

THE PRESIDENT: On behalf of the Judges of the Court I welcome all of you who are present here today. I acknowledge with great pleasure the attendance of the Attorney-General, the Solicitor-General, Mr Nicholls the Shadow Attorney-General, the President of the Bar, the President of the Law Society. I also acknowledge the presence of Chief Justice Kiefel, Chief Justice Quinlan, Chief Justice Alstergren, Chief Justice Bell, Justice Keane, Justice Edelman, Justice Greenwood, Justice Rangiah, Justice Thomas, Justice Hogan, Chief Judge Devereaux, President Kingham and The Chief Magistrate Judge Gardiner.

I also welcome the many Judges and Judicial Officers of the District Court, the Magistrates Court, the Industrial Court and the Federal Circuit and Family Court. Many, many other Judges have conveyed their apologies for their inability to attend. These include Chief Justice Winkelmann of New Zealand, Chief Justice Allsop of the Federal Court, Chief Justice Kourakis of South Australia, Chief Justice Grant of the Northern Territory, Chief Justice Ferguson of Victoria.

Many former Judges of the Court are here this morning. I particularly welcome Mr Paul de Jersey, who was not only our former Chief Justice but also our former Governor and who is our friend, and Ms Cate Holmes, Her Honour's immediate predecessor. Many former Judges of this Court have conveyed their great regret at being unable to attend. In particular, former Justice Margaret Wilson has asked that her apology be noted.

I welcome Mr David Mackie and Ms Jenny Lang, the Director General and the Deputy Director-General respectively, of the Department of Justice; Mr Heaton, the Director of Prosecutions, and, most importantly, I welcome Chief Justice Bowskill's family: Chief Justice Bowskill's husband Mr Peter Vallance, her daughters Phoebe, Lucy and Zoe; Chief Justice Bowskill's father, John Bowskill – the proudest man in Australia today - Chief Justice Bowskill's brother, Adrian and his wife, Tess, and Her Honour's sister, Julia, who is attending by video link from England.

Your Honours, ladies and gentlemen, although this is a day for celebration, the ceremony which we have just witnessed was not a mere formality. The Judges take the trouble to assemble as a Full Bench, every single Supreme Court Judge is here today, and those of you present attend at the start of a busy day, not just to hear laudatory speeches. The law requires a new Judge to make two promises. The first is the Oath or Affirmation of Allegiance. This form of the promise, addressed to the Queen herself, has its origins in British history, but today this ancient form of words constitutes in substance a promise of fidelity to the People of Queensland.

The second promise is to do equal justice to all persons and to discharge the duties and the responsibilities of office according to law without fear, favour or affection. These solemn undertakings are the living roots of the rule of law. Fulfilment of these undertakings by a Judge on a daily basis is one of the essential guarantees of the stability of our constitutional democracy. That is why traditionally it has been the practice of this Court to require a new Judge to take the Oath or to make the Affirmation of Allegiance and of Office before his or her colleagues sitting as a united Bench, as well as before the eyes of the legal profession and the broader Queensland community.

5 The work of a Judge to fulfil these promises can be hard. The hardships faced by a Chief Justice are much greater. A Chief Justice must fulfil all of the duties and functions of a Judge, while at the same time carrying the unremitting burdens of the head of the Judicial Branch of Government, all the while being conscious of being a role model for her colleagues and for the profession.

10 A person of ordinary talents could not prevail in doing this. Chief Justice Bowskill is not a person of ordinary talents. She is a woman of rare character, of high intellect, and she is possessed of extraordinary gifts. Even so, the Office of Chief Justice is so taxing that I think nobody could adequately satisfy its demands without the unsparing and openhanded support and counsel of all the Judges.

15 That is why the only really important thing that I have to say to you this morning with complete accuracy and with unfeigned sincerity is that Chief Justice Bowskill's appointment has the approval of every single one of the members of the Court and Her Honour has our confidence and our wholehearted support. And Her Honour has that confidence and support because of her qualities.

20 I only wish to make one more observation: sometimes the obvious has to be acknowledged. After the Government announced its intention to appoint Justice Bowskill to be the new Chief Justice, I phoned her and in the course of our conversation I asked her how old she was, and she told me: 52. Now, I have it from the most reliable authority possible that one of Her Honour's daughters happened to
25 overhear that end of the conversation and, after we had finished talking, she asked her mother, "Did he think you were too old for the job?". Which brings me to my observation.

30 When I was admitted as a barrister, the Judges of the Court included men who had served in the armed forces in World War II, some of them in combat. This was the first post-war generation of Supreme Court Judges. Later, their sons – their notional sons at any rate - became the Judges before whom I and my peers also appeared. I, myself, with some of my colleagues, became part of the third generation of post-war Judges. As barristers, this third generation of lawyers, building upon the work of
35 their predecessors, saw the evolution of new and more efficient ways of conducting litigation, in personal injuries, in criminal work and in commercial work.

40 The appointment of Chief Justice Bowskill marks the ascendancy of the fourth post-World War II generation of Judges. They are the institutional great-granddaughters and great-grandsons of that first post-war generation of Judges. These Judges will bring to bear a completely different perspective to judicial practice and towards the shaping of the law. Two things will demonstrate my point: first, these Judges grew up fully cognisant of, and habituated to, the digital world in its social, its
45 communication and its economic spheres. They comfortably assume things that my generation had to learn - sometimes with difficulty and certainly never really mastered.

The second point relates to something that Justice Ruth Bader Ginsburg once said. She was asked whether if five of the nine Judges on the US Supreme Court – a

majority of them – were women, would she then be satisfied? And Her Honour said no, she would not. She would be satisfied when nine of the nine Judges were women. Now, of course, Her Honour’s point was not that all Judges should be women. It was that equality would be achieved when a Full Bench of female Judges came to be regarded as unremarkable, in the same way as an all-male Bench is unremarkable. We’re not there yet, but there has been and will continue to be progress towards that end.

And there was a time in very recent history when the Premier, the Deputy Premier, the Attorney-General, the Chief Justice, the President of the Court of Appeal, the President of the Bar and the President of the Law Society were all women, and it did not make the front page of the journal of record in the State. Therefore, the shift in perspective that this new generation of Judges will bring will be a large one and I think it will be a good one.

The choice of a not-too-old-for-the-job Chief Justice is therefore providential. Chief Justice Bowskill today begins what I believe will be an illustrious tenure. She takes it on at a propitious and seminal point of our history, and it gives me and the Judges of the Supreme Court – every one of whom is here today, as I have said – great pleasure and confidence to see her assume the leadership of the Court. Attorney-General.

REVISED