



**Central Queensland Law Association Annual Conference
Yeppoon
Saturday, 27 October 2012**

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

Kaye and I are very pleased to be with you at this important conference, our 14th annual attendance, which mirrors my term as Chief Justice. A very pleasant pattern has been established over those years: attending the Opening of the Law Year Service, this year at St Stephen's on Monday 16 July, preceded on the Sunday night by a most memorable dinner with the profession, the Bar in particular.

What strikes me is the high attendance level on such occasions, a very good illustration of the professional health of practitioners in the region. You have always been most welcoming to Kaye and me, and I again express our gratitude to the Central Judge Justice McMeekin in that regard. It is the fact, for example, that the Rockhampton Law Service is actually deferred for a week to ensure that I can attend – avoiding a clash with the Brisbane service.

There is poignancy about this year's conference as we near the point of farewelling another Judge who has always welcomed me to Rockhampton. Judge Britton has rendered distinguished judicial service over many years: he will leave office with a proud legacy for which he is rightly respected.

At last year's conference, I spoke a little of the history of our Supreme Court, which two months earlier had celebrated its sesquicentenary, and I looked forward to the commissioning of the new metropolitan courthouse, opened as the Queen Elizabeth II Courts of Law by the Governor on 3 August this year. The commissioning of that building was clearly the most significant and momentous event in this year's history of our State's legal system.

Now I am out of Brisbane, however, and ever conscious of the need to talk only of matters relevant to one's patient audience. But the significance of the metropolitan courthouse surpasses Brisbane. This is the metropolitan courthouse of all Queenslanders, and it is the reality of course that those of you who litigate, or have non-contentious business which concerns the court, in the Supreme Court in particular, will probably have occasion, practice wise, to attend at the court – notwithstanding the increasing utilization of technology to accomplish clerical matters. In any event, I encourage you to visit your new courthouse anyway: it is simply a wonder to experience.

We concluded sittings in the old courthouse on Friday 24 August 2012. The feeling was quite extraordinary. I had occupied and sat in that building for my entire judicial career, 27 years, 14 of them as Chief Justice. Yet I am sad to have to say that it was not difficult to leave the place.

No doubt imaginative in its time – the former Supreme Court opened in 1981 and the former District Court, the original Supreme Court in 1971 – the structure had come to present as the very antithesis of 21st century justice: a fortress on three sides with a precious attempt at sub-tropicality in the courtyard on the fourth. It was built at a time when security considerations predominated. There were therefore remarkably few windows – none in the courtrooms, and the superb riverside site seemed to have been squandered: the building faced away from the river rather than embracing it. Watch that space for the hotel likely to replace it: undoubtedly proximity to the river will be a predominating feature. For a working judge, the courtrooms were the ultimate sticking point, windowless, claustrophobic spaces with decoration, come 2000, registering high on the kitsch scale.

Yet we should not overlook the efficient and long service accomplished in that courthouse. Major trials – that of Childers backpacker murderer Long, Pauline Hansen, Gordon Nuttall, Dr Patel, Max Sica...; and developments that courthouse sought to embrace, if haltingly, with the march of technology.

I was struck by Justice Byrne's reported remarks on his departure from the old building. Come the time to adjourn that day, he reportedly paused, then said he was endeavouring to think of a reason to be nostalgic, but could find none. I left the old building in the course of a murder trial. My jurors were alive to the historical significance, and with, I assume, bemusement, asked would they be presented with a commemorative mug. I informed them that authorizing such a thing was quite beyond the authority of a Chief Justice, but I did offer them the prospect of an enlivening experience come the following Monday.

What did they then experience? They would have entered a building with huge public spaces, the maximum inflow of natural light, arresting artworks, outside a grassed plaza the size of Queens Park and Post Office Square, wooden Queensland floors in the courtrooms and public spaces, underfloor electrical installations and air-conditioning, a building with five star green credentials, secure public gardens, absolutely optimal technology, amazingly large courtrooms, natural light even into the cells – though of course they did not visit them, Wi-Fi on all floors, and the Legal Heritage Museum.

Now having experienced those aspects, or some of them!, they also discharged their duty, and in what was I would have thought a particularly gruesome and difficult case. I will remember that jury for quite some time: it was the first jury in my 27 years in judicial office which sent me, following verdict, a thank you note for the way I had treated them.

That trial experience was, for me, particularly memorable for the influx of natural light into the courtroom in particular: I felt it must have enhanced the well-being of all participants.

My jury aside, what will the public notice as they interact with the justice system through this new building? Thoughtful people will think of transparency: they will recognize the crystalline nature of the building,

symbolizing the transparency of the process going on within. It presents, as I have said a number of times, as a “glass” building. They will recognize features, such as the large open spaces, the foliage, the art, which will desirably distract from any undue dwelling on the difficult processes normally going on within. And they will see it as “their” building: the most significant public building in the CBD since the Executive Building opened in 1971.

This is a truly magnificent building, ladies and gentlemen, and I hope you will come to experience it. I am particularly proud that if a large amount of public money was to be committed to a public building, at the time it was, the courts should have been the beneficiary. The people of our State now have the best metropolitan courthouse in the nation. The courts no longer present, as was the case for many years, as the very poor cousin of the legislature and the executive.

Thank you for tolerating my exuberance. I should say no more now than confirming my very best wishes to you all, as you practise in this part of our State in which well-being is an enduring feature: may your professional lives be fulfilling, and your personal lives contented.