



**ADDRESS OF THE PRESIDENT DAMIEN O'BRIEN KC ON THE
OCCASION OF A VALEDICTORY CEREMONY FOR THE HONOURABLE
JUSTICE PETER APPELGARTH AM ON FRIDAY, 23 AUGUST 2024**

1. May it please the Court.
2. It is a great pleasure to speak today on behalf of the barristers of Queensland to recognise the significant service your Honour Justice Applegarth has given to the Supreme Court of Queensland over the last 16 years.
3. Your Honour's contribution to this Court over that time is difficult to capture in this brief speech. Your Honour's dedication to this Court has been unwavering, your service untiring and your contribution to the law outstanding.
4. After studying at the University of Queensland and Oxford University, serving as an Associate to both Chief Justice Macrossan and Justice Spender, and working at Morris Fletcher & Cross, you came to the bar in 1986. You quickly built up a busy civil and public law practice in areas as diverse as professional negligence, commercial law, administrative law, insurance law and media law. You also appeared in a significant number of important commissions of inquiry. You were very much in demand and the go-to barrister for media organisations in the most high profile of defamation cases.
5. In recognition of your Honour's excellence in the law, you were appointed King's Counsel in 2000.
6. From the start of your legal career, your Honour has had a commitment to public service and a strong desire to give back to the law. Prior to your appointment to this Court, you sat as an executive member of the Queensland Council for Civil Liberties from 1978 to 2008, a board member of Legal Aid Queensland from 1998 to 2001 and a part-time member of the Queensland Law Reform Commission between 2001 and 2004. You also contributed to the activities of the Bar Association and the Bar in many ways, including educating and mentoring junior barristers.
7. When the call came to serve the community by becoming a judge of this court in 2008 you unsurprisingly answered that call.
8. Your contribution to this court since your appointment cannot be understated. Your Honour's intellectual capacity and work ethic is renowned. You have contributed to all areas of the law, writing many leading judgments, and contributed to all facets of the workings of this court. You have, over those years, served as a Supervised Case List judge and a Commercial List judge. In 2023 you became the Principal Commercial List judge, ensuring that the expanded Commercial List and its new Practice Directions were successfully implemented. The expanded Commercial List has been a real success, in no

small part to your Honour. The operations of that list ensures that this Court has a reputation as being a court which can provide timely and efficient resolution of major commercial disputes.

9. Your Honour somehow found time to contribute to the law outside your day job as a judge. You were a fellow of the Australian Academy of Law, a council member of the Australasian Institute of Judicial Administration, a part-time lecturer at the TC Beirne School of Law, University of Queensland, a member of the Visiting Committee, Griffith Law School and a patron and board member of the UQ Pro Bono Centre.
10. Most recently between 2020 and 2023, you were the chair of the Queensland Law Reform Commission. In that time, you undertook extensive work in law reform in an array of areas, most notably the voluntary assisted dying legislation, an extremely complicated and sensitive exercise.
11. In light of this lifelong history of public service in the law, in 2020 you were appointed a Member of the Order of Australia for significant service to the law, judiciary and social justice. That appointment was well deserved.
12. But as I speak today on behalf of the barristers of Queensland, I want to say something about what we the Bar think of your Honour as a judge.
13. I have had the pleasure of appearing many times before you over the last 16 years. What I say now I can say from experience.
14. Your Honour had all the attributes one would want in a judge. Your Honour quickly identified the real issues, asked insightful and probing questions of both witness and counsel, was always practical and efficient in the running of a trial and delivered timely judgments that succinctly identified and dealt with the issues that needed to be decided.
15. Your Honour always dispensed justice without fear or favour. And you did so with respect for the parties and the legal representatives who appeared before you. Your Honour always understood the restraints and difficulties that come appearing as counsel and complying with what are sometimes onerous ethical rules imposed on barristers.
16. And despite bearing the heavy load of being a Supreme Court judge, and all the work and personal sacrifices that that necessarily involves, your Honour was always unfailingly polite and considerate to all who appeared before you.
17. For all these reasons, it is important that it be recorded here today at this public ceremony - that the barristers of Queensland regard your Honour as a great judge. A judge who has always reflected the best of the Judiciary.
18. While your Honour's departure is a great loss to this Court, for others it is a gain. We hope that retirement from this court allows you to spend more time with your wife, your daughters and their partners, and your grandchildren, who I am told adore their Grandpa.
19. We are confident your Honour will keep busy. No doubt that there will be causes that you hold dear that will benefit from your ability to devote more time to them.

20. On behalf of the barristers of Queensland, can I thank your Honour for all you have done during your time on this Court and for your service to the law. We wish you all the best for this next stage of your life.

21. May it please the Court.