your father, Les, would like to be at this ceremony today. Unfortunately, he can't, but I know that he would be very proud of what has occurred on this occasion and hopefully a video that's being taken in this Court today will provide some pleasant memories for him of this occasion.

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I also would like to acknowledge Federal Magistrate Jarrett, his Honour Justice Greenwood of the Federal Court of Australia. Congratulations on your recent appointment, Justice Murphy of the Family Court, and of course, it's pleasing to have an old friend and participant in these types of ceremonies, so Justice Daubney, also congratulations on your appointment which I think has occurred since you last appeared in this Court at such a ceremony, and of course, I welcome all of you, our distinguished guests.

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Magistrate Baldwin, you bring to this Court a wealth of life and legal experience. Having commenced your professional career as a secondary schoolteacher, you entered the law as a barrister and then were admitted as a solicitor in 1989 and you worked with your husband from that time in the Gympie firm

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of Baldwin Lawyers. It's not surprising that you turned to the law because I note that one of your teaching subjects was legal studies. In another connection with the magistracy, in the course of your studies you were a law clerk with the firm of Baldwin Conroy & Elwing. Magistrate Herlihy is the brother of Patricia Conroy from that firm and it is Magistrate Herlihy who has been your mentor during this orientation week.

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In your practice you were extensively involved in the many aspects of the broad jurisdiction of this Court as you practised in the Wide Bay, Gympie and also the Sunshine Coast region. From the early 1990s until 1997 your firm, in fact, had sole responsibility for the duty lawyer scheme in Gympie and it continues that service each alternate week to this day, and you have continued, as I understand it, to oversee that service.

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Along the way you have become an accredited family law specialist, an accredited mediator and most recently, on about the same day as your appointment was announced, you were accredited as a mediation specialist, one of only seven who received that accreditation and we know that those specialist accreditations are not easy to achieve. Those skills will, of course, be of great value to you in discharging your duties on this Court.

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Somehow, you also found time to be extensively involved in the community. You are an honorary solicitor to many groups. You gave pro bono legal service to many. You have been involved in housing groups, women's refuges, a migrant resource centre, a police wives' association, a Vietnam veterans' association and also you have been heavily involved with the Filipino and East Timorese communities. You have also been a mentor and guide to many young women who are starting out on a legal career.

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The Gympie Times, in an article about you published after your appointment, referred to your enormous compassion and empathy with people. I note that you were the 2005 Woman Regional Lawyer Of The Year. All of these experiences and the energy that you have shown will equip you for life on the Bench in Queensland's busy people's Court. It was the Court which last year in the criminal jurisdiction dealt with approximately 200,000 defendants across the State on approximately 356,000 charges.

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The Bangalore Principles of Judicial Conduct were developed in 2002 in consultation with European Judges and the European Council. That identified six core values of judicial conduct: Independence, impartiality, integrity, courtesy, equality and also competence and diligence. I know that you will bring each of these attributes to the Bench with your initial

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appointment here in Brisbane for four months, followed by  
three years in Rockhampton. Your willingness to undertake  
your service in Rockhampton reinforces the commitment of  
Magistrates in Queensland to undertaking regional service.

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Again, on behalf of the Queensland magistracy, I welcome you  
to this Court and I now have much pleasure in inviting  
Ms O'Donoghue on behalf of the Honourable The Minister for  
Justice and Attorney-General to deliver his address to the  
Court.

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MS O'DONOGHUE: Thank you, Judge Irwin. Firstly, can I just  
apologise on behalf of the Attorney for his inability to  
attend, he was detained and he asked me to pass on his  
apologies to you, but he thought it was important that he be  
represented today and to be part of the ceremony.

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May I acknowledge Justice Murphy of the Federal Court, Justice Daubney, Justice Greenwood, Federal Magistrate Jarrett, Chief Magistrate Irwin, Deputy Chief Magistrate Brian Hine, the other magistrates here today, Liam Kelly SC representing the Bar Association, and Megan Mahon, President of the Law Society.

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It gives me great pleasure to welcome Magistrate Maxine Baldwin to the Magistrates Court Bench. Magistrate Baldwin, you were educated in Mackay at Our Lady of Mercy College. After completing school you enrolled in a Bachelor of Arts majoring in commerce, economics, history and languages. You then completed a diploma of education, also at the University of Queensland, and commenced working as a secondary school teacher, first in Brisbane and then in Gympie. You are confident that the skills developed during this period will be of some assistance when your Honour finds herself in the Childrens Court jurisdiction.

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You graduated with a Bachelor of Laws with Honours from the Queensland University of Technology and were admitted as a solicitor in 1989, and then you were employed at Baldwin Lawyers from 1989 to 2006. You commenced work as a consultant to the firm in 2006 and you have continued that until your appointment.

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You are married to Bob and have three children, Chloe, Phoebe and Bronte, and I am please that your family has been able to join you here today and welcome them to Brisbane. Welcome also



to your sister and your three brothers who have travelled and been able to join us to celebrate what is a remarkable milestone in your career.

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I would also like to welcome your brother Damien Dwyer who is also a Magistrate and who has travelled from central Queensland to be with us today. It is, I think, worth noting that this is the first time that a brother and sister have served together on the Magistrates Court bench. Your Honour will be based here in Brisbane until March next year when you will be appointed to Rockhampton Magistrates Court.

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Magistrate Baldwin, you have an impressive history of community involvement, particularly in Gympie where you spent most of your professional life. You are a foundation member of the Gympie Women's Health Centre and president of Life Education. You have been secretary and president of St Patrick's School P&F committee and a council member of the Cooloola Institute of TAFE. You have been a board member of Cooloola Regional Development Board, Skills Centre Queensland, and the Friendly Society Pharmacy. You are a council member of Duchesne College, a board member of the Heart of Gold International Film Festival, and a board advisor to the Cherbourg Historical Precinct Committee.

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Professionally, you have been an accredited mediation specialist and an accredited family law specialist, one of the few dually accredited practitioners in Queensland. In 2005 you were recognised by receipt of the Regional Woman Lawyer of the

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Year Award. The Victorian Chief Magistrate Ian Gray in his annual report of the Court in 2005/6 made the observation that, "Many magistrates make a significant contribution to their local community and their out of Court work often goes unheralded. It deserves recognition."

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One of the real assets of the Magistrates Court system in Queensland is that, because of its size and population distribution, Queensland has a larger number of Magistrates posted to centres outside its capital than any other state. This means that there has been a culture develop over many years of significant community participation by Magistrates and their families the length and breadth of Queensland.

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Magistrate Baldwin, I feel confident that you will be no exception. Your history of participation in community organisations in the past certainly indicates this, and I am sure the Rockhampton will welcome you in its typically warm central Queensland manner. May it please the Court.

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HIS HONOUR: Thank you, Ms O'Donoghue. Mr Kelly, I invite you to address the Court.

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MR KELLY: May it please the Court, on behalf of the Bar Association of Queensland it is my pleasure to congratulate your Honour Magistrate Baldwin upon your appointment to this Court. The president of the Bar Association, Mr Hugh Fraser QC, has asked me to pass on his apologies that he cannot be here today because of a prior commitment.

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Your impressive list of qualifications, your Honour, has been mentioned in detail by his Honour Chief Magistrate Irwin and Ms O'Donoghue and I will not repeat them, but I would highlight your Honour's well-earned reputation as a very diligent solicitor and a great contributor in the local Gympie community, and also that you have made a significant contribution to the Women Lawyers Association of Queensland.

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Those qualities and the other qualities that have been discussed this afternoon will no doubt stand you in very good stead in discharging the exacting duties which fall upon a Magistrate and will also no doubt enrich the life of the Court.

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The Bar welcomes your Honour warmly to this very busy Court and we wish you an enjoyable and fulfilling career. May it please the Court.

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HIS HONOUR: Thank you, Mr Kelly. And in perhaps another first, this might be one of the first occasions, if not the first occasion, that a member of the Bar Association of Queensland, a barrister, has appeared in the Magistrates Court fully robed. I am sure that - in all senses of the word - and I am sure Mr Daubney in particular, or Justice Daubney, is pleased to see that because of discussions that we had when you were president of the Bar Association and I hope that it's an indication of things to come as we gradually move towards the situation where barristers will appear in robes in our

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Courts.

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Ms Mahon, if I could invite you to address the Court.

MS MAHON: May it please the Court, it is a very great pleasure both personally and as President of the Queensland Law Society to be here today to welcome to the Queensland magistracy a very distinguished and popular solicitor, Magistrate Maxine Baldwin.

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Your Honour, your appointment has been warmly welcomed and received very well by the profession, particularly those who have had the good fortune to meet you and know you. Today is the beginning of another phase of your professional life, and I know that you will bring to the Bench not just undoubted legal skills and a rich and varied experience, but an insight into the problems and challenges faced by the marginalised and a deep compassion for them. Justice can only be served if the law is tempered with compassion, and your Honour is well equipped to exercise that justice.

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Your Honour comes to the Bench with a Bachelor of Arts from Queensland University and a Bachelor of Laws with Honours from the Queensland University of Technology, and your professional life, beginning with your initial career as a school teacher in Brisbane and Gympie, including working as chairperson for a legal aid office, as an employed solicitor, and of course as an accredited family law specialist and accredited mediator.

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Indeed you have been a loyal attendee at every Queensland Law Society family law conference since 1990, the year after your admission, and this dedication to maintaining an up to date knowledge in that area of the law when you were practising reflects a strong commitment that has been reflected in other areas of your life.

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Your community service has been extraordinary as an honorary solicitor, board member and general all-round volunteer, with this work covering cultural, indigenous, women's and youth issues. I recall, as has already been mentioned, that your Honour two years ago was Queensland Regional Woman Lawyer of the Year, and it was again a popular and eminently suitable award. The achievements, charitable service and adventures that you shared with the audience that evening, and on crutches as I recall, were not only remarkable, but a true testament to your character and selfless dedication to worthy causes.

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Your Honour, truly you are a role model and mentor not just for female practitioners and aspiring practitioners, but to all those who want to serve in those profession. I wish you a long and happy career as a Magistrate. As I will not be able to attend the ceremony in Townsville this Friday, may I also take this opportunity to congratulate Magistrate Wadley on her appointment. May it please the Court.

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HIS HONOUR: Thank you, Ms Mahon. And now, Magistrate Baldwin, I invite you to deliver your first address as a Magistrate.

MS BALDWIN: Thank you, Judge Irwin. Thank you, Ms O'Donoghue for the words on behalf of the Attorney-General, and Mr Kelly and Ms Mahon. I too would like to acknowledge the traditional owners of the land on which this important Court stands. The Magistrates Court is indeed an interesting Court in that it is the one with which most people would be involved, and as such it is an honour to be sworn in today as a Magistrate, that is, as one of the custodians for the administration of justice.

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To be entrusted with such a responsibility is daunting but exciting, but it is a responsibility which I will endeavour to discharge with the utmost integrity and diligence.

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To be appointed, for me, is obviously a major achievement in my legal career but it is an achievement for which I cannot claim totally for my own. I come from a large close-knit family of whom I am very proud. I am truly blessed to have had wonderful parents who provided me with many things, including memories of an enviable childhood where money was not plentiful but fun and living life to the full was.

I was encouraged and supported and, quite simply, without the enormous practical and emotional support from my parents, particularly in studying for my law degree with a newborn baby who quickly grew to a two year old before I graduated, I would never have got off first base.

Our success in our Gympie practice was similarly only possible with the love and support of my parents. My mother possessed a sense of fun and a joie de vivre that kept me forever buoyed and ensured that my life maintained a balance.

Her death two years ago left a void that will never be filled but a legacy that will never fade and today I wish to publicly acknowledge her role in my life and especially in my achievements.

My father, who is currently on a tour of Western Australia which was booked for him in February, is indeed very cranky today. Not only has he missed this ceremony, he has missed his bragging rights. Both he and my mother set a very high standard in terms of community service but it is one that I

have tried to live up to and have hopefully encouraged my daughters to continue.

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My father continues to be an integral part of our family and is a wonderful support to us, especially as a taxi driver, and, for those of you who know him, as a provider of gratuitous and mostly unsolicited advice. To both my parents, I say thank you with all my heart.

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To my four brothers and sisters, three of whom are here, including my brother Magistrate Damien, I extend my love and thanks to you and to your wonderful partners and families, and to my wonderful aunt and cousin and parents-in-law who are also here today, I am honoured to have you here.

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Being part of such a large close-knit family sometimes drives me mad but at all times it fills me with warmth and gratitude. As I look around today and see so many friends from Gympie and Brisbane, I can only bless myself for the most fortunate life I have had. I love you all and thank you for your friendship and the great fun we have shared over the past decades. I do not have to hope that it will continue because I know it will.

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To the colleagues here, thank you for your presence but also for your help, support and advice over the year, but also mostly for your camaraderie which always made practice, especially family law, not only more bearable but much more fun.

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Finally and most importantly, to my own family. My three beautiful daughters who will be starting to cringe about now, you are the true joy of my life and I love you with my heart. Our girls have shared the woes of having parents who are both lawyers in a very busy practice in a small town where the calls for help and assistance were frequent and many and too often over-demanding.

Chloe, the eldest, is a delightful young woman whose offers of assistance with her criminal law notes are now gratefully accepted. She is a generous, giving person whose support and never failing help, including babysitting her sisters to allow her father and I time out, meant so much to us; almost as much as the culinary delights prepared by her with the skills learned as an exchange student in a Swedish restaurant school.

Phoebe, we are so proud of you. Finishing year 12 this year, both your father and I have watched you mature into a compassionate, caring, young person. When you were Queensland Ambassador for the Make Poverty History we were immensely proud of how you, too, were living your life. You, too, have been tolerant and generous in chipping in to make life easier when the stresses of our legal lives escalated. Your kindness has never gone unnoticed and we are grateful for your contribution to our family and home.

To the youngest, Bronte, who life has most been affected by this change, I love you very much. Your sense of fun, your joie de vivre, reminds me of you and your grandma together

every day. I am proud of you and your dedication and achievement and I hope one day that you will be glad we moved to Rockhampton, or at least you can find it in your heart to forgive me.

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I know you have the resilience and focus to forge ahead next year and will continue to achieve so well, and bookshelves are just as plentiful in Gympie to feed your ferocious reading habits.

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Finally, but most importantly, to my wonderful devoted husband, Bob, whose unstinting support and encouragement has truly been the wind beneath my wings. Together we have forged a very successful business but maintained a balance and genuinely happy life together.

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Together we have shared tough times but we have shared many, many wonderful times with our children and especially through our passion for travel. Bob, you are wise and sensible, and albeit at times slow and methodical, your approach to life has proved to be a perfect balance for me. I love you dearly and I want to acknowledge your hard work and your not insignificant contribution to my achievements because without your support and blessing, which I know I have at all times, I would not be here today.

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I just hope that that support and help continues at least until you have packed the 23 years of living in our house in Gympie and moved it to Rockhampton.

So today starts a new chapter of my life and I know I am truly blessed to share it with so many, so thank you all, especially those who have made a special effort to be here today. Thank you also to those whose confidence in my ability meant that I am entrusted with this responsibility.

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For many, the only experience with justice will be in the Magistrates Court and I believe in treating those before us with dignity, empathy, understanding and compassion, as well as fairness and justice, as I believe their appearance in this Court, and particularly the way they are treated, can have a big impact on their future.

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I hope to bring both humanity and humility to the Bench and will strive to ensure that the trust placed in me today through this appointment is never seen as being misplaced.

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Thank you very much.

HIS HONOUR: Thank you, Magistrate Baldwin and, once again, welcome to the Court. The Bible on which you swore your oath today will be a memento to you. It's suitably inscribed of what I hope is a very special occasion for you and what I know is a very special occasion for you.

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It is pleasing to see such a large attendance here today. It is always good to see our Court filled in the way that it is today. I would like to invite those of you who have the time

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and, hopefully, 4.30 to 5 o'clock in the afternoon is a better  
time than our normal time at 9 o'clock in the morning, to join  
us for refreshments on level 9 of this building.

These proceedings are now adjourned. Thank you.

THE COURT ADJOURNED

MICHAEL MOLONEY APPOINTED AS RECORDER

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