

JUSTICE FRASER: We gather this morning to farewell our Chief Justice. All Judges of the Court sit today, excepting only two who cannot be here: the President of the Court of Appeal, Justice Sofronoff, and Justice Mellifont. Each is confined at home as a close contact of a family member who has tested positive for COVID.

5 Fortunately, they are not unwell, and those who tested positive are not suffering serious symptoms. Each Judge has asked me to express great regret at being unable to be here in person. Both are watching a livestream of the ceremony.

We welcome to this important event in the life of the Court all who have come to the
10 Court or who are present virtually or are watching the ceremony as it is streamed, including to the two overflow Courts. We acknowledge the Attorney-General, Ms Fentiman; Chief Justice Kiefel of the High Court of Australia; the Chief Judge and Judges of the District Court; Judges of the Federal Court; the Chief Justice of the Family Court; Judges of the Family Court and Federal Circuit Court; the Chief
15 Magistrate and Magistrates; the Vice-President of the Industrial Court; and the President and Members of the Land Court. We acknowledge the presence of many former Judges of this Court, all of whom served with the Chief Justice. One such former Judge to acknowledge is, of course, former Governor and former Chief Justice De Jersey, and we acknowledge the presence of many former Judges of other
20 Courts. We acknowledge the Shadow Attorney-General, Mr Nicholls.

At the Bar Table, in addition to the Attorney-General, are the Solicitor-General, Mr Thompson, the President of the Bar Association, Mr Sullivan, and the President of the Law Society, Ms Thomson. Many people are watching the ceremony as it is
25 livestreamed. I acknowledge attendance in that way by the Chief Justices of New Zealand, Victoria and Western Australia. Justices Keane and Edelman of the High Court have expressed their regret they cannot attend because of prior commitments. So also have a great many other Judges, retired Judges, and others who would wish to be here if their commitments allowed it, including the Chief Justices of other states
30 and of territories, the Chief Justice of the Federal Court of Australia, and retired New South Wales Chief Justice Bathurst. Former Chief Justice Carmody has sent his best wishes and regret at not being able to attend.

Special mention must be made of the Chief Justice's husband, Arthur, and their
35 children, Rosemary, Martin and Ellen. You are, of course, very welcome VIPs at this event. We also warmly welcome the Chief Justice's siblings and in-laws, Anne, Roger, and Anne, Felicity, John, Beverley, and, via streaming, Lorraine, and the Chief Justice's nephew, David, and his partner, Tammy, and the many friends of the Chief Justice here today. Amongst that group, we acknowledge former Governor,
40 the Honourable Leneen Forde.

Reflecting the extraordinary longevity of the Chief Justice's service on this Court, I think the whole of the front row of the public seating in the middle is occupied by the Chief Justice's past Associates, and another two are present virtually. Also present
45 in large numbers are Judge's spouses and partners, departmental officers, Tribunal members and retired members, academics, court officers, and past and present officers of the Queensland Law Society, amongst many others. I apologise if I have

missed anyone, as I surely have, and I hope you will understand why, as I read the daunting list of attendees and apologies, I was tempted by the suggestion of a colleague that I should simply arraign you all in bulk.

5 When the Chief Justice was sworn in as Chief Justice in this courtroom on 11
September 2015, she advanced two propositions at the beginning of her speech. The
first was the proposition that the presence of large numbers of attendees at that
ceremony was not a tribute to her. The Judges sitting in bank take this unique
opportunity of overruling the Chief Justice and rejecting that proposition. We accept
10 the Chief Justice's second proposition, which was that the presence of so many is a
recognition of the significance of this Court and of the occasion in its life, but we
take the large numbers of attendees also to be a tribute to the Chief Justice.

15 Many of you will already be familiar with the Chief Justice's career in the law. The
Chief Justice graduated from universities with various degrees, including Economics
from the Australian National University and Law from the University of Queensland.
Having been admitted as a Solicitor in 1982 and later as a Barrister in 1984, having
worked as a Commonwealth Prosecutor from 1984 to 1986, and having from then
been in private practice as a Barrister, the Chief Justice was awarded a Bachelor of
20 Arts (Honours) in 1989 and a Master of Laws (Advanced) in 1998 from the
University in Queensland. In that way, it became clear at an early stage of the Chief
Justice's career that she had an aptitude not only for high academic achievement, but
also for multitasking, an essential prerequisite for a Chief Justice.

25 If history is any guide, the President of the Law Society will say something of the
Chief Justice's admission as a Solicitor. Similarly, the President of the Bar
Association may be expected to say something about the Chief Justice's practice as a
Barrister. Of that era in the Chief Justice's life, I will therefore mention only a few
events that occurred within the space of 12 months. As Barristers, the Chief Justice
30 and I were instructed by Legal Aid Queensland to appear together for the Appellant
in an anti-discrimination case in the High Court called *X v The Commonwealth*, the
judgment in which is reported in volume 200 of the Commonwealth Law Reports at
page 177. The case was complex. The brief was challenging. Ms Holmes of
Counsel, Junior Counsel as the Chief Justice then was, prepared and gave to me a
35 first draft of the outline of argument for the Appellant. It was also the last draft. The
humbling realisation that I could not suggest any change that might improve her draft
remains quite fresh in my memory.

40 That appeal was heard in mid-1999. In the same year, the Chief Justice had
concluded her involvement as Counsel Assisting in the Forde Commission of Inquiry
into Child Abuse. Later in the same year, she served for three months as an Acting
Judge of the District Court. By the quality of her work, including her work in the
Inquiry, in the High Court and on the District Court, the Chief Justice's already high
professional reputation was yet further enhanced, and in the same year she was
45 appointed Senior Counsel. For most Barristers, such a year would have been truly
remarkable. For the Chief Justice, it serves merely to exemplify the range and
quality of her professional work after she started in the legal profession.

After an eminent career at the Bar, the Chief Justice was appointed to the Court in March 2000. The appointment was, of course, well received. She was sworn in during a joint ceremony with Justice Mullins, now a Judge of Appeal, and the late and much lamented Peter Dutney. After serving as a Judge in the Trial Division for some six years and, for part of that period, also as a Judge of the Mental Health Court, in 2006 the Chief Justice was appointed as a Judge of Appeal. At the swearing in ceremony in May 2006, Chief Justice De Jersey, reflecting the general view, described her Honour's service as a Judge of the Trial Division as one of dedication and distinction. The final step up in this outstanding judicial career – at least I assume it was the final step – occurred in September 2015, when Justice Holmes was appointed Chief Justice of the Supreme Court.

I claim to be able to speak with some authority about the personal and professional qualities the Chief Justice displayed during the whole of her long judicial career, having appeared before her as an advocate in the Trial Division and in the Court of Appeal, before joining her as a Judge of Appeal some 14 years ago. When in Court, the Chief Justice was calm, courteous and efficient. Her efficiency was, of course, assisted by the depth of her sharp intellect and the breadth of her learning. She was plain spoken. She was firm where firmness was required. It hardly need be said that she was fair. It is general knowledge that her reserved judgments were produced promptly. Even so, her judgments are as concise as is appropriate and consistent with the obligation to give reasoned decisions. They are scholarly where scholarship is required. Also notable is the clarity of her judgments. The impressive quality of the Chief Justice's writing is a hallmark of her judgments, as it is of all her written work. This may be a reflection of her love of literature and her voracious appetite for reading.

In January 2020, the Chief Justice's work was recognised by her appointment as a Companion of the Order of Australia for eminent service to the judiciary, notably to criminal, administrative and mental health law, and to the community of Queensland. Her appointment as Chief Justice was very warmly welcomed by the Judges, as it was by all who knew her character and the excellence of her qualifications for that office. In due course, the appointment made more widely known another of the Chief Justice's qualifications for the office: the excellence of her speeches, both prepared and off-the-cuff. On all topics – and she has spoken on innumerable occasions and about remarkably diverse subjects – her speeches have been informative and appropriate, and she engaged her audiences by allowing glimpses of that characteristic quick and bone-dry wit.

The true extent of the onerous duties of a Chief Justice may not be generally appreciated in the community. The emails and telephone calls demanding the personal attention of the Chief Justice are incessant. Meeting piles upon meeting, and the administrative work is relentless. It is a tribute to the Chief Justice that she calmly coped with all of that, including her share of the intensive work resulting from the pandemic, whilst at the same time dealing with a substantial list of judicial business in the trial and appeal divisions of the Court. She did so with apparent ease but, inevitably, at the cost of hard work and long hours.

I have misled you if I have given the impression that there were no bumps in the very long road travelled by the Chief Justice. About this it is, I think, sufficient on this occasion to say that the Chief Justice's very extensive vocabulary appears not to include the expression "backward step", and many of you will know that, in addition to compassion, the Chief Justice brought to her role her innate courage and strength of character and an absolute independence of mind.

It has been a pleasure and a privilege for we Judges to have been members of the Court under the stewardship of the Chief Justice. We today make public our respect and admiration for the Chief Justice. We farewell her as an ally in the relentless task of delivering justice according to law, and speaking also as friends, Chief Justice, we wish you well in a richly deserved holiday, endless streams of literature and a new and rewarding phase of your life. Attorney-General.

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