



BH McPherson Oration on Legal History
Banco Court
Friday 27 March 2009
Chairman's Remarks

Justice Margaret Wilson

Good evening, ladies and gentlemen.

It is my pleasure to welcome you to the second BH McPherson Oration on Legal History arranged by the Supreme Court Library Committee.

The Chief Justice regrets that he cannot be with us.

He and the Judges of the Supreme Court of Queensland are delighted that the Oration is being held in the Banco Court, a courtroom charged with tradition and symbolism.

It has become the place where judicial officers of the three tiers of the Queensland Judiciary (the Supreme Court, the District Court and the Magistrates Courts) sit on ceremonial occasions, as well as a working courtroom and a venue for public functions such as this.

I am especially pleased to welcome our new Attorney-General, the Hon. Cameron Dick MP. Mr Dick has asked me to explain that he will have to leave early because of another commitment.

I acknowledge the presence of –

- Colleagues from the three tiers of the Queensland Judiciary and the Federal Magistracy
- Professor John Devereux from the TC Beirne School of Law at the University of Queensland and Emeritus Professor Mary Hiscock from the Law School at Bond University



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- Mr Henry Hancock and others from Architectus, the designers of our new courthouse
- Mr Leigh Shutter from the School of Design at the Queensland University of Technology.

This Oration could not have been staged without the generous sponsorship of Thomson Reuters. I extend a warm welcome to Mr Richard Williams, Mr Trevor O'Connor and Ms Lissette Mira of Thomson Reuters.

The Oration has been arranged by the Supreme Court Library. Justice Peter Dutney, who chairs the Library Committee, regrets that he cannot be present. I acknowledge the presence of the convener of the Library's History Program, Dr Michael White QC.

The Supreme Court Library is one of the powerhouses which drive the administration of justice in this State. The Librarian, Mr Aladin Rahemtula, is a man of exceptional vision, enthusiasm and energy. Ill health has prevented him from being here this evening, but I can assure you it has not prevented him from overseeing the meticulous planning which has been undertaken by Ms Helen Jeffcoat and other members of the Library staff. We are all indebted to Mr Rahemtula and his staff.

The Oration is named for the Hon Bruce McPherson CBE – who is a true luminary among Anglo-Australasian jurists.

Bruce Harvey McPherson was born in South Africa in 1936. Educated at the Universities of Natal, Cambridge and Queensland, he forged an outstanding career as an academic, a barrister, a law reformer and a Judge. Appointed to the Supreme Court of Queensland in 1982, he rose to the position of Senior Puisne Judge. After the establishment of the Court of Appeal Division of the Court in 1991, he served as a Judge of Appeal until his retirement in 2006.



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The breadth of Bruce McPherson's legal scholarship and his contribution to the administration of justice in this State are quite extraordinary.

He is the author of three major works – *The Law of Company Liquidation* (first published in 1968, and now available not only in looseleaf format but also in a UK edition), *The Supreme Court of Queensland 1859-1960: History, Jurisdiction, Procedure* (published in 1989), and *The Reception of English Law Abroad* (published in 2007).

As a member and subsequently chairman of the Queensland Law Reform Commission, he was in the vanguard of the modernisation of much of this State's statutory infrastructure. His work on the *Property Law Act*, the *Trusts Act* and the *Succession Act* was awesome.

His judgments are a fount of learning, reasoning, wisdom and elegant composition.

Legal history is one of Bruce McPherson's passions. He has brought some intriguing tales to light, including one about French convicts in Australia. He delivered the first of these Orations, when he spoke about *Queensland's First Naval Prize Case*.

This year, 2009, is a significant one in Queensland's history, because it is the 150th anniversary of its establishment as a self-governing colony, separate from New South Wales.

2011 will be the 150th anniversary of the establishment of the Supreme Court of Queensland. It will be marked by the opening of the new building for the Supreme Court and the District Court, which is under construction adjacent to the Magistrates Court. The construction project is gaining momentum - the crane was erected last weekend!

So it is fitting that the second BH McPherson Oration should be about the history of Court architecture.



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I have pleasure in asking my friend and colleague, Judge Alan Wilson of the District Court, to introduce our guest lecturer, Professor Linda Mulcahy.

This brings the formal proceedings to an end.

The Library has curated a small exhibition to mark Professor Mulcahy's visit to Brisbane. It is in the Rare Books Precinct outside this courtroom.

I invite you to view the display and to partake of the light refreshments which will be served in the Rare Books Precinct.

May I again express our thanks to Thomson Reuters for their generous support, which has allowed Professor Mulcahy to travel from Melbourne to deliver this lecture, and which helps sustain the activities of the History Program.

Ladies and gentlemen, thank you all for your attendance this evening.