



**ADDRESS OF THE VICE PRESIDENT, CATE HEYWORTH-SMITH KC,
ON THE OCCASION OF A WELCOME CEREMONY FOR
MAGISTRATE RUNDLE, MAGISTRATE WOOD,
MAGISTRATE WILLIAMS, MAGISTRATE KIRKEGAARD
AND MAGISTRATE ZERNER ON FRIDAY 15 DECEMBER 2023**

1. May it please the court.
2. It gives me great pleasure to speak on behalf of the Bar Association of Queensland to congratulate you, Magistrate Rundle, Magistrate Wood, Magistrate Williams, Magistrate Kirkegaard and Magistrate Zerner, on your appointments to this court.
3. **MAGISTRATE RUNDLE**, you join the court from the Rockhampton office of Legal Aid Queensland, where you have worked since 2013 primarily in family law, criminal law and employment law. Since 2021, you have performed that work as counsel.
4. This Court has heard already of your extensive post graduate achievements, and while they are worthy of much repetition, they are only one element that makes your Honour so eminently suited to this new role.
5. As a practitioner, you were recognised not just for your legal knowledge, but for your skill in identifying issues and negotiating resolutions, particularly when acting on short notice as duty lawyer. The Court often recorded its appreciation for your Honour's work assisting self-represented litigants.
6. While working for Legal Aid, your Honour has also been involved in various roles with Central Queensland University since 2005, ultimately becoming Head of Course for the law degree, and lecturing in areas across the full spectrum of disciplines from commercial subjects to criminal and family law. Indeed, your Honour's course in family law popularised the area of practice and is widely considered the most desirable course on the subject.

7. Your Honour is a keen traveller, indeed an adventurer, hiking in the Swiss Alps almost every year, and teaching yourself German along the way.
8. Recently your Honour was an adjudicator for the Central Queensland University's annual high school debating competition held at the Supreme Court of Queensland. The legal studies students debated complex topics involving youth justice and the theories underpinning imprisonment. Your Honour commented particularly on their deft arguments and depth of preparation. We hope that all of the advocates appearing before you in your role as Magistrate will be equally skilful and prepared.
9. Your strong foundation of legal knowledge will serve your Honour and the people of Pine Rivers and Rockhampton so very well.
10. **MAGISTRATE WOOD**, we are glad to welcome you to this court before you begin serving the community of Roma, having practised continuously for more than three decades with Edgar & Wood solicitors in Dalby, where you have been Principal since 1998.
11. As is the case with so many regional practitioners, your Honour developed a broad practice, working in criminal law and commercial law across all of the court jurisdictions, as well as performing the vital role of Duty lawyer in the Magistrates and Children's Courts.
12. Your Honour has also been a Sessional Member of the Queensland Civil and Administrative Tribunal since 2008, and a Part-time Legal Member of the Mental Health Review Tribunal since 2009.
13. In your many years as a Member of those tribunals, you have presided over the vast array of appeals and decisions, and have no doubt gained valuable quasi-judicial experience while maintaining your practice. You have also been recognised for your proficiency within the Mental Health Tribunal, having held a delegation of the President's powers since 2018.

14. Outside of practice and your commitments to the Tribunal, your Honour has dedicated time to the community, and the Catholic Church, the Dalby Cricket Association and, of course, the Dalby Rugby Club. We hope that, in your new locale, the Echidnas can embrace a Wheatman.
15. Rugby rivalries aside, the court in Roma will be well served by a Magistrate forging such strong connections with the community he serves.
16. **MAGISTRATE WILLIAMS**, we are glad to have you here today before you return to Cairns, where your former colleagues will be glad to have you back.
17. Aside from a year's secondment to London, working for the Crown Prosecution Service and Office of Fair Trading, your Honour has been practising continuously in Cairns, first as a solicitor until your call to the Bar in 2014.
18. As counsel, you were briefed to appear in criminal trials for both the accused and the Crown in all jurisdictions, as well as appearing for the Commissioner of Police and Crime and Corruption Commissioner in Civil hearings. Your time spent as Crown Prosecutor also gave you the opportunity to mentor junior staff of the DPP. One of the reasons you have been such a valued member of the Bar in Cairns is your willingness as a mentor, which extends to your hosting the podcast "All Rise – A mentoring podcast for junior lawyers".
19. You are a powerful and effective advocate for women, having represented the Bar in Cairns as regional representative with the Women Lawyers Association of Queensland for 6 years, as well as 2 years spent as Vice President of that Association.
20. Your Honour's warm and infectious laugh, your renowned and timeless sense of style, your industry, your acumen and your compassion will be welcome additions to the court in Cairns.

21. **MAGISTRATE KIRKEGAARD**, you join the Court with significant experience across the Magistrates and Coroners Court, having been an acting Magistrate for 8 years, and Coronial Registrar for nearly 12 years. Your career is exemplary for your commitment to public service, and for the work you have already done in this Court.
22. Prior to your appointment as Coronial Registrar, you spent 3 years as Counsel Assisting the Deputy State Coroner, instructing Senior Counsel and appearing directly in inquests. You have also twice-been Director of the Coroners Court of Queensland Registry, providing support to Coroners.
23. In your time with this Court, you have sat as Acting Coroner presiding over inquests and made investigations and findings across the range of reportable death categories, finalising somewhere within the range of 17,000 deaths.
24. Your Honour is regarded as an intelligent and compassionate advocate in a field which calls for both in great measure. You have a dry sense of humour and you are sensitive, thoughtful and courteous with all those with whom the Coroners Court comes into contact - families, witnesses, practitioners, and stakeholders from all areas and walks of life.
25. Your Honour's elevation to the Magistracy is a deserved progression of your career in recognition of your extensive coronial experience, for which the Association congratulates you.
26. **MAGISTRATE ZERNER**, for those who are familiar with your practice at the private Bar, it is little surprise to see you at the Bench today. However, that does not give sufficient credit to your wider career, and the proof it makes that not all paths to the law are so direct.
27. Your Honour was first qualified as a registered nurse, a role which you undertook for 14 years, becoming Clinical Nurse Manager at the St Andrew's War Memorial Hospital whilst studying towards your Juris Doctor. In your nursing career, you were recognised for your excellence and awarded the Catherine Evans Memorial Prize on your graduation, and the Wesley Hospital Johnson and Johnson Bursary during your career.

28. Joining the legal profession as a solicitor in 2004, your Honour was awarded a Department of Community Safety Australia Day Award Medallion in 2011 for the provision of exceptional legal services to the Department. You were then called to the Bar in 2011.
29. At the Bar, you have been involved as Junior Counsel or as Counsel Assisting in a large number of inquests and commissions of inquiry, including inquests into the death of three women from Doomadgee, the death of Tyson Jessen, the Disability Royal Commission, the sinking of the FV Dianne, and the closure of the Barrett Adolescent Centre. Your Honour was also a highly specialised and sensible counsel in medical and professional negligence matters and has been this year the President of the Medico Legal Society of Queensland. It is with some sadness that I am losing to this bench one of my favourite colleagues in those fields.
30. It is perhaps good timing, though, that your Honour should need to don new robes: your Honour's former barrister's robes having become inaccessible being caught up and detained in a crime scene when an inexplicable fire took hold at the local dry cleaners.
31. Most people's first experiences and only experiences of the justice system is in the Magistrates Court. These people are our clients and, as their advocates, we need to be able to tell them with conviction that they will be treated with respect and fairness, by a magistrate possessed of the highest legal acumen, whatever the circumstances that bring them here. Your Honours' appointments ensure that our confidence in conveying those sentiments will endure.
32. The coronial jurisdiction holds a special place in the legal system of this State. So much of what we do as counsel is about attributing blame, through an adversarial system inviting focus on act, and causation, and consequence. Your roles will instead focus not on blame, but on responsibility. Not on causation, but on cause and effect. Your roles may or may not bring comfort to those before you, but they might be hoped to bring certainty.

33. It speaks volumes of the high regard in which the Magistrates Court of Queensland is held in the profession and the community that individuals of such calibre should step up to accept roles of such relentless responsibility.
34. Your Honours come to these roles with significant levels of experience in some of the most troubling, technical and complex areas of legal practice involving the most vulnerable members of the community.
35. The people of Queensland will be well served by your Honours' appointments.
36. Magistrate Rundle, Magistrate Wood, Magistrate Williams, Magistrate Kirkegaard and Magistrate Zerner, on behalf of the Association, I wish you long and successful terms of service, and extend my congratulations to you and your families.
37. May it please the court.