

## **CAIRNS CHRISTMAS GREETINGS & ADMISSIONS CEREMONY**

13 December 2013

The Honourable Justice Henry

- [1] Greetings legal profession, admittees, guests and friends. On the occasion of this ceremonial sitting of the Court for the traditional exchange of Christmas greetings between the court and the profession I welcome to the bench my judicial colleagues his Honour Judge Everson and his Honour Judge Harrison.
- [2] I also welcome her Honour Judge Willis of the Federal Circuit Court, their Honours Magistrate Spencer, Magistrate Coates, Magistrate Comans, Magistrate Pearson, Magistrate Bentley, Magistrate Gett, the Honourable Curtis Pitt Member for Mulgrave, Councillors Richie Bates and Max O'Halloran (and Linda Cooper?) representing Cairns Regional Council, Mark Matthews CEO of Advance Cairns, Mandy Shircore representing JCU School of Law, Supt Brett Schafferius representing the Qld Police Service, Leut Dominika Czaja representing the commanding officer HMAS Cairns and Samantha Byles and Michael Zitha representing Qld Indigenous Family Violence Legal Service.
- [3] The court is grateful that members of the public have joined with members of the legal profession and their families here present to witness this special ceremony. The presence of guests drawn from our local community beyond the legal profession emphasises the importance to the community of the court's role in delivering the most fundamental element of the free and civilized society in which we live, the maintenance of the rule of law.
- [4] Highlighting the gravity of the profession's joint role with the court in delivering justice according to law we commence this morning's ceremony by bearing witness to the admission to the legal profession of three new lawyers.

- [5] Mr McCreanor, do you move? (Emily Coley)
- [6] Ms Fantin, do you move? (Jerry Tucker)
- [7] Mr Singh, do you move? (Troy Roberts)
- [8] Of the many official powers exercised by me in court as a Supreme Court Judge there is none more pleasing than admitting new legal practitioners. Admission ceremonies are important in marking the gravity of the moment; particularly the gravity of the promise just made by you, Ms Coley, Ms Tucker and Mr Roberts, to truly and honestly conduct yourself, in the practise of a lawyer of this court, according to law and to the best of your knowledge and ability.
- [9] With that promise you have today become an officer of this court, bound by your duty to it. You today join the legal profession in its noble joint mission with the court in delivering justice according to law. The role of the legal profession in that mission is vital.
- [10] It is the legal profession to which citizens turn in seeking access to the rule of law. It is your profession which provides citizens with expert legal advice and representation, regardless of their gender, race or religion and regardless of the popularity, power or privilege of the cause to which they are opposed. It is an honourable calling.
- [11] Ms Coley, Ms Tucker and Mr Roberts today is an achievement well earned. It is a very significant accomplishment to successfully meet the rigorous demands of your degree course and practical training. However today does not mark the end of your legal learning. As with the other great professions, the practise of law involves the constant honing of your craft. The opportunity ahead of day-to-day work in the

profession will provide an invaluable opportunity for the constant, ever evolving learning and improvement required to practise, as you have promised, to the best of your knowledge and belief. I encourage you to make the most of the invaluable opportunity for experience and self improvement which employment as a practising lawyers will provide.

[12] Ms Coley the legal learning on which you will now build has included the invaluable experience of being a Judge's associate. Your Judge, Judge Harrison, conveys through me his sincere thanks for your support throughout this year.

[13] At a personal level, today is for each of you the culmination of many years' study, doubtless tinged with some personal tribulation and triumph along the way. It is unlikely that you have reached today's milestone on your own, without the support of family and friends. The support given to you by them, both in your studies and your own life journey, has likely been a vital ingredient in your successful achievement. Today is rightly a proud day for them, as well as you; a day to celebrate.

[14] Ms Coley, Ms Tucker and Mr Roberts the court extends its sincere congratulations to you, your family and supporters, and wishes you a successful and satisfying career in the law. Welcome to the profession. You may take your place back with the practitioners now.

[15] The practising profession consists of solicitors and barristers. It is no longer the custom on the occasion of lawyers' admissions for them to be admitted specifically as a solicitor or specifically as a barrister. Barristers, as the profession's specialist advocates, have a particular affinity with the court and a desire for their formal presentation to the court has persisted since the change in admissions procedure. It

has become increasingly customary for courts to acknowledge those legal practitioners who have recently gone to the bar through their presentation to the court at the annual exchange of Christmas greetings. It is a custom we adopt this morning.

[16] Mr Morzone, you present ?

[17] [...Mr Morzone presents Laura Neil and Andrea Lawrence...]

[18] Ms Neil and Ms Lawrence, welcome. Neither of you are novices in the law. You each arrived at the bar earlier this year with a wealth of experience in the practise of law. That experience will stand you in good stead in now practising the law as specialist advocates. It is an exciting and in some respects daunting experience to embark upon practise at the bar. The bar is a highly ethical and supportive professional environment but it is also a great leveller. There is nowhere to run and hide in the courtroom. Barristers practise their profession in the public gaze and under the scrutiny of briefing solicitors. Their talents are tested and scrutinised in every case they have. The bar is a marketplace in which demand for individual talent, and thus the skill and reputation of the individual, determines professional fate. Ms Neil and Ms Lawrence practise at the bar is exhilarating and challenging. It can be an immensely satisfying calling. I congratulate you on joining its ranks.

[19] Before leaving the topic of the bar I mention news of one of its former members, Ms Linda Petrusa, who was a barrister learning her craft with the Cairns office of the Qld Director of Public Prosecutions in the 1990's. Ms Petrusa moved to Western Australia and rose among the ranks of the DPP there. She was this year appointed as Senior Counsel. Not bad for a girl from Dimbulah.

- [20] It is also timely to note the imminent departure from Cairns of long serving local Crown Prosecutor Michael Connolly, a former professional colleague of mine. Mr Connolly and his family are moving to Brisbane and the court wishes them well.
- [21] 2013 has been a busy year for the Supreme and District Courts. Our courts cannot function as efficiently as they do without the industry and dedication of those courthouse staff who so loyally support us. I express our sincere thanks to our Associates, Secretary, Registry staff and Bailiffs for their assistance throughout this busy year. I congratulate our Registrar Ms Baden on the efficiency of her Registry's work and express our appreciation for her mastery of both the legal and bureaucratic detail needed for the efficient operation of our courts.
- [22] I also acknowledge the Registrar's assistance and drive in improving the facilities in which we work. After 21 years our building's interior has been well worn. This year most of the superior court rooms have been recarpeted as have our chamber areas. New moveable seats for the court rooms and jury rooms have been provided. Phase two of this improvement of the courts' furnishings will hopefully occur in the first half of the new year. As part of that program it is anticipated the court rooms fixed seating in the public gallery, jury box and witness box will be refurbished.
- [23] Video link facilities were finally installed in this court room in the course of the year. The benefits to litigants and the community generally of having such facilities in the state's most remote superior court are self-evident. Other resourcing innovations likely to be installed in the first half of next year includes new equipment for the taking of evidence from children allowing for digital recording. New video link facilities are soon to be installed in outlying court houses in the far north at Kowanyama, Aurukun and Pormpuraaw.

[24] Earlier this year I was amused to read of the suggestion in public discourse that Judges live in ivory towers. This is plainly wrong. As anyone who has watched the deteriorating state of our courthouse's exterior would know, we in fact live in a dirty grey tower. The penetration of mould behind this building's pebblecrete exterior is now so extensive that bleaching and guernying cannot remove it. I am informed the expensive process of replacing the exterior layer will be undertaken next year. That is very welcome news. The outward appearance of a public building such as this in a community such as ours is important. It has an importance resonating beyond the need for respect invoking grandeur. Its appearance, collectively with our CBD's other significant buildings, has the combined potential to please the eye of visitors and locals alike and inspire beneficial confidence and interest in our city.

[25] In addition the front courtyard garden will be replaced with an elevated turf platform with a shade tree to be planted in the middle of it. Those in the profession of a botanical bent are invited to suggest to Madam Registrar the type of tree we should choose to that end.

[26] Our building's law library has also been modernised this year. Our local Supreme Court Library Committee last year gained the approval of the State Supreme Court Library Committee for a Library Modernisation Project. That project, funded principally by the Justice Department, has progressed slowly but surely throughout this year. Surplus shelving rows have been removed from the Library freeing up space for more user friendly furniture making it a facility likely to be more used by practitioners attending to their day to day business in court. The library's outdated computers have recently been replaced with three new computers providing users with a much improved electronic research capacity. It is anticipated that the

library's computers will be properly online for research purposes in the near future and in any event by the outset of the new year. We will in the new year formally launch the new library facility with an opening function. I record thanks to the Registrar again for her assistance in the coordination of the acquisition and installation of the library's improvements throughout the year.

[27] The court this year initiated the Cairns Judiciary continuing professional development series. We hope the programme will be a positive addition to the profession's continuing legal learning programme. If it assists in giving the profession's members some better insight into the machinations of the minds of the judges before whom they regularly appear, then so much the better. Judge Harrison conducted the first session in the series on 30 October, reacquainting practitioners with how to prepare for and conduct personal injuries trials. Further sessions in the series in relation to sentencing and admissibility of evidence will occur during the first half of the new year.

[28] The court also continued to foster legal learning at the student level. This included the court's support of the JCU student mooting competition, held in our courtrooms, as well as the continuation of our Judge's Associate Work Experience Program for Aboriginal and Torres Strait Islander Secondary School Students. This program has again seen Aboriginal and Torres Strait Islander year 11 and year 12 students from Far North Queensland high schools, whose successfully made applications through a selection process, assigned to our Associates for one week each. It is hoped that this program will encourage Aboriginal and Torres Strait Islanders to pursue tertiary studies in the law in increasing numbers.

- [29] In the course of the year the court again engaged with the spiritual leadership of our community with the holding of the annual opening of the Law Year Church Service. This year the service was held at St John The Evangelist Anglican Church
- [30] In May of this year the court and the profession resurrected the tradition of an annual law ball. Our ball adopted its name from a seminal case in contract law. The Carbolic Smoke Ball was a great success. It was pleasing to note the attendance not only of legal practitioners but of other members of the broader legal profession such as law clerks, legal secretaries, law office administrators, law students, law academics and even judicial officers.
- [31] The Carbolic Smoke Ball will be held again next year on Saturday 17 May, the same weekend on which Cairns will take its turn to host the North Queensland Law Association conference. That important conference rotates annually between Cairns, Townsville and Mackay. The Carbolic Smoke Ball will be a special social highlight of the conference.
- [32] On that sociable note I finally take pleasure in wishing all present, your families and loved ones, a joyous and safe Christmas and a happy New Year. Goodwill to you all. Mr Philp?
- [33] [*Mr Philp addresses, Mr Brown addresses*]
- [34] I record the Courts thanks to our Secretary Ms Buckman the Registry and our Bailiffs for coordinating today's ceremony and now invite all present to morning tea which will be served on the third floor in the Jury Assembly Area.
- [35] Let these proceedings be recorded and transcribed. Adjourn the court.