



Annual Meeting of the South Pacific Youth and Children's Courts  
Monday 20 August 2012, 9am  
District Court Conference Room, Level 14,  
Queen Elizabeth II Courts of Law

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**The Hon Paul de Jersey AC**  
**Chief Justice**

Chief Justice, Chief Judge, Chief Magistrate, your Honours, ladies and gentlemen

I am very pleased to welcome you to Queensland, to Brisbane and to this “brand new” courthouse. I hope you will have the opportunity to explore the precinct over the next three days. Its wonders include a number of extremely pleasant vulnerable witness suites and, at the instigation of the Chief Judge, a “family room”. Children’s art adorns some of the public lifts, which I understand was a personal initiative of the lead architect, Dr John Hockings.

I have met a number of the attendees, including Chief Justice John Muria of Kiribati and the dynamic Andrew Beecroft of the New Zealand Youth Court, and I regularly commune with the Judges of the Pacific, noting today the presence of judicial officers from Papua New Guinea, Palau, Samoa and Vanuatu. My wife and I look forward very much to the opportunity to meet with you this evening at Government House at the reception to be hosted by Her Excellency the Governor. Over the last 14 years of my Chief Justiceship here, I have made many friends from Pacific jurisdictions, especially through the biennial Conference of Chief Justices of Asia and the Pacific which I chair, and the biennial Pacific Judicial Conference, to be held next in November this year in Honiara.

You are all most welcome, and I must not overlook our Queenslanders, including the Acting Director-General Mr Terry Ryan, the DPP Mr Tony Moynihan SC, and the CEO of Legal Aid Queensland Mr Anthony Reilly.

While I have appreciated the exercise of jurisdiction by the Children’s Court in Queensland, and the stipulations of our own youth justice legislation, I had not previously



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realized this worthwhile Council has existed, conducting annual meetings since as long ago as 1996, save for 2009. Judge Shanahan has provided me with a history of the meetings of the Council, which bespeaks the value of the initiative. It is important, by way, to keep that history up-to-date.

It would be surprising were the interests of children to warrant substantially differential treatment among the jurisdictions in this part of the world, even allowing for cultural differences, and the exchange of information can obviously lead to desirable change. I remember returning from the UK a few years ago and suggesting to the Attorney-General that the designation "Children's Court" could perhaps better read: "Youth Courts". That did not occur, although what used here to be called the Juvenile Justice Act is now styled the Youth Justice Act. I hasten to say that I claim no credit for that change.

Recurrent issues in Queensland concern the age at which one becomes an adult under the criminal law, and the public naming of youth offenders. The latter is a vexed issue. The prospect of rehabilitating young offenders must be kept at an optimal level, but it is compelling to think that many 17 year olds of the 21<sup>st</sup> century would be vastly more street-wise than their counterparts of three or four decades ago. Yet on the other hand, as some psychologists suggest, naming them may lend them a notoriety in peer groups inimical to rehabilitation. As I say, it is a difficult issue.

Apart from the practitioners who will address you, you will, I note, be the beneficiaries of the wisdom of Professor McDermott and Professor Ross Homel, and experience on the ground as it were, from the General Manager of Boys Town, the Children's Commissioner, and representatives of the Youth Advocacy Centre and the Child Protections Practitioners Association.

To say that the future of society rests with its younger members has become something of a mantra. But growing older especially, one increasingly realizes the truth of that proposition, and of the awfulness of the prospect that ordinary human development of



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young people be stunted by their succumbing to the dreadful temptations contemporary society offers, particularly drugs and sex abuse. When as youths they offend, the challenge to balance the interests of offender, victim and community is marked. We would all like to think that our respective jurisdictions have got the balance right, or are on the way to it, but there is no doubt that meetings like this foster desirable monitoring.

I repeat my welcome, my hope that you are able to explore the precincts over the next couple of days, and noting your interesting conference programme, I am most privileged now to declare the Conference open.