

TRANSCRIPT OF PROCEEDINGS

MAGISTRATES COURT

JUDGE BUTLER, Chief Magistrate
BENTLEY, Magistrate

IN THE MATTER OF A WELCOME IN HONOUR OF
MAGISTRATE J BENTLEY

CAIRNS

..DATE 06/05/2010

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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On behalf of the Bar Association of Queensland:

Mr A R Philp SC, President of the FNQ Bar Association

On behalf of the Queensland Law Society:

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Ms J Parisi, Council Member of the Queensland Law Society (on behalf of the President of the Queensland Law Society

HIS HONOUR Today I have the great pleasure here in the company of my colleagues, the local Magistrates, to welcome Magistrate Bentley to the Magistrates Court Bench here in Cairns.

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In welcoming all present I acknowledge with pleasure the presence of their Honours, Judge Clare SC, Judge Everson and Judge Harrison, Federal Magistrate Willis, Deputy President Hack of the AAT, Mr Steve Wettenhall MP, Member for Barron River, Chief Superintendent Paul Taylor of the Queensland Police Service, Mr Rob White, Regional Manager, Department of Justice and Attorney-General, Ms Kerry Lunn, Principal Registrar of the Cairns Court. At the Bar table we have Mr Andrew Philp SC, President of the Far North Queensland Bar Association, and Ms Joanne Parisi, President of the Far North Queensland Law Association and representing the President of the Law Society.

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Apologies have been received from the Honourable Cameron Dick, Attorney-General and Minister for Industrial Relations, the Honourable Justice Jones AO, her Honour Judge McGinness, Ms Desley Boyle MP, Member for Cairns, Mr David Glasgow, Family Responsibilities Commissioner, Assistant Commissioner Henderson of the Queensland Police Service, and Ms Arna Brosnan, the regional director, Far North Queensland Child Safety, Youth and Families.

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I, of course, acknowledge the many members of the legal profession and members of the Queensland Police Service and the Australian Federal Police who are present.

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I would in particular like to welcome the relatives of friends of Magistrate Bentley. I make special mention of Magistrate Bentley's husband, Bart Grotherr, her mother Cheryl Bentley, her son Kurt, and daughter Katie. They can all be rightly proud on this occasion.

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This Court has a close and valued relationship with the indigenous community whose elders participate in Murri Courts throughout Queensland. It is therefore fitting that I pause to acknowledge the traditional owners of the land where this courthouse stands.

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In welcoming Magistrate Bentley, I do so on behalf of all the Magistrates of this Court, including those on the Bench with me today and those who cannot be with us. Magistrates Braes,

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Coates and Brassington from this region wish to be associated with my remarks.

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Last week in Brisbane I had the great pleasure to administer the oath of office to her Honour. In that ceremony, the Attorney-General, the President of the Bar Association, and the President of the Law Society appeared and welcomed her Honour's appointment. Today there is the opportunity for the Cairns legal profession to do likewise.

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Magistrate Bentley is appointed to Cairns for at least four years. I am very pleased to say that Cairns now has its full complement of Magistrates. I know that her Honour will participate with enthusiasm in the circuiting to Cape York and the Torres Strait, which is integral to the work of Cairns Magistrates.

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In Magistrate Bentley the Court has obtained a lawyer with considerable expertise, particularly in the criminal law. Her Honour has abundant experience, both as a defence lawyer having served with the Public Defenders office and its successor, the Legal Aid office, and as a Prosecutor with the Commonwealth DPP. Her career also included periods as a legal officer with the Queensland Police Service and the National Crime Authority. More recently, her Honour has been in private practice at the Cairns Bar.

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Her Honour's experience and expertise, especially in the criminal law, will be of great benefit to the Court. There

can be no doubt that this appointment continues the high
quality of recent appointments to the Magistrates Courts Bench
generally, and to Cairns in particular. I wish her Honour
well in this new phase of her legal career.

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The Honourable the Attorney-General Cameron Dick MP could not
be here today. He, as I said, spoke at the ceremony in
Brisbane last week and on his behalf I convey congratulations
from him to Magistrate Bentley on the occasion of this
welcoming ceremony.

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Mr Philp?

MR PHILP: Your Honours, it is my great pleasure to speak on
behalf of the Bar Association and, in particular, the Far
North Queensland Bar at this welcome ceremony for Magistrate
Jane Bentley. Of course, your Honour was sworn in last week
in Brisbane, but this ceremony is important because it gives
the local practitioners an opportunity to convey our
congratulations and best wishes and, more importantly, to put
on record our approval of this very meritorious appointment.

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Your Honour only recently commenced practice at the private
Bar in Cairns, having joined Coral Coast Chambers in August
2009. A vacancy had occurred in those Chambers as the result
of the appointment of her Honour Sandra Pearson to the
Magistracy in Cairns, and it's with regret that I say once
again the Court's gain is the Bar's loss. But I point out to
Barry Murray, a room with a history like that should have no

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trouble finding a quick vacancy - a quick in-person coming in
with high hopes.

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Your Honour's experience and capacity will be sorely missed in
a wide range of jurisdictions. A review of your Honour's
curriculum vitae demonstrates a wealth of experience,
particularly in criminal law which will hold your Honour in
good stead in dealing with the matters likely to come before
you in your new position.

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I ask that close to your Honour what attribute best describes
you, and the consensus was: she never appears to get
flustered. Now, your Honour passed that test at your Honour's
latest Christmas party when well known flusterer and, I
understand, your pupil master, Kevin McCreanor, attempted to
bedazzle you with his charms to no avail.

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Your Honour, we at the Bar wish you all the best. As always,
the Bar is here to assist when appearing before your Honour,
and your Honour has the benefit of joining a happy and very
competent Court in Cairns, and we are sure that, as your
Honour had already voted with her feet to live here, that the
four years will only be a start for you and your family to
stay here. We wish you all the best in the future. We look
forward to appearing before you.

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May it please the Court.

HIS HONOUR: Thank you, Mr Philp. Ms Parisi?

MS PARISI: May it please the Court, your Honours, distinguished guests, fellow practitioners, ladies and gentlemen, I'm fortunate enough to be welcoming your Honour to the Bench in Cairns on behalf of the solicitors branch of the legal profession. I always find appearances such as today truly inspiring, as I get an opportunity to research and consider the experiences of a fellow legal practitioner.

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Looking at your Honour's history, it seems that your interest has always been in crime. As we have heard today, you started out in various roles in Legal Aid, moved into the role of legal analysis with the Queensland Police Service, all whilst tutoring at Queensland University of Technology. Then came the National Crime Authority, the Commonwealth DPP and, most recently, the private Bar. I have no doubt that this experience will put you in good stead for the challenges that lie ahead.

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On behalf of the solicitors branch of the legal profession and especially my local colleagues, I extend the warmest congratulations on your appointment to the judiciary.

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May it please the Court.

HIS HONOUR: Thank you. Magistrate Bentley, you now have a right of reply.

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MAGISTRATE BENTLEY: Thank you. Chief Magistrate, your Honour
Judge Butler, your Honours Judges Everson, Harrison and Clare
SC, Deputy President Hack of the AAT, Federal Magistrate
Willis, fellow Magistrates, Mr Steve Wettenhall MP,
distinguished guests, members of the legal profession, family
and friends, firstly, I'd like to thank his Honour Judge
Butler, Mr Philp and Ms Parisi for their very kind words.
Since my appointment I have really been overwhelmed by the
kind wishes and messages of congratulations that I've received
from so many people.

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As you've heard I've only lived in Cairns for two years,
having moved from Brisbane as a result of a transfer with the
Commonwealth DPP, and my family and I quickly realised that
Cairns was the only place to live and I commenced at the
private Bar in August last year so that we could remain here
indefinitely.

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In the relatively short time that I have lived and worked in
Cairns I've received support and encouragement from so many
people. It's not often that one gets a chance to publicly
thank all the people that deserve to be thanked, and since I
have that chance today and I have a captive audience I intend
to do that.

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Firstly, I'd like to thank the solicitors of Cairns with whom
I have had a wonderful working relationship. I won't name
them all, but let me say that I'll miss seeing Bernie Carman
in his sartorial splendour, appearing breathless at the top of

the stairs to Chambers, saying "Thank God you're here. Are you free this afternoon?"

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I would also like to thank my colleagues at the Bar, especially my senior master Mr Henry SC, and my junior master Mr McCreanor, but also so many other barristers who have always been friendly, kind and supportive to me, especially as a newcomer to Cairns. Certainly the Cairns Bar has a collegiate atmosphere and spirit that, I think, perhaps is not present in a lot of other places.

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I'd like to thank the Judicial officers of Cairns for their support, in particular, her Honour Judge Bradley, her Honour Judge McGinness, and his Honour Magistrate Spencer for their support and encouragement since I've been in Cairns. Also, of course, her Honour Magistrate Pearson who passed on to me her beautiful Chambers, and I know that she misses them and, no doubt, I will miss them also.

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The staff from the Commonwealth Director of Public Prosecutions in Cairns: Terrie-Anne Christensen was my first friend in Cairns; she taught me all that I needed to know about cyclones, crocodiles, flooding and mould. Stephanie, Greg and Stacey, whose presence in the office made it a pleasure to go to work every day.

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I'd like to thank Rebekah Allen and her family, our neighbours in Cairns, who have been wonderful to me and my family since we came to live here.

I have been fortunate to work closely with a number of Government departments in Cairns, including the Queensland Police and the Australian Federal Police. I have always found the officers of those departments to be committed and professionals and a delight to deal with.

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I'd like to thank the officers of the Court who have always been friendly to me and willing to assist in any way possible.

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My Chamber mates, Nerida Wilson and Barry Murray, have been unbelievably good to me since I started at Coral Coast Chambers. They were always there to give me advice and support, and I know that Nerida Wilson was responsible for nearly all of the family law briefs I received whilst I was at the Bar, and no doubt there are some family law solicitors who will be pleased to be free of her badgering on that account. I will certainly miss working with Barry and Nerida.

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Of course, the people to whom I owe the most are my family: firstly, my mother for her constant love and support over the years, and for recently moving here from Brisbane to be with me and my family and to support us here in Cairns. Most of all I want to thank my husband Bart and my children Katie and Kurt. My husband has supported and encouraged me throughout my career, including giving up his work to stay at home with the children when they were young. He continues to work part-time so that he can be at home for them and me, and without that support from him I doubt that I would have come nearly so

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far in my career. Certainly I would be lost without his
cooking.

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Thank you to everyone who has come here today. I appreciate
it. I am honoured by my new role and I intend to work hard
and attempt to fulfil the trust that has been placed in me.
Thank you.

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HIS HONOUR: Well, thank you, ladies and gentlemen, for your
presence here today. You're invited - you're invited to join
Magistrate Bentley at the level 2 conference room for some
refreshments. I direct that these proceedings be recorded.
Let the Court be adjourned.

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THE COURT ADJOURNED

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