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30 JUSTICE FRASER: Chief Justice.

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THE CHIEF JUSTICE: Well, I have always thought that the great charm of a valedictory would be that you got all the sorts of nice things that would be said at your eulogy without the associated disadvantage of being dead, and that seems to be about right. Thank you very much, Justice Fraser, Attorney-General, Mr Sullivan and Ms Thomson. Some self-deprecation in response would be appropriate but I do not want to spoil anything. So I will instead acknowledge a lot of luck in this career, much of which took the form of the people I encountered along the way, some of whom I will mention by name, some more generally.

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The first piece of luck was to be born into a large family with parents and brothers and sisters who were clever and courageous and, here comes the buzz word, resilient. All of my surviving siblings are here, which in itself has taken some courage and resilience. I have thought it an encouraging sign of increasing equity in the legal profession that a woman from a very working-class background without any legal connections or the advantage of education at one of the more prominent private schools could achieve the position of Chief Justice. But I am not sure that there is

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any universal truth to be found there because I had a large advantage, which I suspect

most kids from lower socioeconomic backgrounds today do not have, and that is that I came from a family which read all the time.

5 In a household of eight, there was always an exasperated queue outside the bathroom because someone, often our mother, was ensconced in the bath with a book. Early literacy and the ability with language which flows from that is a very great gift in any calling and I am very grateful to have had it. It enabled me to make the little I knew as an undergraduate sound compelling. It does make me an enthusiast of early  
10 intervention for disadvantaged kids, particularly with literacy, much better than teaching them to read in the juvenile detention centre.

Now, back to my luck, it was, of all the degrees I might have taken, to study law in which I had no background or interest. I have recounted elsewhere that it was not until I did work experience as part of the old legal practice course that I went to a  
15 courtroom and the magic struck. It was the number 1 arrest court at the old Magistrates Court with the drugs tank, so it was an odd spot for a [indistinct] experience but that is what I had and the spell never left me. To this day, I tell you barristers with utter sincerity that advocacy is one of the most stimulating, thrilling occupations you can have the luck to take up.

20 And in that legal practice course, I made lifelong friends, some of whom are here today, including former Magistrate Sheryl Cornack. Not many people know this but it was she who had the idea of setting up the Women's Legal Service, something which came to fruition a couple of years later. I count being in at the start of that  
25 another bit of my luck. As I often tell young lawyers about legal service work, it is not just about doing something useful. It's the opportunity to meet likeminded people. Some of my friends from those early days are here today. A women's legal service was a radical notion at that time, but it has gone from strength to strength. I used to put my membership on my CV as a gesture of feminist defiance but  
30 somewhere along the way, it became respectable and a career plus.

The next bit of luck, which was not evident at the time, was that the only job I could get on admission was as a prosecutor with the Commonwealth Deputy Crown Solicitor's Office and, later, the Commonwealth DPP. That got me on to my feet in  
35 court straightaway and gave me a thorough grounding in the rules of evidence, and friends from those days are present both on and off the bench. More luck, when I went to the private bar, I found myself in an unlikely set of chambers which Justice Martin unkindly but accurately named "The Vatican Vault", with a group of older men who were extraordinarily helpful and supportive. I am delighted that Cary  
40 Bolton is here today. Jim Crowley QC hoped to be but was not well enough.

I also want to mention the late Des Dreden, who was nobody's idea of a feminist icon but did all he could do to support my practice. And there I want to insert a little  
45 message. It is easy to discount someone, possibly cancel them, because of their unfortunate turn of phrase but I recommend more looking up what they do because I have met people along the way who had impeccable rhetoric and never did anything

to help anyone. I was lucky with solicitors who instructed at the bar in crime, civil and administrative law and became good friends. A lot of them are here today.

5 In the 1980s, the major criminal firms were not briefing women, an experience that I know was shared by Judge Dick, who was much senior to me, and Judge Richards. Smaller firms did and I am grateful. I particularly want to mention Andrew Boe, who gave me excellent, interesting criminal work with meticulously prepared briefs. And I want to salute the criminal law practitioners, like Shawn Reidy, Paul Richards, Peter Russo and Terry Fisher, who put their hearts and souls into the Legal Aid work  
10 we did despite it being so poorly paid. And I extend that salute to current-day Solicitors and Barristers taking on legally-aided clients, who are even worse paid, relatively speaking.

15 Another bit of luck at the Bar was to be Counsel Assisting the Forde Inquiry into Abuse of Children in Institutions, run by our former Governor Leneen Forde, but she and the inquiry's secretary, Eileen Jones, are here today. I was fascinated by Mrs Forde's skill with people. She had an uncanny capacity to reassure witnesses and encourage confidences. I always aspired to emulate that; never managed it. There were some excellent recommendations out of that inquiry, particularly on youth  
20 justice; unfortunately, not all implemented.

Now, the next thing – I am not going to call it luck, except to the extent that being the right person in the right place in the right time was luck – was being asked to take  
25 appointment to the Supreme Court in 2000. The Honourable Paul De Jersey, whom I am delighted to see here today, was the Chief Justice at that time. I am also very delighted that the Honourable Des Derrington, whose place I took on the Bench, is here. He was kind and encouraging to me over the decades following that. I was sworn in with my great friend and colleague, Justice Mullins, and Justice Peter  
30 Dutney, lost to us much too early. It was a time when Matt Foley, the Attorney-General, was trying to increase female representation on the Bench, and a number of women judges were appointed about that time. I don't think it turned out too badly. Anyway, if you want the man to blame, he's over there, and you can take it up with him at morning tea.

35 My judicial career has been lucky in the sense that I have been able to sit in a variety of areas: the Trial Division; the Mental Health Court, which was fascinating; and the Court of Appeal. If there was a particular golden period in my judicial career, it was under the leadership of Margaret McMurdo, when I sat on the Court of Appeal with colleagues I so admired, respected and liked, like Margaret White, the late John  
40 Muir, Richard Chesterman. In that Court of Appeal period, I had the interesting experience of conducting the inquiry into the 2010/2011 floods, which recently I have had plenty of reason to reflect on. It was a gruelling process made tolerable by my committed, hardworking and entertaining team, some of whom are here today.

45 Another piece of good fortune – it was not being appointed Chief Justice. I am quite clear about that, but it was the people I had to support me when I moved into the position. All my colleagues, but particularly Margaret McMurdo and John Byrne,

the Senior Judge Administrator. Both of them had been through a bruising couple of years, but they rallied round me. And I had the advantage of Kerry O'Brien as Chief Judge in the District Court, a friend as well as a colleague, with whom I formed a small but effectual mutual support and counselling group. I was lucky, too, that  
5 Murray Birdwith, who had been Chief Justice De Jersey's secretary, came back to help me. Other good fortune was having Julie Steel as executive director. She is simply extraordinary, tireless, across every detail, discreet, and committed to the Court. No one has ever been more deserving of a public service medal.

10 I think I was lucky, too, with the Director-General and Deputy Director-General I have had to work with, David Mackie and Jennifer Lang. You start these relationships from a position of mutual wariness, but over six and a-half years of dealing with them, it's developed, on my side, at least, into one of trust, occasional gratitude, verging, indeed, on affection, and I appreciate the very civil relationships I  
15 have had with two Attorneys-General. I am sorry that because of COVID the Honourable Yvette D'Ath wasn't able to join us today.

My good luck continued with Janine Mitchell, my Executive Assistant, an appointment for which I am indebted to my good friend, the Honourable Roslyn  
20 Atkinson. Ms Mitchell is hardworking, loyal and capable and of a uniformly sunny disposition, which is a source of wonder to me. I have also had the stalwart assistance of Veronica Radford, who returned typing at the speed of light and was dogged in pursuit of all my travel claims. We have had a very happy set of chambers with unending supplies of cake and biscuits, and I am hoping to lose quite a lot of  
25 weight once I am away from there. Added to that has been the unfortunate influence of the Court of Appeal's long-serving research officer, Bruce Godfrey, who, apart from being knowledgeable and industrious, is a peddler of chocolate. And many of the cakes, I should mention, come from my wonderful neighbours, Stephanie Kelly and Laurie O'Brian, who have given support to my family over the decades in ways  
30 well beyond baking.

Continuing in the good luck stakes, I come to the appointment of, first, Justice Ann Lyons and then Justice Bowskill as Senior Judge Administrator. Both have been remarkable. And here is some bad luck for Justice Bowskill: she will not have  
35 herself as SJA. I should mention the agreeable and helpful relationship I have had with my fellow Chief Justices around Australia and in New Zealand, as well as the wisdom and support of the Chief Justice of Australia, Susan Kiefel, who, I am fairly sure at some considerable inconvenience, has done me the honour of being present today.

40 Now, more than good luck, a source of utter delight has been my 19 Associates over the last 22 years. A couple of them doubled up; did two years. They are lined up across the Court, except for one I can see beaming in – beaming, literally – from Paris. There is supposed to be one from New York, but typically, I think, he may not  
45 have made it, and maybe he is just reminding me of old times. Anyway, all my Associates have been clever and funny and well read, and it is quite true, I always did just ask, "What are you reading?" and if it was good, I took them. And the

Attorney mentioned that I was an astute judge of character, and there is your evidence. It is very gratifying to look at them, because it reminds me what excellent taste I have. I should also mention some very capable research assistants over the last six years, one of whom is watching online from Oxford, who have made my job easier by looking for subject matters, for speeches, not so much with the actual speech-writing, because people in their twenties, curiously, are surprisingly keen on orations, which is not really my line.

The first two years I spent as Chief Justice from 2015 were difficult and demanding for a number of reasons. The next couple of years were much better as I got the hang of things and I started to think I was on a roll. Well, COVID. I had thought, when I announced my resignation in October last year, that things relating to COVID would be smoothed out by now, but it turns out not really, but I do have the comfort and confidence that comes from seeing over the last two years how well the judiciary and the profession and the administrative and registry staff of the Court have been able to innovate and adapt to these conditions, and on that topic, I have got a lot of gratitude to express to both Chief Judges O’Brian and Devereaux for their cooperation, the Senior Judge Administrators Lyons and Bowskill, Judge Smith of the District Court, Justice Byrnes of this Court who put in an enormous effort in the criminal jurisdiction, all my colleagues who did whatever was asked of them in whatever frustrating, unreliable format it had to be done. And I thank Chief Magistrate Gardiner and his deputies, the heads of the Bar Association, the Law Society, Legal Aid, the DPP officers and the law enforcement agencies, as well as our own Court staff, particularly Julie Steel, Darren Davies, and Amanda O’Brien, who have worked in and out of hours to keep the justice system on the road.

I am a little besotted with the legal profession. I think that there are so many people who care about good outcomes and will put in unrewarded effort to achieve them. On that note, I have been proud to be associated with a number of volunteer organisations: LawRight, Court Network, My Community Legal, the Justices of the Peace Association, and the Zephyr Foundation, whose volunteers restore your faith in human nature. And a volunteer organisation of which I am particularly fond is the Crown Law Choir, who have done me the honour of undertaking to sing today at the morning tea, which will follow this, and I will ask you all to humour me in this, because this is my day. Would you all please maintain silence just for the two songs that they will sing so we will all get to hear them.

Well, that was wordy, a little self-indulgent, embarrassingly devoid of lofty thoughts, but I have one last piece of good luck to mention, which is the unfailing support of my husband of forty-something years, Arthur Preston. I doubt I would have had this career without his backing and cooking. We have produced three children, Ellen, Rosemary and Martin, of whom we are fond and proud. I hope that my luck holds out long enough for me to spend a lot of the years ahead with all of them. I did see them wincing as reference was made to that prospect. Thank you all very much for attending.

JUSTICE FRASER: Thank you. All present are invited to join the Chief Justice and Judges for morning tea in the Portrait Gallery. Let these proceedings be recorded, and I invite the Chief Justice, as her last judicial act, to adjourn the Court.

5 THE CHIEF JUSTICE: I think I can manage this one. Adjourn the Court.

**ADJOURNED**

**[10.07 am]**

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