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SUPREME COURT OF THE AUSTRALIAN CAPITAL TERRITORY

THE HONOURABLE CHIEF JUSTICE McCALLUM
THE HONOURABLE JUSTICE KENNETT
THE HONOURABLE JUSTICE ELKAIM
THE HONOURABLE JUSTICE MOSSOP
THE HONOURABLE JUSTICE LOUKAS-KARLSSON
THE HONOURABLE ACTING JUSTICE REFSHAUGE
THE HONOURABLE ACTING JUSTICE BURNS

CEREMONIAL SITTING

**ON THE SWEARING IN OF
JUSTICE GEOFFREY ROSS KENNETT**

CANBERRA

9.34 AM, MONDAY, 21 MARCH 2022

Mr Warren Daly, Welcome to Country.
Mr Shane Rattenbury, MLA, Attorney-General for the ACT.
Mr John Pappas, Vice-President of the ACT Bar Association.
Ms Elizabeth Carroll, President of the ACT Law Society.

5 McCALLUM CJ: Welcome all to this ceremonial sitting for the swearing in of Justice Kennett. Mr Daly, could I call on you to give the welcome to country. You can remove your mask if you wish to. Thank you.

10 MR DALY: Minister Rattenbury, distinguished guests, ladies and gentlemen, my name's Warren Daly. I'm a Ngunnawal elder and I'm happy to give this welcome to country as Auntie Ros Brown couldn't make it today for the ceremonial sitting for the swearing in of Geoffrey Kennett as a judge of the Supreme Court of the Australian Capital Territory.

15 Firstly, I acknowledge my elders, those past, present and emerging, and I thank them for their continuing contributions. They have made the life in this city and region. I would also like to welcome other Aboriginal and Torres Strait Islanders and all nationalities attending today's important event.

20 Those of you, some of you may be, this may be your first welcome to country and the Ngunnawal people being the custodians of this land for over 60,000 years. Our elders have passed down this tradition to us. Before you enter another person's country, you would always announce your arrival and not enter until asked to do so by an elder or a traditional owner. The reason for this practice is to protect you while you're on Ngunnawal country, but also show respect to the people in the country you're entering

25 For those of you that have travelled to be with us today, have a safe enjoyable journey back to your loved ones, and in ending, nguna yarabi yanggu, you are all welcome to leave your footprints on the land of the Ngunnawal people. Yumalundi. Welcome. Enjoy. Thank you.

30 McCALLUM CJ: Thank you, Mr Daly, and I acknowledge that we meet today on Ngunnawal country and pay my respects to their elders, past and present. Justice Kennett.

35 KENNETT J: Chief Justice, I have the honour to announce that I have been appointed as a judge of this court. Perhaps better with my mask off. I present to you my commission for appointment.

40 McCALLUM CJ: Thank you, Justice Kennett. Please sit while the commission is read. Registrar, please read the commission.

45 THE REGISTRAR: The Supreme Court Act 1933 Commission. The Australian Capital Territory Executive, under section 4 of the Supreme Court Act 1933, appoints Geoffrey Ross Kennett as a resident judge of the Supreme Court commencing on 21 March 2022. Signed Attorney-General, Shane Rattenbury and Chief Minister, Andrew Barr, dated 17 March 2022.

McCALLUM CJ: Could I please have the affirmation of office. Thank you. Justice Kennett, I invite you to take the affirmation of office.

5 KENNETT J: I, Geoffrey Ross Kennett, do solemnly and sincerely affirm that I will well and truly serve in the office of Judge of the Supreme Court of the Australian Capital Territory and that I will do right to all manner of people according to law without fear or favour, affection or ill will.

10 McCALLUM CJ: I invite you to subscribe the affirmation and I will witness your signature. I direct the registrar to take this document and enter it in the records of the court.

15 Justice Kennett, I welcome you on behalf of the judges of the court and on my own behalf to this court. I am very much looking forward to working with you and you will bring great intellectual strength to the court and you are very welcome.

Attorney-General.

20 MR RATTENBURY: Dhawra nguna dhawra Ngunawal. Yanggu ngalawiri, durimanyan Ngunnawalwiri dhawrawiri. ... (Inaudible) ... Wanggarali ... (inaudible) This is Ngunnawal country. Today we sit and speak together on Ngunnawal country. We always respect elders, female and male.

25 Mr Daly, thank you for your welcome to country. Chief Justice, Justice Gageler, members of the judiciary, members of the legal profession, it is my pleasure to be here with everyone today, and I particularly acknowledge the presence of our former chief justice, Ms Murrell.

30 On behalf of the ACT Government and the Canberra community as a whole, I welcome Mr Geoffrey Kennett SC to the ACT and his appointment as a justice of the ACT Supreme Court. Mr Kennett joins the court after a long and distinguished career in advocacy. He was called to the Bar in 1998 and since then has worked as a barrister in Sydney.

35 In recognition of his expertise, experience and standing, he was appointed senior counsel in 2010. I am glad not only that the territory will benefit from Mr Kennett's vast expertise, but also that his appointment is his return to the territory after he devoted a great deal of his career to public service and public justice.

40 The ACT was a place where Mr Kennett grew up, where his legal career started. He graduated from ANU, my own alma mater, with an LLB with Honours in 1989, and then a Master of Public Law in 1993. At the commencement of his career, he served in several departments of the Australian Public Service, including the Office of the General Counsel in the Commonwealth Attorney-General's Department; the Department of Finance;

and supporting Senate Committees. In 1998, he worked as counsel assisting the Commonwealth Solicitor-General where he worked to represent the Commonwealth's interests.

5 In his career as a barrister, Mr Kennett has honed his specialisation in public law. In particular, his practice centred around the judicial review of administrative decisions, constitutional law and the construction and application of particular statutory regimes, all areas of law intimately connected with the way justice is practised and administered in this country,
10 and now in this territory.

He has experience across electoral matters, environmental law, native title and regulatory matters, as well as competition and consumer law and corporations law. Mr Kennett will bring this broad expertise to his new role
15 as a judge of the ACT's highest court.

During Mr Kennett's career, he has not only served as an advocate, but given his expertise to a number of representative bodies. Significantly, he has led the Administrative Law Committee of the Law Council of Australia as its
20 chair. He is also a member of the Constitutional Law Committee of the same body. On behalf of the ACT Government, we welcome the contribution that Mr Kennett has made to the legal community and legal expertise in Australia more broadly, including the evidence he has given to Parliamentary inquiries, and the articles he has authored for legal journals.

25 We welcome Mr Kennett's commitment to pro bono work, and Mr Kennett feels the vacancy left by Justice John Burns who retired from the Supreme Court in August last year, having served over 30 years in the ACT courts. We are sure Mr Kennett's enthusiasm for participating in his community, and
30 the legal community more broadly, will similarly enrich the contribution he is able to make to justice and to legal reform here in the territory.

In the ACT, we aim to continue our mission to cultivate a fair, safe and peaceful community where people's rights and interests are respected and
35 protected. Judicial oversight and a strong, independent and resilient judiciary is a key part of this vision. I'm sure that Mr Kennett's particular expertise in public law will help us face the challenges for justice and governance in the territory into the future.

40 We look forward to Mr Kennett's oversight as we focus on new justice strategies in the ACT such as improving criminal justice outcomes, embedding our restorative approach to justice, improving access to justice for people with disabilities and ensuring that Aboriginal and Torres Strait Islander proposals have equitable access to justice and culturally safe
45 restorative justice prevention and diversion programs. We warmly welcome and congratulate Mr Kennett and look forward to the contribution he will make to our justice system here in the territory. Thank you.

McCALLUM CJ: Thank you, Attorney-General. Vice-President of the Bar Association, Mr Pappas.

5 MR PAPPAS: Chief Justice, Justice Gageler, judges of the court, judicial
officers, Attorney-General, Mr Warren Daly and other distinguished guests.
I do not intend to acknowledge anybody's elders past, present or emerging in
a tokenistic manner. On an occasion such as this we should reflect that we
10 meet on land where for thousands of years, prior to white colonisation, the
traditional owners of this land lived and met.

The Ngambri, the Ngunnawal and others nurtured this land, maintained a
sacred bond with this land, and passed it on for the benefit of their
15 descendants. After 1788, however, those traditional owners were
dispossessed of their land. They were dispossessed in a way which most
right thinking people now regard as unfair. The indigenous population was
decimated, not only by diseases previously unknown to them, but by
atrocities which we have chosen to try to forget, rather than to condemn.

20 Our Aboriginal and Torres Strait brothers and sisters, dispossessed of their
lands and marginalised by the arrival of European peoples, continue to lag
behind their fellow citizens in numerous areas, including their interaction
with the criminal justice system.

25 Although we meet here today to celebrate a happy and joyful occasion for
one man, and a milestone in the history of our Supreme Court, we should do
so whilst conscious that we have never comes to terms with the harm done to
our First Nations people and that we have never properly nor fully reconciled
with them and we can do better.

30 It is a shameful indictment that in this territory, which per head of population
has the lowest percentage of citizens claiming Aboriginal and Torres Strait
Islander descent, we have the highest rate of indigenous incarceration in the
country. We can do better than that. We need not only to pay our respects to
35 Aboriginal elders, past, present and emerging, but to show them respect and
to work towards a proper reconciliation for our common wealth.

My research in relation to your Honour, Justice Kennett, leads me to believe
40 that you are the sort of man who will discharge the role of justice of our
Supreme Court with true distinction, and with an eye on the bigger picture
and the need for all of us to do better.

I wish to share with the court this morning some of the reasons I have come
45 to that conclusion as I, on behalf of the Bar Association of the Australian
Capital Territory, warmly welcome your Honour, and assure you of the
support, assistance and good will of the barristers of this territory, as we play
our part in the difficult, challenging role which your Honour has accepted. I

note with some satisfaction that which has already been mentioned by the Attorney-General, that is, that your Honour studied both arts and law at the Australian National University and that we are therefore alumni of that institution. It appears, however, from an even cursory review of your Honour's progression since graduation that you paid far more attention during lectures than I ever did.

Your Honour has appeared with, has been led by and has appeared against many of the stars of the Australian legal firmament in the last 25 years, including some who are now, or have been, members of the High Court Bench, and your Honour has enjoyed an enviable rate of success on those occasions.

Whilst your Honour returns to the place of your youth to take up the present appointment, your Honour has in fact never severed your connections with the Australian Capital Territory, appearing on very many occasions in that place across the lake on behalf of the Commonwealth of Australia, on behalf of foreign governments, corporations and for individuals, and on occasions for those who might be termed battlers.

Your Honour's practice in the High Court has been wide and varied, and some of those areas of practice have been mentioned by the Attorney this morning, ranging from immigration matters to war crime extradition, freedom of communication and the conflict of laws. Your Honour has appeared in landmark cases that have become widely known by descriptors other than the names of the parties such as the political free speech case, the duck shooting case and the citizenship seven case.

Your Honour's name appears like magic dust, sprinkled across the on-line CVs of numerous rising talents at the Australian Bar, it would seem anxious to demonstrate some connection with your Honour as junior counsel, conscious of what that says by inference about their own talents. It has not however always been smooth sailing for your Honour, and on one occasion when boxed into a corner by a member of the High Court Bench, a not unknown phenomenon, your Honour responded, 'I do not think I have a crisp answer to that, your Honour, to be frank. I do not think I have an answer that is not crisp either'.

Your Honour not only knows that we must do better. Your Honour has taken an active role in doing better. Your Honour appeared as amicus curiae in the High Court for the successful plaintiff in Williams v Wreck Bay Aboriginal Community Council. Wreck Bay, as many will know, is within the Jervis Bay Territory, and subject to the laws of the Australian Capital Territory.

The plaintiff, Mr Williams, had lived in a rental property at Wreck Bay for many years, and that property was in a state of substantial disrepair. He sought to have the council do something about the state of repair, and in the

course of that an issue arose whether the Residential Tenancies Act of the Australian Capital Territory applied to his circumstances.

5 The High Court, at your Honour's urging, held that it did, saying that the
contrary proposition was, and I quote, 'To argue against the equal application
to all of laws calculated to preserve the health, safety and dignity of tenants'.
That decision, your Honour, benefited not only Mr Williams, but dozens of
residents of the Wreck Bay Aboriginal Community who leased property from
10 the council. Your Honour undertook that work, as I have indicated without
financial reward, and in the Court of Appeal and in the High Court your
Honour's contribution has been described as nothing short of amazing.

15 On top of a busy practice in courts, generally at the upper end of the judicial
hierarchy, your Honour has also found time to contribute to academic
writings. I note one contribution, constitutional and administrative law
aspects of tax, which to my great shame I have not read. I propose, your
Honour, to read it this evening.

20 Your Honour comes to this court from Tenth Floor Chambers in Sydney, a
chambers that is already an established connection with the court, being the
former home of Acting Justice McWilliam. Your Honour should not assume
that any personal information that follows arises as a consequence of that
connection.

25 There is, of course, a much earlier connection between this court and Tenth
Floor Chambers in that the first Chief Justice of the ACT, the late Russell
Walter Fox QC, was a founding member of those chambers. His Honour,
Chief Justice Fox, was noted to have brought real legal rigour and
administrative efficiency to this court, demanding strict adherence to time
30 standards. Your Honour, too, has a reputation for strict punctuality which I
am told practitioners will be well-advised not to test.

35 I am pleased to note that your Honour's interests extend well beyond the law
and your role as a leader of the legal profession. You have a love of the
outdoors which you enjoy as a bush walker, a cyclist, a sailor; and a fly
fisherman. I understand a favourite place in Australia is its southernmost
settlement at Southport in Tasmania, and your Honour has completed a
number of significant solo walks, particularly in Tasmania, at times
combined with your passion for fly fishing.

40 As a child growing up in our nation's capital, your Honour pursued a keen
interest in sailing and rowing, sailing on the lake on a catamaran you built
with your father. Your Honour's rowing career was hampered, however, by
your Honour's very fine build, so fine that you couldn't make the minimum
45 weight on race days without the assistance of two house bricks that you
would carry to the rowing sheds on the back of your bicycle. Clearly your

Honour was demonstrating from an early age the sort of lateral thinking necessary for a successful career in the law.

5 More recently, your Honour sailed to Lord Howe Island and back, I understand intentionally. Your Honour is described by friends as a kind, humble, quiet and gentle man in both senses of that expression, and someone possessed of a prodigious intellect, no bricks being required to make weight in that area.

10 Your Honour joins this court at a time of significant change when, as her Honour the Chief Justice expressed it at her swearing-in, 'Though we will be but little, I believe we will be a mighty court', and in the view of the ACT Bar Association, the people of the ACT and the legal profession, will be very well served by your appointment in pursuit of that aim. May it please the
15 court.

McCALLUM CJ: Thank you, Mr Pappas. President of the Law Society, Ms Carroll.

20 MS CARROLL: Chief Justice McCallum, Attorney-General, Justice Gageler, other judicial officers, members of the legal profession and members of the community. Thank you to Mr Warren Daly for your welcome to country. I acknowledge the Ngunnawal people on whose land we meet. I pay my respects to their elders, past, present and emerging, and
25 also to all Aboriginal and Torres Strait Islander people attending.

On behalf of the ACT Law Society, I congratulate Justice Kennett on your appointment to the ACT Supreme Court. We are pleased to welcome you back to Canberra where you grew up and studied law at the Australian
30 National University. Your extensive background in government legal practice prior to being called to the Bar in 1998 reflects the experience of many in the ACT legal community. The ACT legal profession is equally split across government and private practice, with around 45 per cent of our members in each sector, and the remaining few per cent in corporate or
35 community legal roles.

Many of our lawyers move between the public and private sector, bringing a richness and diversity to their careers. Your Honour's own breadth of practice and contribution as chair of the Administrative Law Committee of
40 the Law Council of Australia will be an asset to the court. Your Honour's appointment comes at a time of change for the court, with the appointment of Chief Justice McCallum and the upcoming appointment of Justice Baker. Although some things may change, I hope that the newly constituted court will continue to enjoy the camaraderie for which the court is well-known.

45 It falls to me to familiarise you with one aspect of your position which others may have omitted to mention. The most recently appointed Supreme Court

has traditionally undertaken the role of patron of the ACT Law Society's Young Lawyers' Committee. This position includes such weighty tasks as judging the Golden Gavel Comedy Speaking Competition, and ACT Young Lawyer of the Year Award, as well as attending associated social events. I can assure you that our young lawyers, the outstanding, upcoming talent, in ACT profession will do their best to make these judgments the most onerous and difficult decision-making processes you will face as a Supreme Court judge.

In recent times, Justice Loukas-Karlsson has performed this role with distinction, always generous with her time to those new to the profession. The Society and the Young Lawyers' Committee sincerely thanks Justice Loukas-Karlsson for your contribution and we are sure her Honour will be willing to acquaint you with the duties involved, and we look forward to working with you, Justice Kennett, as you take on this new role.

With such heavy burdens of office before you, we hope your Honour is able to continue to enjoy your outside interests. Your Honour's LinkedIn profile picture is refreshingly relaxed, showing you enjoying a well-earned rest atop a remote mountain, while surveying an extensive view. We hope your Honour continues to enjoy such pursuits in your new role, and that you take a far-sighted view of legal issues as you discharge your duties.

On behalf of the ACT Law Society, I am pleased to congratulate you on your appointment. We are very fortunate to have someone of your standing, abilities and reputation appointed to the court. I wish you all the best in the role.

McCALLUM CJ: Thank you, Ms Carroll. Justice Kennett.

KENNETT J: Attorney, Justice Gageler, judges and magistrates, other distinguished guests, family, friends and members of the profession. I thank the speakers for their kind words and for emphasising my good points without completely straining limits of plausibility, and for glossing over my associated weaknesses. Newly-appointed judges are, as you will know, generally a thankful lot, and most of what I have to say today is by way of acknowledging important people in my journey here.

Thank you first, and especially, to Mr Daly for your welcome to Ngannawal country. I acknowledge the first people of the land on which we meet and I pay my respects to their elders, past and present. I acknowledge that the Aboriginal proposals of this country never ceded their sovereignty of it, and that the justice system, of which I now form part, has often given them the opposite of justice. These things need to be said at ceremonies like this, and never, as you say, Mr Pappas, never in a perfunctory or formulaic way.

5 The Chief Justice spoke at her swearing-in ceremony the week before last of the great emergency that is the over-representation of Aboriginal people in the criminal justice system. That is one of many ways in which life in this country for its first peoples is, to put it very mildly, not what it should be. This is not something to be fixed by the provision of social services, although they are needed and important.

10 The pain of dispossession, destruction of culture, frontier violence that is only now being fully brought to light, and decades of outright discrimination, echoes down through the generations, and that is not only a massive burden for Aboriginal people to carry. It is a weight on our nation's mind and a cloud over its heart, something our polity needs to make right before we can truly be comfortable and relaxed.

15 The method and the content of that reckoning with the past are way beyond my expertise and beyond my proper province from today, but it has to start, I think, with showing respect and meaning it, which is why, when we conduct ceremonies on this land, it is important to acknowledge the people who occupied it, understood it intimately, and cared for it four countless generations before Europeans came, and who are still here among us.

25 This country has been important in my life. I grew up in Hughes in the Woden Valley. I remember the song of magpies in the morning as I walked to the school bus and being swooped by them in spring, and I remember the gentle hum of a lawnmower heard from half a suburb away which served to emphasise how quiet Canberra was on Saturday afternoon.

30 I used to look out over the limestone plains to the mighty Brindabellas where I wanted to be a lot of the time. I spent many weekends in those hills, walking, hanging out with friends, and climbing on sun-warmed granite. It's usually sun-warmed granite in my memory, although in fact it was often freezing cold.

35 In my early 30s, after a couple of attempts, a friend and I found our way to the magnificent stone arrangements at the top of Mount Namadgi. Of course, we didn't know the old stories of that place, and we felt slightly tentative about being there, but it was a powerful place, nevertheless, a wild rocky mountain top among thickly forested valleys and slopes. We stood and thought of the old people, who took the time to go up there year after year, to affirm their connections with their country and with each other. This love of getting out into the natural world has remained with me.

45 As you have heard, I studied law very close to this spot at the Australian National University. The teachers there are next in the long list of people that I need to thank. I think especially of John McMillan and Dennis Pearce who taught me administrative law; Geoffrey Lindell, who very thoughtfully taught me constitutional law; Paul Finn, later Justice Finn of the Federal

Court who supervised my Honours thesis; and the later Phillipa Weeks who tried to teach me about property. They might not have inspired me to study very much for the exams, but they planted seeds that eventually bore fruit.

5 They conveyed a sense of the law as an interconnected set of principles, or at least a sense that that's what the law should be. Their example made me want to think as deeply as I could about how the law works, particularly the law that controls our governmental institutions, and to have some small role in the articulation of that law.

10 Later, I was lucky enough to find my way into the Attorney-General's Department where I worked in the Office of General Counsel. I learned to write an opinion from great government lawyers like the late Dennis Rose QC, and the late George Witynski QC who was my boss for
15 most of the time I was there. I am very pleased that George's partner, Peter, who was also an inspirational colleague in those days, is here today, along with some other former colleagues from the Attorney-General's Department.

20 Government lawyers play an important and often unnoticed role in our legal system, and I am very glad to have been one. Working in General Counsel was immensely satisfying. Among other things, it gave me the opportunity to put on a wig and go to court. The first court I appeared in was the High Court, which is rather unusual, not that I had a speaking role, of course. That came much later. I realised then that what I really wanted to do was to be in
25 court and to argue cases and to try to deal with those difficult questions from the Bench.

I became counsel assisting the Solicitor-General, a fantastic job, where I got to work closely with Gavin Griffith QC for his last year as Solicitor-General.
30 Since then, Gavin has become a sought after arbitrator all over the world, but he is luckily in Australia at the moment and is also here today. From there it seemed inevitable that I would go to the Bar, even though I had enjoyed my time in Attorney-General so much and was sad to leave.

35 I arrived in Sydney where I knew hardly anyone and set about trying to build a practice. I had good tutors when I started at the Bar, John Marshall, a fine commercial barrister and later silk, got me into some good meaty commercial cases with lots of documents. That helped my cashflow a lot, and I learned something about how to get your head around a complicated factual case;
40 how to marshal the evidence; and, of course, how to do schedules of objections. John's detailed chronologies were legendary. Unfortunately, John has had to retire from practice because of ill health and is not able to be here. I will refrain, albeit reluctantly, from public discussion of my other tutor, Stephen, now Justice Gageler, as he may soon be called on to mark my
45 work.

At the risk of straining convention, I will mention one current practitioner, Neil Williams of senior counsel, who encouraged me to go to the Bar and became my unofficial third tutor when I did so. Our wives were close friends, so it was inevitable that we would spend a lot of time together, and
5 luckily we became close friends as well. In his quiet way, Neil has been a very significant figure in the Australian legal profession. I am one of probably dozens of barristers that he has guided to success over the years.

10 From 2003, by my reckoning, until this morning, I practised on the Tenth Floor of Selborne and Wentworth Chambers. I thank my colleagues there for their company and advice and for putting up with having a reserved public lawyer in their midst. I thank my clerks on the floor, initially the unflappable Di Strathdee, and more recently, the amazing powerhouse, Emma Houlihan, and all of the chambers staff.

15 You may have noticed that all of the professional mentors and role models I have mentioned are men. That reflects the make-up of the profession in the early years of my career. There were very few senior women at the Bar practising in areas that I was interested in, and the best were recruited to the
20 judiciary at an early age. That is changing, albeit gradually. Now I see a solid cohort of female silks and a growing number of incredibly talented female juniors. It has been a pure joy to work with some of them, and I should add, with some of the men too, but I will not embarrass people by mentioning names.

25 When I became a silk, I decided that the least I could do was, when asked who I wanted as my junior, give the solicitor a shortlist in which at least half the names were women. The challenge for the Bar and the courts is getting these brilliant lawyers to stay and not move off to do other things. If the
30 profession can become roughly 50 per cent female at all levels, I think that will quite significantly change the way lawyers think about their work and our expectations of each other.

35 I genuinely loved being a barrister, at least most of the time. Sometimes the cases were a bit dreary, but I always used to say it beat having a job. Now, I've given away that freedom and taken on significant responsibility, but before I say more about that, I have to complete my list of thank you's with the most important ones.

40 My parents were born in the 1930s to families that were far from well off, when Australia was still clawing its way out of the Great Depression, and when they were children war came. Their upbringings were so austere and
45 lo tech as to be almost incomprehensible to us now. They were part of a generation of young, educated, progressive people that eventually propelled Australia out of its mid-century, narrow-mindedness, through the excitement of the Whitlam years, and into the sunlit uplands of the 1980s and 90s.

I hope that my generation will eventually be able to say that we left the country as prosperous, egalitarian and tolerant as it was when we found it.

5 My parents worked hard to provide my brother and me with material
comfort, intellectual stimulation and educational opportunities well beyond
what they themselves had known. My father died last month. He would
have very much liked to see this day. My mother lives on the north coast
and is not able to be here today, but if she has managed to get her computer
to behave, she will be watching the live feed. So, too, my brother Duncan
10 who has lived in England these last 20 years. It was great that he was able to
visit us over the summer, despite the pandemic.

It is just over 30 years since my wife, Winsome, and I, decided to spend our
lives together. Our relationship has anchored me and made me better. She
15 reshaped her career to move to Sydney, put up with me working barrister's
hours and set me straight on many issues. I chose very well all those years
ago and I hope that she thinks so too.

Our children have lit up our lives and continue to do so. Rowan, who studies
20 philosophy, is here today with his partner, Paris. His older sister, Grace, and
her partner, Luke, are watching on-line. They have a good excuse. They are
at home in Dubbo with their daughter, May, who is three weeks old today.
Grace, I should say, was already winning our family Facebook Messenger
group where we share photos because her job normally is looking after
25 elephants at Western Plains Zoo.

Now, I said that I would say something about joining this court. It's going to
be particularly interesting for me to be part of a court whose jurisdiction is
general. My practice has sometimes been described as broad, but I tend to
30 think of it as rather specialised, and I'm very aware that I'm going to be
exposed to a lot more of life's rich tapestry than I am used to seeing, and I'll
be dealing with facets of the law which I've not looking at for some time.

I'm sobered by the responsibility that I'm taking on to do justice to all manner
35 of people in cases that affect them deeply. Judges always need the assistance
of the profession, even if they sometimes appear not to, but in my case the
need will be obvious. I'm very much looking forward to that learning
process. I am also excited to be joining a strong and energetic court. My
colleagues have reputations that extend well beyond the borders of the
40 territory and they are nice people, to boot. Perhaps my one regret today is
that my old friend, Associate Justice McWilliam, has absented herself from
today due to a lurgy that she didn't want to give to the entire profession.

Finally, to end where I started, I'm happy to be coming back and spending
45 more time on this beautiful piece of country and serving its people. It has
better restaurants and many more apartment buildings than when I left, but it

still has relatively manageable traffic, great weather and the mountains on the horizon. Thank you.

McCALLUM CJ: The court will adjourn.

5

ADJOURNED

[10.13 am]