

**SUPREME COURT OF THE
AUSTRALIAN CAPITAL TERRITORY**

5

CEREMONIAL SITTING FOR THE SWEARING IN OF

THE HONOURABLE JUSTICE CHRISSA LOUKAS-KARLSSON

10

15 **TRANSCRIPT OF PROCEEDINGS**

20

CANBERRA

25 **9.31 AM, MONDAY, 26 MARCH 2018**

MURRELL CJ: Auntie Jannette Phillips.

MS PHILLIPS: I am pleased to say I don't recognise one single face here, but maybe in a few years I will. Thank you for this honour. I was scared silly
5 when I first walked in, but then I thought I stood next to the Queen, less than six inches, and if I could overcome that and keep my nerves under control, I could do anything.

10 First and foremost, I honour all those that have gone before me. I especially honour my grandmother's grandmother who survived the first massacre that took place here. I honour my daddy's great-grandmother whose language and learning or relearning four words.

15 Most honoured guests and your Honour, the head judge, and the lady who will become a judge - I looked at your name and I'm so sorry that I cannot pronounce it properly. But I can boldly say to you within your family network you are a jewel amongst the crown that sits on your family head. It is not an easy thing interpreting the laws that the politicians make. It must sometimes be
20 a scramble to work out what it is exactly they said.

I soon, without saying assumption fully in its full term, one day I may stand here fighting for the rights of our first nation's people, particularly matters concerning the frontier wars of this country and the recognition of all that has gone before. I say to the people, and I will say it quite loudly because I'm sure
25 there are many of you who have worked with Aboriginal people, the first 100 years of this colony, not crash hot for our mob. The second 100 years, someone had the bright idea to take the children of my colour away, educate them, look after them and teach them religion. I don't think that was a very bright idea. It took me 40 years to overcome being in an institution for
30 12 years, but that's okay, I'm getting there.

My 19-year-old grandchild informed me back in January on her 19th birthday, "I've decided what I'm going to do." I said, "What, my love?" And she said, "A gynaecologist." So I figure that we're cruising, we're on the right path.
35 There are opportunities now that were never afforded to my daddy. I often look to heaven and say, "Grandfather, I'm okay. Just pass me down the words that you want me to say." And I was thinking what would grandfather say. He wouldn't say a word; he was such a quiet man. But I can proudly say, well, my grandfather was 33 years of age when he bowled out a then 33-year-old Donald
40 Bradman. One played for Cootamundra 11 and the other one played for Gundagai 11.

To all you esteemed people, you're amazing people because it is what you do that sets Australia on such a high note. Someone said, "What is the
45 difference," and I said, "Well, most of us obey the law." If you break the law,

then know you're doing that, but Australians on the whole are good people. I mean we have many difficult people within our groups, as anyone, but we're getting there, and I think Australia, as I told Mr Obama, best in the world, and we truly are because we're not an arrogant people and we don't, you know, put things on our shoulders and walk around. This is an amazing country and I hope that it will always remain that way.

To those who look after the law and follow the law, I mean our laws were stricter pre-1772. If you broke the law there wasn't many options and death was the biggest one amongst them. I think there are a lot of people who are grateful for some of the laws that judged us in those early days.

Thank you for this opportunity. I wish each and every one of you the very best. Share your wisdom, share your cleverness and your knowledge and in the coming years Australia, all of us, will benefit from the decisions that you make. (Aboriginal language) in our language means welcome. So to each and every one of you, quite loudly and clearly (Aboriginal language) and thank you for this opportunity afforded to me. Thank you.

MURRELL CJ: Thank you, Auntie Jannette. The court acknowledges the traditional custodians of this play and we pay our respects to the Elders, past and present, and to you and others who may be present.

LOUKAS-KARLSSON J: Chief Justice, I have the honour to announce that I have been appointed a judge of this court. I present to you my commission of appointment.

MURRELL CJ: Thank you, Justice Loukas-Karlsson. Please be seated.

ASSOCIATE: Commission:

The Australian Capital Territory Executive, under section 4 of the Supreme Court Act 1933, appoints Chrissa Loukas-Karlsson SC to be a resident judge of the Supreme Court from 25 March 2018. Dated 5 February 2018 and signed by the attorney-general, Mr Gordon Ramsay.

MURRELL CJ: Madam Deputy Sheriff, please hand me the oath of office and the Bible. Thank you. Justice Loukas-Karlsson, I invite you to take the oath of office under the Supreme Court Act.

LOUKAS-KARLSSON J: I, Chrissa Loukas-Karlsson, do swear that I will well and truly serve in the office of a 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, so help me God.

MURRELL CJ: Thank you. I invite you to sit and subscribe the oath, and I will witness it. I direct the registrar to take this document and enter it in the records of the court. Justice Loukas-Karlsson, on behalf of all the judges of the court I welcome you to the court and I assure you of the support and goodwill of all of your colleagues.

LOUKAS-KARLSSON J: Thank you, Chief Justice.

MURRELL CJ: Attorney-General.

MR ATTORNEY: May it please the court. An honour as it is to stand here today, I also wish to honour those people who have been in this land for thousands and thousands of years, passing on their traditions, passing on their custodianship of this land, passing on the wisdom that still guides us, and so I too acknowledge the elders, past, present and emerging. I acknowledge the way that the traditional owners have cared for this land and nurtured community since time immemorial and I commit myself to ongoing acts of reconciliation with our nation's first peoples as well.

It is indeed an honour to be here with the justices and the associate justice of the ACT Supreme Court, with the magistrates, the judges of Federal Circuit and Family Courts, the many leaders of the legal profession to warmly welcome you on your new role, your Honour, and to extend the government's congratulations on your appointment.

I'm also pleased to be able to welcome your family here today. Your Honour's curriculum vitae is indeed impressive. You have 30 years of experience in criminal law, including six as senior counsel, and you have appeared in courts across state, federal and international jurisdictions. I am most confident that the diverse skills and the perspectives that you will bring to the bench will be very valuable to the court and to the broader community. And as a reflection of our community your Honour's appointment today maintains the ACT Supreme Court's gender balance.

It's also fitting that the morning after Greek National Day was celebrated in Australia we are celebrating an appointment to the bench that reflects this community's warm embrace of multiculturalism. Born in Brisbane to Ilias Loukas and Aphrodite Pantazis, you studied at my alma mater, the University of Sydney, and were awarded a bachelor of arts and a bachelor of laws in 1985.

Clearly eager to begin practice, you wasted no time in securing your admission as a solicitor in July 1985, working over the next four years with the New South Wales Legal Aid Commission, Aboriginal Legal Service and the Department of Industrial Relations. These roles have provided your Honour

with valuable insights into the effects of disadvantage and the need for the law to be accessible and equitable for all members of society, particularly those who are most vulnerable.

5 In December 1989, you were called to the New South Wales Bar, and you have since appeared as counsel in a wide range of criminal trials, sentence matters and appeals in the District Court, the Supreme Court, the Court of Criminal Appeal in New South Wales and the High Court of Australia. Perhaps I believe that one of your most interesting early appearances was a debate
10 against Malcolm Turnbull at the University and Schools Club in 1990 in your first year as a barrister. The records will demonstrate that you won. In this early test of your advocacy skills you demonstrated the talents which have served you well throughout your career.

15 At the private bar you undertook cases in discrimination law, workers compensation and industrial and employment law, and occupational health and safety prosecutions. In 1995, you were appointed as a public defender, a position which you held until recently, and you also acted for a time in 1996 as Crown Prosecutor. You have revelled in the craft of jury advocacy and in the
20 challenge of working at the frontline of interaction between the individual accused and the state. I am most confident that your experiences as both public defender and some time on the other side as Crown Prosecution will mean that you are an open, impartial and independent member of the judiciary who listens to the arguments of all equally, even those who are marginalised,
25 vulnerable and disempowered.

You have already had some experience on the bench to develop and display these skills. Between July 1996 and July 1997 you acted as a part-time District Court Judge, and the following year you were appointed as a part-time judicial
30 member of the former Administrative Decisions Tribunal, a role which you held for five years.

Between August 1998 and December 2001 you were seconded from The Public Defenders Chambers to head the Legal Representation Office and the
35 Criminal Law Review Division in the New South Wales Attorney-General's Department. This gave you significant experience in the development of legislation during a period in which New South Wales overhauled its criminal procedure and sentence administration laws, in part as a result of the Wood royal commission. You have written extensively and presented internationally
40 on criminal procedure and trial practice, and in 2003 you took up an opportunity to work on some of the most complex criminal and demanding defence work as a trials and appeals counsel before the United Nations International Criminal Tribunal for the former Yugoslavia.

45 In 2012, you took silk, and you continued your work in conviction and

sentencing appeals on miscarriage of justice, fitness to be tried and mental illness in the Court of Criminal Appeal in New South Wales. Your reputation for professionalism, patience, courtesy and integrity has been recognised both in your appointment as senior counsel and in a number of awards, including the
5 Senior Barrister Award at the Women in Law Awards in 2013 and as the Women Lawyers Association of NSW Barrister of the Year in 2017.

In particular, you have been a vocal advocate for young women entering the legal profession, regularly mentoring and speaking to young lawyers and
10 College of Law students. Recently your Honour was interviewed about your career to date, its highlights and the insights that you could give to the next generation of aspiring advocates. You noted that, in a time where the justice system is changing rapidly in the footsteps of social change and where technology will drive legal delivery, adaptability and flexibility, emotional
15 intelligence, creativity, resilience and the ability to problem solve will all be key attributes for lawyers in the future. These observations resonate well with me, and no doubt with the legal profession and the broader Canberra community.

20 As the government works for the judiciary and profession to modernise our core premises and implement new case management, technologies and facilities, it's important to remember that these changes are made to improve the experience of the court user, the person who has a legal problem, the one who needs an expeditious resolution and who wants a just outcome.

25 As attorney-general, I seek to foster a justice system that deploys its resources, including technology, to be accessible, a justice system for all Canberrans and, in particular, for our most vulnerable, a justice system that seeks innovative and creative solutions to identify reasons for disputes and to address them, a
30 justice system that draws on its diverse perspectives and its emotional intelligence to seek to repair relationships in a restorative way, and I'm most please that our newest justice shares these values.

35 Justice Loukas-Karlsson, again, I congratulate you on your appointment and I wish you a warm welcome to Canberra and to the ACT Supreme Court. May it please the court.

MURRELL CJ: Thank you, Mr Attorney. Mr Archer, President of the
40 Bar Association.

MR ARCHER: I too acknowledge the Ngunnawal people as the traditional custodians of the land upon which this court is built, and I pay my respects to all elders, past and present. Could I also acknowledge the presence in court of a large number of people, friends and colleagues at the bar, both in New South
45 Wales and from other jurisdictions, judicial officers, both from the ACT and

from other jurisdictions. The number of people that are here, your Honour, and it is a crowded place down here, I think is a testimony to your popularity and the respect in which you are held.

5 The ACT Bar Association welcomes your Honour's appointment as a resident judge of the ACT Supreme Court. Your Honour's appointment carries on a recent tradition of high-achieving practitioners and judicial officers from New South Wales being appointed to the court, but you're not a stranger. You are well known to many in the ACT through your work as a public defender in
10 New South Wales, your promotion of women within the profession, your active membership of the New South Wales Bar Association and the work you've done with the Law Council of Australia.

15 The attorney-general has spoken of your CV and the many landmarks in your career in the law and I won't repeat them. If I could talk to your CV perhaps in a thematic way: a commitment to championing the role of women, not only in the law but generally; a commitment to social justice; an undying faith in the idea of equality before the law; and a preparedness to take on the hardest cases and argue the cause of the most vulnerable; decades of achievement with the
20 Legal Aid Office, the Aboriginal Legal Service and The Public Defenders Office; starting as an advocate in the courts when there were few female advocates.

25 A colleague of the bar, who is present today and behind me, tells a story of your Honour's first year as a Legal Aid solicitor. Your Honour appeared for someone who was not happy about having a female lawyer. After the court appearance he is reported to have said, "I was not sure about you to begin with, but you're a sheila and all, but you've done real good for me in court and I'm gross on sheilas now."

30 Secondments to the Attorney-General's Department, a run of politics, counsel on the War Crimes Tribunal, passionate, committed and somewhat unconventional. As a public defender you worked closely with solicitors from your twin alma mater, the Aboriginal Legal Service where you were a solicitor
35 in Redfern, and the Legal Aid Commission, where you worked under Phillip Boulton SC, a former President of the NSW Bar.

40 Your colleagues in The Public Defenders Chambers describe your approach to your work as warm, collaborative and being unfailingly generous with your time. Your advice was always clearly expressed, direct, but in a nice way. You are spoken of as a good manager of clients and their families. I'm told that your Honour could be a notoriously efficient trial lawyer. In one matter, which must be close to a record, you ran a murder trial which lasted less than an hour. Now, those sorts of stats are likely to win you brownie points here. Of course,
45 your client was found not guilty. Your marked generosity included time spent

discussing the difficult matter of a mentally ill offender and dealing with interfamilial violence, speaking not only with the client, but the wife of the deceased.

5 Your Honour has been dedicated to promoting diversity and equality in the legal profession, most often supporting young women in their careers, both in a professional and personal perspective. Most of that work has been done in your private time without any accolades and, as all my informants tell me, always from the heart. Many careers have been built and developed on the
10 strong foundation supported by you.

A great networker. You can be seen to work a room like few others, but not pretentious, admitting to one instructor that everybody in the law suffered sometimes from what you coined "imposter syndrome". You have been a
15 strong supporter of the bar, having served on the New South Wales Bar Council for many years. Your contribution to the work of the Law Council of Australia has also been important.

As an advocate your reputation has always been someone of courage, direct
20 and firm and fearless in arguing a difficult point. As public defenders are required to do, you took on difficult cases. You have been persuasive and successful in superior courts. You fought difficult battles with style and persuasiveness. Certainly you're often there. A check of the Court of Appeal indices indicates that there are well over 100 appearances in the Court of
25 Criminal Appeal in New South Wales.

You have spent some time in Canberra and have done so in the context of appellate advocacy in the High Court. Perhaps most famously, so far as the criminal bar down here are concerned, your appearance in the matter of
30 CMB v The Queen is well known. The facts of the case are very interesting, and I'll just dwell on it just briefly and, in a sense, very New South Wales. A sex offender was sent through a diversionary scheme. As part of that scheme he did disclose the commission of other offences involving the same victim. To maintain eligibility in the program he had to effectively confess his crimes
35 to police and to confess the crimes in the face of the court. He pleaded guilty to those additional crimes.

He was dealt with non-custodial, and the DPP, in light of the history of the matter, declined to appeal. The attorney-general, however, did appeal and the
40 Court of Appeal overturned the sentence and imposed a custodial term. In doing so, the Court of Appeal made a finding that the onus lay on the appellant to satisfy the court that it should not intervene notwithstanding error had been shown.

45 The appeal proceeded on the basis that the Court of Appeal had erred both as to

the onus of the satisfaction issue as to the residual discretion and whether the Court of Appeal had properly construed the task that confronted it in reviewing the sentencing judge's original sentencing discretion. The arguments advanced by your Honour succeeded on both grounds. A satisfying result is always best to win in appellate courts, no doubt, and I am sure that you were warmly received by members of the Court of Appeal when you next appeared before them.

However, we've been singing your Honour's praises, but there are some matters that have to be put against you. I acknowledge that the information that's been given to me may, to some extent, be self-serving, but I'll share it with you otherwise. One of those issues might be cooking. A few years ago your Honour invited a number of barristerial colleagues to your mother Aphrodite's house to learn how to make the perfect moussaka.

Aphrodite had been told by her daughter that being a barrister and cooking were incompatible skills. The two activities were clearly mutually exclusive. By this act of wilful incompetence you avoided cooking and continued to derive the benefit of your mother's culinary delights.

In front of the assembled multitude Aphrodite started with the basics, and as she explained each stage the participants who were there confirmed they knew how to make a béchamel sauce and how to prepare eggplant perfectly. The participants appeared not only to like cooking, they could cook. Aphrodite turned to your Honour with an astonished look declaring, "What is wrong with you, Chrissa."

Your husband, Robert, who I was introduced to this morning, is Swedish. It is whispered to me that your Honour can cook Swedish meatballs. Your colleagues at the New South Wales Bar hear, although, that your Honour has identified where IKEA is in Canberra and what its closing times are.

In the lead-up to today I'm sure that you've met with the Chief Justice and discussed the types of matters that you're likely to sit on. I'm sure your Honour's obvious preference would be for criminal trials, but down here, as you know, it doesn't quite work like that.

A note for the Chief Justice, though. Recently, Jane Needham SC advertised in InBrief to buy some old succession textbooks, including Woodman on Administration of Estates. John Thompson got in touch. He has now set up chambers in Bourke and said he was only doing crime and was happy to give Jane his copy. He mentioned that it had once belonged to your Honour. Inside it was this: Chrissa Loukas crossed out, and under it, "I hate succession." Chief justice, if you could take that on board, please.

Your Honour, Wardell Chambers' loss is our gain. Your Honour, the Bar Association congratulates you on your appointment as a resident judge of the Supreme Court of the ACT and look forward to working with you for many years to come. If the court pleases.

5

MURRELL CJ: Thank you, Mr Archer. Ms Avery, President of the Law Society.

10 MS AVERY: May it please the court. I too would like to acknowledge the Ngunnawal people on whose lands we meet and I pay my respects to their eldest, past and present and to all Aboriginal or Torres Strait Islander people here in this courtroom today.

15 I'm lucky to be here on behalf of the ACT solicitors to welcome Justice Loukas-Karlsson to this Honourable Court. Mr Ramsay and Mr Archer have already spoken eloquently about our new judge's background. I have had the pleasure of working with her Honour as a fellow director of the Law Council of Australia. In that role, I was very impressed with
20 Ms Loukas-Karlsson, as she then was, because she was fearless in speaking up about issues that needed to be raised and I could tell that she was someone with great moral courage.

25 In addition to her Honour's courage and her compassion that has been spoken about already, we know that she is someone who has the utmost care for the vulnerable and disadvantaged in all communities, and we are very lucky now to have her here in Canberra. Your Honour, I'm going to be very brief, because I think everything has already been said.

30 On behalf of the ACT solicitors, I hope that you and your family will be very happy here in Canberra, and I know that the local profession will make you feel welcome. The profession congratulates you on your appointment. We welcome you to the ACT and we look forward to appearing before you and continuing a collaborative and productive relationship that we have with the other judges of this Honourable Court. Justice Loukas-Karlsson, welcome.
35 May it please the court.

MURRELL CJ: Thank you, Ms Avery. Justice Loukas-Karlsson.

40 LOUKAS-KARLSSON J: I acknowledge and pay my respects to the Ngunnawal people, the traditional custodians on the land on which this court stands, and I pay my respects to their elders, past and present, and I thank you, Auntie Jannette Phillips, for your Welcome to Country.

45 Chief Justice, fellow judges, attorney, honoured guests, members of the profession, family and friends, thank you for the honour you do this court by

your presence here today, and a particular thank you, Mr Attorney, Mr Archer and Ms Avery for your highly generous remarks. Some of what you said is, in fact, actually true. It is often said that it is only at funerals and swearing in ceremonies that such kind things are said, and I thank you for your extreme
5 generosity.

It has become customary, and I would like to acknowledge the people who have supported me over the years, and in doing that I will try not to sound like I'm giving an Academy Award acceptance speech. In the interests of guarding
10 against plagiarism, I should indicate that line about the Academy Awards is, in fact, borrowed from Justice Natalie Adams of the Supreme Court of New South Wales, present today.

The first people I must acknowledge are my parents, Aphrodite and Ilias, and
15 my sisters, Evonne and Angelina. My parents were born in a village in northern Greece in a place called Epirus. Scholars of the classics, of whom there are many here today, including Their Excellencies, the Greek Ambassador and the Swedish Ambassador to Australia will know that it was
20 named after King Pyrrhus, who was one of the most determined opponents of ancient Rome. His victories as a general came with heavy losses, and that is, of course, how the term "Pyrrhic victory" came about. Apparently, my ancestors specialised in victories that looked a lot like defeat.

My parents lived through the Second World War and the Civil War in Greece.
25 Their respective families were on the opposite sides of the civil war, the left-right divide, and it is to this that I attribute my ability, hopefully, to listen to both sides of any argument at any time.

My father was part of the Greek contingent of the United Nations Corps in
30 Korea in the 50s and made the decision while there to emigrate to Australia rather than the United States. I'm glad he made the right decision. My father arrived in Australia alone and with limited English and commenced working in the outback laying down train tracks. He saved up enough money to bring my mother to Australia. My mother had wanted to go to high school and
35 university and become a teacher, but those opportunities were denied to her as a girl. It was a burning ambition on the part of my parents, both early feminists in their way, that my sisters and I, born in Australia, would receive the education they themselves were denied through the accidents of history and
40 birth.

Before leaving my family of origin I should also acknowledge my nieces,
Jordan, Montana and Alexandra and my nephew, Simon, along with my brother-in-law, the husband of my sister Evonne, Ian Latham, and his siblings,
45 Natalie and Chris, who are here today. Also here today is my cousin, Bill Loukas and his wife, Melissa, and their three daughters, along with my

honorary goddaughter, Olivia Gotting. As you can see, I have a very large extended family, to whom I owe much.

5 As for my schooling, I had the benefit of both public and private high school education at Rockhampton Girls Grammar in Queensland and Liverpool Girls in Sydney where I completed my Higher School Certificate. There were excellent teachers at both schools, to whom I am very grateful. I also had the advantage of free university education at the University of Sydney.

10 My best subject at university was not, in fact, criminal law, but company law, and one of my lecturers said to me, "Well, I guess you will want to be heading off to one of the big commercial firms," and I answered, "No, I want to work for the Aboriginal Legal Service and the Legal Aid Commission,". He was horrified and said, "You have a degree from Sydney University. You don't
15 have to do that sort of thing."

And work for the Aboriginal Legal Service and Legal Aid Commission I did, as you have heard, and I would like to place on the record, as many have done before me, that the lawyers that I have worked with from the Aboriginal Legal
20 Service and the Legal Aid Commission are amongst the finest people I have ever met. Their belief in justice for all is truly humbling.

As has been mentioned, as a barrister I worked at the private bar, The Public Defenders and as a Crown prosecutor, and I want to make three points about
25 that. First, I think it is important to be able to argue the case for either side, and I encourage all lawyers that I mentor to have experience on both sides of the bar table. It is important not to be tribal in the law. Some of my best friends are prosecutors.

30 Second, both before and after my time as a Public Defender I was at the private bar. I began as a reader at Wardell Chambers in 1990 and was at Wardell Chambers this year when my appointment was announced. I am grateful that Michael McHugh SC from Wardell is here today, and I'm also grateful that Kylie Nomchong SC, Ian Latham SC and Jeremy Gormly SC from Denman
35 Chambers, where I practised in the 90s, are here today.

Third, I spent many years as a barrister at The Public Defenders. The work was, of course, difficult and stressful and highly rewarding. The Public Defenders of the past and the present are an impressive group of lawyers. It is
40 an important institution and many Public Defenders have gone on to judicial office. On the other hand, some have done the honourable thing and declined judicial appointment.

I had the privilege when I was a solicitor at the Legal Aid Commission of
45 instructing Justice Virginia Bell of the High Court in a criminal trial when she

was the Public Defender at Liverpool. To watch her cross-examine on what was then referred to as a verbal was forensic magnificence in action. This important institution, The Public Defenders, is ably represented here today by Peter McGrath SC.

5

One thing I must say before leaving the topic of work as a barrister is I hope never to forget, as a judge, how difficult it is to appear for an unpopular client charged with a serious offence and how important that task is to our system of justice, due process and rule of law.

10

I can recall John Stratton SC, then a Public Defender who returned to the private bar, opining after a particularly torrid time in the Court of Criminal Appeal that the court he felt had treated him as if he personally had committed the offence in question. He suggested henceforth that submissions in the appeal court should commence in this way, "First, your Honours, allow me to make it clear at the outset that I personally had nothing to do with the commission of the offence and, second, let me make it abundantly clear that nothing in the oral or written submissions should or could be taken as suggesting that the commission of the offence was thought in any way to be a good idea.

20

I pause at this juncture to thank you, Mr Archer, for recognising in your press release following the announcement of my appointment, that apparently important judicial quality you have deemed that I possess of having a sense of humour, or at least being able to recognise humour. The then Chief Justice of Australia, Murray Gleeson, did indicate, however, that if a judge is burdened by a sense of humour it would be a good idea if the judge did not demonstrate that fact from the bench, and I will henceforth suppress any sense of humour.

25

Then again, it is an ironclad rule of advocacy that all members of the legal profession must obey of laughing at a judge's feeble attempts at humour. I thank the ACT legal profession present here today for honouring that ironclad rule of advocacy.

30

Now, there are time limits, and I'm told by Registrar Annie Glover, 'she who must be obeyed', that it is 10 minutes maximum, and it is protocol to keep to an economic minimum the roll call of names of barristers to whom I owe so much. But it is important and I must mention my great friends, barristers Michelle Rabsch and Miiko Kumar, who are part of the cone of silence gang that you've heard about in the unfortunate cooking incident.

40

This legal friendship gang also includes Justice Natalie Adams, master chef, and Magistrate Michelle Goodwin, also another master chef, here today. The five of us have shared our triumphs and our disasters with each other under a Maxwell Smart cone of silence for over two decades. As you have heard, I do

45

not share their cooking skills, much to my mother's extreme disappointment.

I also want to pay homage to the great women judges who are magnificent role models for all lawyers, men and women. The first woman on the High Court of Australia, Justice Mary Gaudron, who cannot be here today as she is in Paris, has always been very generous to me with her time and her advice. I recall discussing with her the advice of Joan Rosanove QC on dealing with male detractors in the law. Joan was the first woman admitted to the bar in Victoria and advised that, "You must have the stamina of an ox, the hide of a rhinoceros, and when they kick you in the teeth you must look as if you hadn't noticed it." We spent some time discussing the relevance of that approach today.

Another great pioneer in the law and a great woman of firsts is the first female President of the New South Wales Court of Appeal, Margaret Beazley, who is here today. I am deeply, deeply honoured by your presence. I'm also deeply honoured by the presence of Justice Julie Ward, Chief Judge in Equity, the first woman solicitor to be appointed directly to the bench of the New South Wales Supreme Court, and Justice Anna Katzmann of the Federal Court, a former President of the New South Wales Bar Council, and Justice Julia Lonergan of the Supreme Court of New South Wales. And, in another great first, our own Chief Justice of the ACT, Chief Justice Murrell, proving yet again that ACT is ahead of the curve. I would also like to acknowledge the mentoring I have received over the years from Justice Melissa Perry, former Justice Dennis Cowdroy and Justice Michael Slattery.

My swearing in speech would not be complete without acknowledging the Law Council of Australia, based in Canberra, where I've worked with great lawyers from around the country, Fiona McLeod SC and Morrie Bailes, former president and current president of the Law Council who are here today fresh from their impressive Canberra Press Club appearance in relation to the Law Council Justice Project, and as has been mentioned, I've also enjoyed working on the Law Council with Ken Archer SC of the ACT Bar and Sarah Avery of the ACT Law Society.

I'm also grateful to Jennifer Baltrouny QC, representing the Victorian Bar and the Australian Bar Association, and Cindy Penrose, the CEO of the Australian Bar Association, along with Arthur Moses SC, President of the Bar, ably represented here today by Mary Walker, Kylie Nomchong SC, Michael McHugh SC and the former President, Jane Needham SC and former President, David Bennett QC. The New South Wales Bar is also represented by CEO, Greg Tolhurst, and Kate Eastman SC, the chair of the Diversity Committee. I also acknowledge the presence of Prue Bindon, the chair of the ACT Bar Diversity Committee, Stephen Odgers SC, Chair of the NSW Criminal Law Committee, and Dr James Renwick, National Security Legislation Monitor.

5 You are all beacons of intellect and humanity and I am grateful for your presence and your support today. I also want to acknowledge Sarah Pitney, representing my brilliant former interns. The case of CMB in the High Court has been mentioned, and I want to publicly thank my juniors, Gaby Bashir SC and Barry Dean.

10 Turning finally now to the two most important people in my life, my husband, Robert, and our son, who up until this point I think was reading a book. I met Robert during the time I was appearing at the International Criminal Tribunal for the former Yugoslavia in the Hague, as you have heard. The day we married, almost 10 years ago, I said Robert was the love of my life, my best friend and the best person I had ever met. That is just as true today as when I first spoke those words.

15 Robert represents the best of Sweden and the best of what it is to be Swedish, a believer in equality at home and at work, business savvy, tech savvy, progressive, kind, calm, efficient and smart. You are all these things and more and you put up with me when I'm distracted by a case. I would not be sitting here today without your love and your support and your wise counsel in life, and I share this honour with you. I also want to acknowledge the great influence your mother and your sister have been on your character.

25 And to our son, the light of my life and my work/life balance enforcer, adviser and counsellor. When he was three and I would pick him up from preschool, he could tell if I was in work mode because my hair was in a bun and my glasses were on, and he would instruct me to get into home mode, "Glasses off, hair down, mummy." And now, over five years later, he's still giving me advice on a daily basis. When he heard me on the phone to a colleague and I said I would be commencing in criminal law as a judge, which was great because it was my comfort zone, my son admonished me. He had this to say: "But, mum, you learn much more in your stretch zone than you do in your comfort zone. That's what they teach us at school."

35 I could fill my swearing in speech with sage advice my son has given me. He fervently believes a swearing in speech should involve a lot of swearing. I have disappointed him in that. His most resonant piece of advice, however, was when he saw that I was unhappy about something that had happened at work. He advised me, "Just do what I do, mum. If something happens at school that makes me unhappy or sad or I don't like, I just play it like I play Minecraft. You die, only in the game, you re-spawn and it's a new day." I think I will have to keep his advice in mind when I'm overturned by the Court of Appeal.

45 All that remains for me to do is to make a thank you, a promise, an undertaking and to quote Socrates. I want to thank each and every one of you here today

for the flood of goodwill I have enjoyed since the announcement of my appointment. It is truly, truly humbling to see you all. I promise solemnly that I will do my best to honour the trust that has been placed in me. I look forward to being a judge in the Australian Capital Territory, this most educated,
5 progressive and civilised of places. Everything seems just that bit more civilised in Canberra: the people, the legal profession and the media.

The Chief Justice and my fellow judges have set a high standard here in the ACT and I will strive to do the same. In an era of so-called fake news and fake
10 facts, the application of proper legal principle to the correct facts by an independent judiciary is ever more crucial for a fair, just and democratic society. I am proud to be joining a court with such an impressive reputation.

And now to Socrates. Socrates stated some two and a half thousand years ago
15 that the essential qualities of a judge are to listen courteously, answer wisely, consider soberly and decide impartially. That statement stands true today, and therefore the time for me to speak is over and it is now time for me to listen. Thank you, Chief Justice.

20 MURRELL CJ: The court will now adjourn.

MATTER ADJOURNED AT 10.20 AM ACCORDINGLY