



## **QUEENSLAND COURTS AND TRIBUNALS**

### **TRANSCRIPT OF PROCEEDINGS**

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#### **SUPREME COURT OF QUEENSLAND**

**BOWSKILL CJ**  
**MULLINS P**  
**BOND JA**  
**BODDICE JA**  
**BROWN JA**  
**BRADLEY JA**  
**DOYLE JA**  
**NORTH J**  
**HENRY J**  
**RYAN J**  
**CROW J**  
**WILSON J**  
**CALLAGHAN J**

**WILLIAMS J**  
**FREEBURN J**  
**KELLY J**  
**MELLIFONT J**  
**COOPER J**  
**HINDMAN J**  
**CROWLEY J**  
**SULLIVAN J**  
**MUIR J**  
**COPLEY J**  
**TRESTON J**  
**JOHNSTONE J**

**IN THE MATTER OF THE SWEARING IN OF THE HONOURABLE JUSTICE  
SHANE DOYLE AND THE HONOURABLE JUSTICE CHRISTOPHER  
JOHNSTONE AS JUDGES OF THE SUPREME COURT OF QUEENSLAND**

**BRISBANE**

**9.03 AM, MONDAY, 28 JULY 2025**

**DAY 1**

Any rulings in this transcript may be extracted and revised by the presiding Judge.

**WARNING:** The publication of information or details likely to lead to the identification of persons in some proceedings is a criminal offence. This is so particularly in relation to the identification of children who are involved in criminal proceedings or proceedings for their protection under the *Child Protection Act 1999*, and complainants in criminal sexual

offences, but is not limited to those categories. You may wish to seek legal advice before giving others access to the details of any person named in these proceedings.

Also present:

On behalf of the Government of Queensland:

The Honourable Deborah Frecklington MP, Attorney-General and Minister for Justice and Minister for Integrity

The Solicitor-General:

Mr Gim del Villar KC

On behalf of the Bar Association of Queensland:

Ms Catherine Heyworth-Smith KC, President, Bar Association of Queensland

On behalf of the Queensland Law Society:

Ms Genevieve Dee, President, Queensland Law Society

REVISED

REGISTRAR: We hold this ceremony today for the swearing in of Justice Doyle as a judge of the Supreme Court of Queensland and a judge of appeal and Justice Johnstone as a judge of the Supreme Court of Queensland.

5 ....

**OATHS OF ALLEGIANCE AND OF OFFICE ADMINISTERED**

10 THE CHIEF JUSTICE: And I will now invite Justice Johnson to present his commission.

JOHNSTONE J: Chief Justice, I present a commission appointing me a judge of the Supreme Court of Queensland.

15 THE CHIEF JUSTICE: Let the commission be read.

**COMMISSION READ**

20

THE CHIEF JUSTICE: And I now invite Justice Johnson to take the oaths of allegiance and of office.

25

**OATHS OF ALLEGIANCE AND OF OFFICE ADMINISTERED**

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REVISED

THE CHIEF JUSTICE: Justice Johnstone.

5 JOHNSTONE J: Chief Justice. Your Honour the Chief Justice; fellow justices of  
the Supreme Court; Justice Edelman of the High Court; the many judges of the  
Federal Courts, plural; Justice Kunc of the Supreme Court of New South Wales who  
has been released from the equity division for today to join us here, no doubt there  
will be some sort of night court to enable that pound of flesh to be recovered; the  
many retired judges who join us here today; and, of course, members of both  
10 branches of the profession and the members of the profession joining us remotely  
from the central and northern jurisdictions, thank you all for attending. Your  
presence in such numbers is indeed humbling. I was going to say that the beauty of a  
shared swearing in is that each new judge can claim the reason why the court was  
full; only one can do it legitimately. And, Chief Justice, on behalf of Justice Doyle I  
15 should thank you for listing today as a joint swearing in to save his embarrassment.  
Being able to say that is an unexpected benefit of maintaining my juniority to Justice  
Doyle.

20 Whilst I'm sure those family of mine each bearing the title of the Honourable Justice  
Derrington would have come to Justice Doyle's swearing in anyway, I do wish to  
acknowledge a couple of people who have attended, I think, only for me. Naturally,  
my family, absent one son who has preferred a regional track and field championship  
to being here today. My brother, Brigadier Retired Simon Johnstone CSC and his  
partner Kate have come up from Canberra. My old school friend Group Captain  
25 Michael Que Hee CSC DSM who attends in a double-hatted role also representing  
the Chief of the Air Force. Can I acknowledge online the presence of the Chief  
Judge Advocate Major General Michael Cowen AM KC and the other members of  
the Australian Defence Force, including members of the military legal service. And I  
think it's noteworthy that here in Queensland we have currently the Deputy Chief  
30 Advocate General Army Justice Smith, and we have the former Deputy Judge  
Advocate General Air Force Judge Burnett who joins online. I'm proud of my  
service in the Australian Air Force. My appointment will prevent me from  
undertaking certain types of work, but there are other opportunities which I look  
forward to undertaking to continue my service with the Defence Force. I might also  
35 acknowledge online the current crop of legal studies students, I believe they're there  
from my old school, The Southport School, and I think my first legal studies teacher  
is here, the first person who introduced me to the concept and mystery of the  
common law.

40 Madam Attorney, Ms Heyworth-Smith, Ms Dee, thank you for your kind remarks.  
Madam Attorney, as I said to you when you asked me to accept an appointment to  
the Supreme Court of Queensland and as the Northern Judge, I am honoured that the

government of Queensland has chosen to put its faith in me to continue to uphold the rule of law in this state and, in particular, in serving the people of Queensland in the northern region. The vastness of this state and the fact that more than half the population of Queensland live outside Brisbane highlights the importance of a visible  
5 and active court system in the regions.

Ms Heyworth-Smith, we have known each other for many years from our time as associates in the old Supreme Court. When I look out here today there are many familiar faces from my time as an associate, including on the bench, I might say. All  
10 I can say is I'm glad that the concept of social media in those times only extended to a hazy hearsay recollection the next day, entirely unreliable, I might suggest.

Ms Dee, the solicitor's branch of the profession remains fundamental to a functioning society. I learned much from my time as a solicitor and at the bar I had the benefit of working with many exceptional lawyers who are amongst your  
15 members. I also very much enjoyed the rare victories the Queensland Bar cricket team had over the solicitors, none of whom seem to appreciate the inherent unevenness of the playing field that the admission of new solicitors each year visited on an aging team from the bar.

If you would indulge me for a moment, I would observe that I was a somewhat reluctant starter in the law. Like many of you, it was but for the influence of a select group of people that I would not have pursued a career in law. The most constant figure was and has been my sister, Justice Sarah Derrington AM, who was studying  
20 law when I was still in school and seemed to be enjoying it so that's why I did it. Later at the bar I would call her and simply say "I blame you." Now, I did take a bit of time deciding whether to pursue music teaching or law as a career but, as you have heard, I had a series of appointments as a judge's associate. Indeed, I almost turned that role into its own career. Those years working with the then Mr Justice de Jersey,  
25 Mr Justice Derrington I think also joins online, and Justice Dowsett in the Federal Court were, frankly, life-changing. I'll always be indebted to them for the opportunities they gave me. They were each in their own nuanced ways true exemplars of what I think a good judge should be. I particularly thank the honourable John Dowsett AM KC for his wisdom and guidance throughout my  
30 career. There is a reason he sits amongst my family today. I shall wear his judicial wig and robes with pride.

My early exposure to our system of litigation from the inside out also introduced me to the level of conscientiousness necessary for the judiciary to function properly as  
40 the guardians of a civil society and the symbiotic nature between the judiciary and the bar necessary for the continued function of the rule of law. It also showed me the benefit of a truly collegial bench, one that I have already experienced with my new colleagues already, and I wish to convey my thanks to the Chief Justice and my new colleagues for the warmth of the welcome I have experienced. As you've also heard,  
45 I did not go to the bar immediately but decided to see how the other half lived as a solicitor, a career that had many highs and that took me to many interesting parts of the world. Those years certainly were not easy. I remember I commented to a solicitor colleague who was about to be made up to partner at one of my firms that he must be happy to which he replied, "Well, I'm not sure. The thing about the firm is

that it always ensured that you are too tired and too busy to figure out what it is you actually want to be doing.” My almost 18 years at the bar often felt like that too. That length of time means I had a wife and family who never experienced a weekend or a holiday that was not interrupted by my uttering words like, “I’ll be there shortly,  
5 I just need to settle this document.” I thank them for their tolerance and support.

You all know my experience is not unique and merely reflects the vicissitudes of life at the bar. It is a difficult calling. When a surgeon friend of mind told me that he thought being a barrister might have suited him, I asked him how he would enjoy  
10 operating with at least one other surgeon paid to knock his scalpel each time he tried to make an incision and then the patient waking up and telling both of them that they were operating on the wrong thing. I’m looking forward to being the patient. But to the profession, I wish to say that I received welcome help and support from many barristers and solicitors throughout my career. I will not name those still in practice,  
15 but I hope you know of my gratitude. I do wish to acknowledge generally my colleagues from my former chambers groups for their friendship and, dare I say, tolerance. In particular, can I mention my senior and junior masters Mr Bell KC and Justice Kelly on the court who I’m happy to call friends. For the sake of one last mention, I would also mention the honourable Peter Flanagan KC whose robes I  
20 wear today. We knew each other from musical times first. I wish to thank you for your friendship and guidance and acknowledge your service to the profession and to the court.

I do wish to say that I was very much enjoying my time at the bar when I received  
25 this call to serve. Perhaps I have a tinge of regret that I have not had the time I would have liked to enjoy all the benefits of being a silk, but I have always held the view that if you feel you are able to offer service, it is incumbent upon you to offer, and the three judges for whom I worked are examples of this. Now, conscious that my late father would always observe that on feast days everyone knew why they  
30 were there so four minutes was more than long enough for a sermon, and conscious also that what I have said was far less memorable than what he always said, can I close by saying something to the profession in North Queensland. I am particularly excited about returning to the place of my birth to take up the position of the Northern Judge next year.

35 It was to Townsville in 1966 that my parents moved from London at the invitation of the bishop of North Queensland who had known my father as a young curate in Sydney. The bishop of London had offered my father a rather nice parish not far from Berkeley Square but apparently the house was too small for my mother. As  
40 some sort of extreme compromise, they moved to Townsville, first to a diocesan house without a front door. A replacement door was sourced for a dollar from the recently demolished original North Queensland Club and it was fitted by members of the diocesan council.

45 The point of mentioning that, apart from it being a little funny, I think, was that from my father’s perspective the call to service was made and answered, the inconveniences associated with such a call were something to be sorted later. Having answered the call made of me, I’m looking forward to joining and contributing to the community of Townsville and serving the people of North

Queensland. I have much to learn in so doing. I ask that the profession bears with me as I do. I hope that working together I can discharge with credit the trust that has been placed in me by his Majesty and by the people of Queensland. Chief Justice.

- 5 THE CHIEF JUSTICE: Well, thank you all for attending. I'm just going to join in the competition. I think you've come here for the Court, for the institution. But whatever your reason, we are very grateful and honoured by your presence and you are all invited to join the judges for morning tea in the Portrait Gallery. Let these proceedings be recorded. Adjourn the court.

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