

Swearing in ceremony for the Honourable Catherine Holmes

as Chief Justice of Queensland,

Banco Court

Friday, 11 September 2015, 9:15 am

THE CHIEF JUSTICE: President McMurdo, Attorney-General, shadow Attorney-General, Mr Walker, Mr Dick, Ms Gambaro, Chief Judge O'Brien, Judges of all Courts, Federal and State, Magistrates, Members of the Land Court and the Queensland Civil and Administrative Tribunal, retired Judges, Mr Diehm, Mr Dunning, Mr Fitzgerald, members of the profession, ladies and gentlemen, I thank all of you who have attended today. I don't take that as any tribute to me but as a recognition of the significance of the Court and this occasion in its life. Thank you, President McMurdo, Attorney-General, Mr Dunning, Mr Diehm and Mr Fitzgerald, for your complimentary and perhaps not entirely warranted remarks. President McMurdo, I've never heard anything but words that are kind or encouraging or occasionally very funny from you, so today is no exception. Madam Attorney, I hope to justify your confidence in me. Mr Dunning, you pay me a great compliment by speaking today at this ceremony. Mr Diehm and Mr Fitzgerald, I look forward to working with both of your associations in the future, and I value your support.

Speaking of undeserved kindnesses, I want to thank all the people who have sent me messages of encouragement and congratulations. I will try to respond individually to everyone, but I've been very moved by the number of people who have taken the time to write or to call. I'd like to thank Mr Walker, the shadow Attorney-General, and the former Attorney-General, Mr Foley, for phone calls with their good wishes. Mr Foley, for better or worse, is responsible for my being on this bench.

I also want to acknowledge the grace of my predecessor, Justice Carmody, in stepping aside from this position in the interests of the Court and assuming his new role at the Queensland Civil and Administrative Tribunal, where he will have whatever support I can give.

I'm very happy to have here today my husband of more years than I was going to mention, but the President already did. As anyone who knows me will understand, he is the mainstay of my life, and I have my three children of whom I'm extremely proud. The President has mentioned my older brothers and sisters. Can I just warn you that if round the morning tea tables later you hear what sounds like a slow-moving riot, it will just be my siblings competing to be heard. The small, quiet one bringing up the rear – the embarrassed one – will be my sister-in-law. Joining my family group are my excellent neighbours, Mr O'Brien and Ms Kelly, who have always been there to help and effectively are family.

It is a great honour to be made Chief Justice of this Court, which has a venerable history. There is something very surreal about walking in the steps of Sir Samuel Griffith. There have in the past been references in connection with the Court to silvertails and old boys clubs and, more recently, to my own working-class background. I do come from what you might call humble origins. I'll spare you the details, at the risk of sounding like the Four Yorkshiremen sketch from Monty Python. But, as it happens, my father was a Yorkshireman, so I do have the credentials and I can do the accent. But I mention this only to tell you that in that regard I'm not alone in this Court, the Judges of which come from a wide variety of backgrounds and, more importantly, that it has never mattered in the slightest. I have always felt supported and encouraged by my colleagues, now more than ever, and I'm deeply grateful for that support.

I'm proud to be a member of this bench, which is one of the hardest working and most effective Courts in the country. Can I tell you that Queensland Supreme Court Justices per head get through more cases than any other Supreme Court except those in Tasmania and the ACT, where, having no District Court, many of their matters are less serious. We do it with fewer staff proportionate to the number of cases than anywhere. Again, at the risk of sounding Four Yorkshireman-ish, we do it cheaply. It costs roughly \$12,400 on average to finalise a criminal matter in Queensland compared with nearly \$50,000 in Victoria. I'm indebted to our research officer, Mr Godfrey, for those figures. Of course, I take complete responsibility for blaming him if they're wrong.

But statistics don't tell you everything. There's a lot about this new role that makes me very anxious. The one thing that makes me start breathing regularly again is the thought of my impressive, dedicated colleagues in whom I have the most complete confidence.

This courtroom today is like a very large This is Your Life episode. There are people from my student days. Justice Flanagan represents my earliest working life at the Deputy Crown Solicitor's Office. He claims that I was mean to him in 1983 when he started as a new boy. I don't think that can be right. And even if it is, I was much nicer when he started work with me this time around. There are members of my 20th level chambers who were so good to me when I was a young barrister. There are silks whom I juniored. I see Mr Fleming QC at the bar table. There are solicitors who briefed me and colleagues from practice at the Bar. There are retired Judges who were, and are, heroes to me. Former Justice Derrington, I have spotted in the crowd, whose place I took in the trial division, is here. He always concealed his enthusiasm for me very successfully when I appeared before him as a barrister, but he was the soul of kindness to me when I took the big step to the bench.

I should also say here that I'll always be indebted to the late Justice Bruce McPherson. I didn't replace him on the Court of Appeal. That would not have been possible. But I took the position notionally allocated to him, and his reassurance and encouragement built my confidence. I'm delighted that our mutual secretary, Mrs Rahemtula was able to come today. Many of my former Associates are here, including at least one from interstate. My Associates have always been the most entertaining part of the job. I should mention at this stage my current Associate, Ms Alice Husband, who has suddenly been torn from the cloistered calm of the Court of Appeal and plunged into a whirlwind of demands and meetings. She seems to be thriving on it. And my current secretary, Mrs Sadleir, who I suspect should really be on a sickbed, but who has coped magnificently with the phone traffic. I see former lawyers and staff from the Flood Commission. As they know, it was a very good practice run for withstanding stress.

The last almost decade on the Court of Appeal has been one of the most happy and fulfilling episodes of my professional life despite the fact that, when looking for sympathy, I've always described it as an unremitting grind. I'm very happy to see

this morning some of the people I've worked with and developed such an abiding regard and affection for: Margaret White, Richard Chesterman, John Jerrard. John Muir had a commitment and couldn't be here, but I understand his wife Sandra has been kind enough to come along.

I have to say that a large part of my happiness and sense of fulfilment on the Court of Appeal has been due to the leadership and friendship of President McMurdo. She has been a warm, considerate, inclusive head of jurisdiction, principled, dedicated and absurdly hard-working. I will have the very considerable advantage of her counsel and assistance in this new position, and that of Justice Byrne, Senior Judge Administrator. I fear that may not be for as long as I'd like, but however that may be, I will always have the advantage of their example of leadership: of courage, selflessness and integrity.

I will work as hard as I can. That goes without saying. I will try to strike the balance between keeping my mind open to necessary and effective change in the Court's practices and avoiding the pitfalls of change for change's sake. I will sit in both divisions of the Court; although, for the short term, I'll need to continue with my allocated work in the Court of Appeal. Meanwhile, I'll try to work out whom I lent my criminal robes to and where my wig is. I'm very grateful to Mrs Marie Bergwever, who for years was our former Chief Justice de Jersey's executive assistant, for returning early from long-service leave on Monday to come to my rescue and start organising me.

I'll continue the practice of my predecessors of visiting Court centres outside Brisbane as often as possible, starting with a sittings in Townsville later this year. I'll look forward to getting to know the staff members in those Courts and the members of the profession. There are still people practising in the regional centres who were a very reliable source of entertainment when I was at the Bar, so I'll have some start there. A busy and exciting time lies ahead. I thank you all for starting the beginning of it with me.