



MAGISTRATES COURT OF QUEENSLAND

Valedictory Ceremony In honour of Magistrate Brian Leonard Smith Thursday, 8th July 2010

Judge Brendan Butler AM SC Chief Magistrate

We gather here today to celebrate the judicial career of Magistrate Brian Smith on the occasion of his retirement.

It is important in this courthouse where the Murri Court sits that I acknowledge the traditional custodians of this land. I acknowledge the wisdom of the Indigenous Elders both past and present, particularly those elders who sit in the Townsville Murri Court.

My comments today are made on behalf of all magistrates both those present and those who could not be here. I speak particularly on behalf of the Townsville magistrates who join me on the Bench today. Magistrates Howard Osborne and Trevor Black couldn't be here but have particularly asked to be associated with my remarks. Acting Magistrates Graham Hillam, Raimund Heggie and Scott Luxton have sent their apologies.

Acknowledgements

A special welcome goes to the family and friends of Magistrate Smith. I particularly mention his sister Kay Tupper, his niece Prue Mackay and Grandnephew Lachlan Mackay who are here.

This is an important moment in the life of our court, the Magistrates Court of Queensland. It provides the opportunity to acknowledge and celebrate the life's work of one of ours, Magistrate Brian Smith.

Having reached the statutory retirement age of 65, Magistrate Smith retires today at the end of a long and productive career distinguished by a commitment to justice for the people of this State.

Let us go back to 1962 when a lad of 17 started at the Lands Department in Brisbane. The following year he transferred to the Magistrates Courts Office in Ipswich. So commenced a career which took Magistrate Smith to many parts of the State. Periods in Brisbane were punctuated by periods of service in Normanton and Gayndah.

In 1975 Magistrate Smith was appointed Clerk of the Court in Winton. Having lived and gone to school in Winton and having been back there a few months ago, I commend Magistrate Smith on his choice of location to commence as Clerk of the Court. Meanwhile he was studying and in 1976 was admitted as a solicitor.

Two years at the Public Trust Office in Brisbane did not banish the passion for court work, and postings as a Clerk of the Court in Central and Northern Queensland followed from 1978 to 1988.

In September 1988 Brian Smith was appointed a Magistrate. In the over 21 years of service that followed, Magistrate Smith continued his commitment to Regional Queensland, spending periods in Longreach, Rockhampton and Bundaberg and, most recently, over 9 years in Townsville.

During that time Magistrate Smith has displayed a commitment to the Court and his fellow magistrates. In Townsville he has for years presided in the court administering the Queensland Indigenous Alcohol Program.

Magistrate Smith is popular with all those who have worked with him. He has always been willing to put in the hard yards.

His Honour accepted the responsibility of being North Queensland Regional Coordinating Magistrate from June 2008 to October last year. I especially thank him for taking on that difficult role and for the effective and supportive way in which he performed it.

Magistrate Smith's public service has not been limited to his judicial role; for a number of years he was a member of the SES.

In that, as in his work as a magistrate, he demonstrated his empathy for others in times of need. This was particularly apparent in his service as a coroner here in Townsville where his concern for grieving relatives was apparent.

Magistrates are the judicial officers with the closest connection to the community. The Magistrates Court is where most citizens see the justice system at work.

For over 21 years Magistrate Smith has been an example of how a dedicated, professional and caring judicial officer should dispense justice. The people of this State and more particularly of Townsville have been the beneficiaries of that dedication.

Magistrate Smith, you are to be commended on the quality of that service. On behalf of the Court I thank you for a job well done.

It is sad to say farewell. You will be sorely missed by all who have worked with you. I hope the loss will be brief and that there will be an opportunity for you to return from time to time in an acting capacity.

I wish you a long, fulfilling and enjoyable retirement.