



Law Week Hypothetical

Tuesday 17 May 2011, 12.30pm, Banco Court

The Hon Paul de Jersey AC
Chief Justice

It is my pleasure to welcome you to the Banco Court this afternoon, and in so doing, to congratulate Legal Aid Queensland on again showing the lead with this excellent initiative during National Law Week.

In so doing, I acknowledge the traditional indigenous custodians of these lands, the Yagera and Turrbal peoples, their elders and descendants.

I also particularly acknowledge the presence and participation of a number of people: the Honourable Dean Wells MP, Member for Murrumbidgee; His Honour the Chief Magistrate; Mr Kevin Cocks AM, Anti-Discrimination Commissioner and member of the Sentencing Advisory Council; Professor Geraldine Mackenzie, Dean of Law at Bond and the Chair of the Sentencing Advisory Council; Mr Dan Toombs, Director of the Queensland Criminal Justice Centre; Dr Jeffrey Chan, Chief Practitioner Disability in the Department of Communities; Professor Susan Hayes AO, Head of Behavioural Sciences in Medicine at the Sydney Medical School, University of Sydney; Ms Rachel Hunter, Chair of Legal Aid; Mr Anthony Reilly, CEO of Legal Aid; Mr Paul Davey, Deputy CEO, Legal Aid; Mr John Allen, the Public Defender; Magistrate Christine Roney; Ms Diane Pendergast who completed her term as Adult Guardian but four days ago; and Mr Paul Marschke, Executive Director of the Magistrates Court Branch within the Department.

I also warmly welcome students and teachers from Pine Rivers High School, Brisbane Bayside State College, Coorparoo Secondary College, Ipswich State High School, Mansfield State High School, Brisbane North Institute of TAFE, Prince of Peace Lutheran College, Bell State School and Griffith University.



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Representing such a vast proportion of the defendants and accused persons who come before Magistrates and Judges in the criminal courts in Queensland, Legal Aid Queensland is particularly well-equipped to host an instructive and entertaining hypothetical of this ilk. I am confident this year's will warrant that description.

There are two additional points I seek to make briefly.

The first is that the work of the criminal courts remains the conspicuous focus of public interest in the legal process. Unfortunately many members of the public lack any real appreciation of the detail of that process. Hence the potential value of an exercise like this today.

The second is our realization, as a community, that the time hallowed approaches of the criminal courts must flexibly accommodate new phenomena, for example drug crime, addressed in last year's hypothetical, where very often it is the addiction which is the determinant. Another challenge is the one to be addressed today. How does the system come to grips with the effect of intellectual disability on moral and legal culpability?

I warmly welcome you all to this event. We Judges greatly value your presence, and we trust you will find the exercise, as I forecast, both instructive and entertaining. Speaking of "entertaining"; this will undoubtedly have been the driest curtain raiser Meshel will ever have experienced. Over to our host, Meshel Laurie.