

ADMISSION CEREMONY, 1 JUNE 2015

SESSION THREE

On behalf of the judges of the Supreme Court, I warmly welcome you to the legal profession and congratulate you on your admission. You have each demonstrated a commendable level of intellectual ability, determination and resilience. I also warmly welcome your families and friends who have contributed to your success. I suspect they have earned their share of your reflected glory this morning. I particularly mention Mr Marjason whose admission was moved by his father and Mr Tanner whose admission was moved by his sister.

Whether you practise as an advocate or in the traditional solicitor's role in a firm; whether you become a sole practitioner, join a suburban practice, or become a member of a national or international megafirm; whether you join the corporate world, the public service, academia, or a community legal service; as an admitted legal practitioner you are now a member of the legal profession with its 800 year old tradition dating back to 13th century England.

For those of you who practise as lawyers, remember always you are officers of the court. That means you must place your duty to the court and the administration of justice before your own interests or those of your clients. In particular, you must never mislead the court.

As members of the legal profession, together with the assistance of an independent judiciary, you play an institutional role in Queensland's precious democracy.

I was pleased to see that independence exercised recently by the professional legal associations, the Queensland Law Society and the Bar Association of Queensland, in assuring the public that claims Queensland courts are dysfunctional are baseless. The public can be assured that, despite recent challenges, the judges of the Trial Division and the Court of Appeal have never faltered from their core work: delivering timely justice to litigants in accordance with their oaths and affirmations of office.

But you do not have to be President of your professional association to play an active part in a vibrant, independent legal profession defending the judicial arm of government. For example, sentencing is often in the news. It is healthy for the decisions of judicial officers, including sentences, to be subject to community and media scrutiny and discussion, but uninformed, inaccurate media reports can unfairly undermine community confidence in the courts. Sometimes media reports refer only to selected facts about a case and give inaccurate or incomplete reports of the judge's reasons. Whether inadvertently, or in fuelling controversy to sell more newspapers or attract more listeners, viewers or bloggers, this creates an incomplete picture. Any community perception of endemic soft sentences is neither accurate nor informed. Queensland courts sentence thousands of offenders every year. The vast majority of sentences are uncontroversial. Only a tiny proportion are challenged in the media or found on appeal to be manifestly inadequate or excessive. In truth, the community can be confident that judicial officers are seldom soft on crime and sentences which are plainly too heavy or too light can be corrected on appeal.

That view is supported by the recent Tasmanian Jury Sentencing Study. In Tasmania, too, judges had been criticized in the media for perceived soft sentencing. The jurors in the study listened to sentencing submissions in cases in which they had delivered guilty verdicts. Before sentence was pronounced, they were asked the sentence they considered appropriate, for their views on sentencing severity, and whether they considered judges were in touch with public opinion. Most jurors thought that the sentence in their case was appropriate, and would have imposed a sentence of the same or lesser severity than the judge's sentence. The Study provides useful support for the proposition that judges' sentences do appropriately reflect informed community expectations.

As new legal practitioners with expert knowledge of the workings of democratic institutions and the criminal justice system, you are well placed to explain controversial issues to family, friends and community members. Next time you hear someone expressing surprise or displeasure at a sentence imposed or a judicial ruling, as a newly admitted legal practitioner, point out that the media report may not reflect all the material facts or accurately state the judge's reasons. Encourage them to go to the Supreme Court Library or the Court's websites and to read the decision for themselves. Remind them of the thousands of uncontroversial sentences imposed by judges and magistrates each year. And reassure them that sentences which are clearly out of line can be corrected on appeal.

I urge you to find time in your busy lives to take on pro bono legal work. It is not widely known or recognised, that many lawyers donate scores of hours of pro bono service. Involving yourself in

some pro bono work will benefit not only the recipient but also promotes community confidence in the legal profession. And it will give you personal and job satisfaction; it is the 21st century lawyer's drug-free remedy for depression. The National Pro Bono Resource Centre encourages lawyers to do 35 hours of pro bono work each year. Your health professional might recommend this, too.

With hard work you will ultimately achieve your aspirations, including your financial goals, but do this with the highest professional standards and with compassion for your fellow human beings. That way you will help the legal profession remain where it belongs: at the centre of relevance in 21st century Queensland. And when you are old and retired from practising the law, you will be able to reflect with pride on your life, knowing that you have given your professional best to the community. We wish you well.