



**ADDRESS OF THE PRESIDENT, CATE HEYWORTH-SMITH KC, ON THE OCCASION OF A
SWEARING-IN CEREMONY FOR JUSTICES SHANE DOYLE AND CHRISTOPHER
JOHNSTONE ON MONDAY, 28 JULY 2025**

1. May it please the court.
2. It gives me great pleasure to speak on behalf of the Bar Association of Queensland and its members to congratulate you, Justice Doyle and Justice Johnstone, on your elevations to this Court. I would also like to extend those congratulations to your immediate and extended family and your friends joining us today.
3. **Justice Doyle**, last year, after you were made an honorary life member of the Association together with Traves KC, you told me that you found listening to the speeches made in support of your nomination to be very awkward: you thought the speakers passed over your faults to focus on and overstate your virtues. It is the role of barristers to emphasise the strengths of their case, so, despite its potential to cause you discomfort, what follows is our unapologetic panegyric on the subject of your Honour.
4. You join the Court of Appeal following one of the most respected and admired careers at the Australian Bar. Your studies were the subject of accolades and awards. I would not ordinarily venture so far back as to your Honour's high school years but for it being noteworthy that the 1974 graduating class from St Joseph's College, Gregory Terrace, produced giants of the Queensland Bar: Your Honour, Douglas KC, Newton KC and O'Donnell KC.
5. You have been nearly four decades at the private Bar. Your Honour's practice spanned the full breadth of civil litigation. Your skill was recognised early, with you taking silk in 1995 after only eight years. From 2001 you were also a member of the Bar of England and Wales, maintaining a presence in both jurisdictions as well as a significant arbitration practice.
6. Your Honour was involved in so many of the most significant matters in this Court and the High Court that even a pared-back recitation of your resume would have us here well past

sundown (and you are listed to hear admissions this morning). But your Honour's success at the Bar cannot be truly measured by a metric associated with the dollar value of claims, the number or length of the trials or an impressive win:loss ratio. Rather it is in the esteem, if not awe, in which you are held by your colleagues, the service you have given to the profession, and your Honour's commitment to the rule of law.

7. Your Honour's support for the junior bar did not come in the form of coddling and hand-outs. Your Honour has held your juniors to exacting standards. You expect them to perform, to step up, to exceed their obligations and to succeed. You challenge them and require excellence in response to those challenges. And, by doing so, your Honour has had a hand in forming-up in Queensland some of the most skilful juniors, and silk, in the country.
8. That is not to say that being your Honour's junior does not come with moments of frank levity: one tells the story of your Honour cross-examining a very wealthy Queenslander. The extent of his net asset value was a matter in issue, but when asked what it was, he was reluctant to answer. Your Honour asked him if he would be more comfortable writing it down, and he agreed he would. You handed him a piece of paper and a pen, but yet still he was hesitating. With perfect comedic timing, your asked, "do you need a bigger sheet"?
9. Throughout your career, the Association has benefited greatly from your commitment to its activities. You served as a member of the Bar Council, as Vice President and then President of the Association, taking the reins at a challenging time. You have presented seminars, sat on committees and been a source of guidance to those who have come after you. And I do not mean this last in the abstract. I am grateful for your advice.
10. The Association has been proud to count you amongst its members for so many years. We congratulate your Honour, but more so the people of Queensland, who have been and will be the beneficiaries of your Honour's commitment to service and the rule of law.
11. **Justice Johnstone**, the praise is no less embracing.
12. You join the Supreme Court from the private Bar, in chambers with Justice Doyle, and where, from your first call in 2007, you developed a civil practice focused on commercial disputes, insolvency and restructuring, banking, sports law and military law. In 2020 you were

appointed as an inaugural member of the National Sports Tribunal. You were granted letters patent as King's Counsel in 2024.

13. With your Honour's elevation the profession finds itself in the middle of what has come to be known as the Derro-Johnstonian Judicial Dynasty. Heraldry initially from southeast Queensland, it has spread its territorial claim to the reaches of the Commonwealth, soon to come to rest in its natural home in North Queensland.
14. Your Honour will take up next year in Townsville, where you were born. You are very fond of Townsville, having returned on many occasions, in your practice and with the Royal Australian Air Force, but being blessed also with close friends among the locals.
15. You were first commissioned as an officer with the RAAF in 2011 holding the rank of squadron leader. You continued to serve in the Reserves, including undertaking reviews of military discipline trials, acting as an Inquiry Officer and prosecuted military discipline trials while meeting the demands of your practice, and in 2015 you were awarded the Australian Defence Medal.
16. You have also presented on International Humanitarian Law at the Defence Force Preparation Course and been deployed on active service as Command Legal Officer in the Middle East in respect of four separate operations, for which you were awarded the Australian Operational Service Medal.
17. In advance of your Honour's swearing in, I was struck by how many contacted me to let me know an anecdote or two, all starting with the words "when we were judge's associates together". Your Honour's associateships coincided, it seems, with those of half the Bar, myself included. This is, perhaps, unsurprising: your Honour spent most of the 1990's combining your studies with your role as Associate to the Honourable Paul de Jersey AC and the Honourable Desmond Derrington in this Honourable Court, and to the Honourable Justice Dowsett in the Federal Court.
18. Through an indirect route, your Honour has seen to the education of many subsequent generations of associates, with an apocryphal tale being told of an unfortunate turn of events when your judge, then Justice Dowsett, was hearing a class action which, for reasons passing understanding, required numerous items of fast food packaging to be tendered. That evening,

the Court's janitorial staff appeared to think that the exhibits were the leavings of your evening meal, and gathered them up as rubbish, never to be seen again. Now the story is told as part of the induction of new associates – a cautionary tale of what might happen if they do not secure the exhibits.

19. Your Honour's legal acumen is well known, you are a practical, skilful advocate, with a near-superhuman capacity for work. You are energetic and have in common with Justice Doyle a demand for excellence in those with whom you work. For those ready to match your honour's industry, you have been generous with your time, going through pleadings and advices with junior barristers, parsing difficult issues, and providing guidance without a hint of condescension.
20. You will be missed at the Bar, and particularly the Bar will miss the silk you would have become had you remained, but your Honour is needed in North Queensland, and the Bar respects your Honour's decision to serve.
21. **Justice Doyle** and **Justice Johnstone**, by accepting these appointments you answer a call to public service. Your colleagues at the Bar offer their thanks and congratulations. We wish you the very best for your time on the Bench.
22. May it please the Court.