

**Ceremonial Sitting on the Retirement of the Honourable  
Justice Richard Refshauge**

Supreme Court of the ACT

11 May 2017

*Chief Justice Murrell*

Attorney-General, Chief Magistrate and Magistrates, judges of the Family and Federal Circuit Courts, other distinguished guests, members of the profession, Barbara, other family and friends of Justice Refshauge, friends of the Court,

I acknowledge the traditional custodians of this land and pay my respects to their elders, past and present.

Today there are close to 150 people present, a record attendance for any ceremony at this Court. You have come because today marks the retirement of the Court's most loved judge — although, admittedly, there is stiff competition.

Justice Refshauge, your absence will be keenly felt by your brother and sister judges, your chambers staff (particularly the long suffering Annette) and all the Court staff. In addition to taking a heavy case load, you have chaired the Joint Rules Advisory Committee, the Criminal Advisory Committee and contributed in many other ways.

You have been generous — generous with your time, generous with your ideas and generous to all who have worked with you. Thank you for your enormous contribution to the work and the life of the Court.

At a personal level, I would like to thank you for the support and guidance that you have given to me over the last three and a half years.

We will all miss you.

On the other hand, Barbara will be surprised — not unpleasantly, I hope — to learn that she has a full-time husband.

This building has been your second home. You are often here until midnight. Even on Christmas Day, you were unable to tear yourself away from the Court library, spending five industrious hours there, perfectly fine because you were home briefly to partake of Christmas lunch.

For the past nine and a half years the library staff have had to allocate extra time on a Monday morning to re-shelve the mountain of books that you have abandoned in the library after a weekend's work. But I am told that they would willingly sacrifice their Monday mornings if you could remain here, a large and friendly fixture in their workspace.

Although you are invariably somewhere in this building, and often in the library, it is not always obvious where you are. You may be in the bowels of the building ferreting through dusty books in the hope of finding yet another old English precedent to cite.

Or you may be buried under the avalanche of paperwork in your chambers. As you said in your swearing-in speech, “a clean desk is the devil’s playground”.

Your affinity for paper is notorious. Judgments are handwritten and must be interpreted with the aid of a magnifying glass and years of experience. At times, teams of associates have been called in to decipher your handwriting. And in terms of lengthy judgments you have broken record after record — each previous record set by yourself.

This building opened when you were a handsome lad, just starting to dream of your life in the law. Like you, this building is about to retire, but will be reborn into a new life of service.

In many respects you are of the old school; you are unfailingly courteous, you have a fierce work ethic, and only recently have you learned how to turn on a computer.

But you are also of the new school; you embrace new ideas, and believe that the judiciary should be diverse, accountable and supportive of human rights.

In your swearing-in speech, you said:

We need to demonstrate that those who fail to secure the remedies they seek have been nevertheless fully heard, their claims fairly considered and their failures due to the proper application of the law to the facts and not to the fact that they are a litigant in person or have a particular representation or from their sex, race, religion, skin colour, financial circumstances or sexual orientation. This is my ambition and this is how I intend to discharge the heavy responsibility that has so generously been entrusted to me.

You have exceeded your ambition. You have discharged that heavy responsibility with intellectual rigour and true compassion. You have enhanced the judiciary, the profession, and the broader Canberra community in many, many ways.

Long may you continue to do so.