



**ADDRESS OF THE HONORARY TREASURER, DR JACOBA BRASCH QC, ON
THE OCCASION OF A SWEARING-IN CEREMONY FOR NEWLY APPOINTED
MAGISTRATES OF THE MAGISTRATES COURT OF QUEENSLAND,
ON WEDNESDAY 25 OCTOBER 2017**

May it please the Court

Your Honours of all Courts, and in particular the six newly elevated Magistrates and Chief Magistrate His Honour Judge Rinaudo.

Madam Attorney-General

The President and Vice President of the Bar Association of Queensland Mr Christopher Hughes QC and Mr Sandy Thompson QC have specifically asked that I extend their congratulations, but also their apologies to the Court and to our 6 new Magistrates. Both are working, respectively, in Maroochydore and Sydney.

As you all well know – be it from acting on that side of the bench – or standing where I am today, Your Honours are joining the busiest Court in Queensland, with a very broad jurisdiction.

I happened to be in this building only yesterday. As I walked through security, travelled the lifts, and sat in a call over, it was a direct reminder that this Court touches the lives of many, many people, in real and often life changing ways.

But not only will Your Honours' decisions touch the lives of litigants, your decisions will often have a direct impact on our most valuable members of society – our children.

Of course, I refer to the sadly unrelenting jurisdiction of domestic violence and child protection – the Bar is delighted to see specific appointments to those jurisdictions of human chaos, distress and sometimes, criminality.

Magistrate Courtney

With a very busy practise in criminal law on the Sunshine Coast, when your appointment was announced, many of my criminal law colleagues high tailed it up the freeway to see if they could nudge into the great gap you now leave.

You were of course a Crown Prosecutor with the DPP in Maroochydore, before coming to the private Bar in 2001, where you handled complex and challenging criminal trials with considerable expertise and skill. You also served as a Regional Member of Bar Council in 2010-2011 and 2013-2014

Your acute understanding of the process of litigation will serve the Townsville Domestic and Family Violence Court very well, and your circuits to Palm Island and Mt Isa most welcomed.

Magistrate Kelly

After admission as a Barrister in the Queensland Supreme Court in 1996, you have been the Principal Crown Prosecutor in the Ipswich Chambers of the DPP since 2015. There you have led almost 30 staff with responsibility for matters ranging from this Court, to the Supreme Court.

I have no doubt the Director will miss your wise legal advice, advocacy and leadership.

You are joining a critically important Court – the Southport Domestic & Family Violence Court, which has now been made permanent – a Court which is the envy of judges and practitioners in other states and territories.

Magistrate Kinsella

Your Honour started tertiary education in medicine, but then saw the light and decided to deal with the human condition from a legal perspective. A very wise choice.

Since admission to the Bar a decade ago, Your Honour has served on both sides of the Bar Table – firstly as a legal officer then Crown Prosecutor with the DPP, and more recently as Deputy Public Defender.

Your perspective from both sides of the Bar will serve the people of Caboolture very well, and then, when you are posted to Gladstone next year.

Magistrate MacKenzie

Your Honour's long career within the criminal justice system has already been spoken too. Suffice to say, I will miss you from the Legal Aid Industry Reference Group, upon which we both sat advocating for the betterment of that system.

Such is your history, having prosecuted or defended well over 800 jury trials all over Queensland, it is impossible to find a courthouse in Queensland where you have NOT appeared.

In researching these remarks, I have been told of Your Honour's nicknames, both as prosecutor and defence, but given I have been unable to confirm them, I shall refrain from mentioning any. As Counsel Exemplar, the Bar's loss is the Southport Court's gain.

Magistrate Moloney

I am aware that yesterday, you experienced the well-known move of more experienced judges – “the judicial flick”. Indeed, Deputy Chief Magistrate O'Shea ensured your early blooding. Yesterday's level 6 call over contained several pleas and a child protection trial. As a long time specialist in criminal law, the pleas would have been the easy and obvious option for you to hear. However, the Deputy Chief took the pleas and threw you into the fray with the child protection trial.

Your experiences as President of the Gold Coast Drug Council and even as Chair of the Gold Coast Juniors AFL Disciplinary Tribunal will assist you as a Specialist Children's Court Magistrate.

Magistrate Shephard

Your Honour has been acting Magistrate in the state's south east since December 2015, and prior to that, served as an acting Judicial Registrar. You are perhaps a little ahead of your newly elevated colleagues in terms of the metes and measures of the Court, and I am sure you will offer wise advice to your newly appointed colleagues.

Like Magistrate Kelly, you too are joining the Southport Domestic and Family Violence Court

where you will be able to apply your experiences and skills you developed as an Acting Magistrate managing the very busy domestic violence list in Ipswich.

Your prior experience as a legal policy expert will, I have no doubt, be of invaluable experience to the Court and Chief Magistrate.

Congratulations to all.

May it please the Court