

SWEARING-IN
THE HON. MR JUSTICE DOUGLAS
TUESDAY 22 JUNE 1999
9.15AM - BANCO COURT

The Hon P de Jersey, Chief Justice

On behalf of the Judges, I warmly welcome the Honourable Mr Justice Douglas to the Supreme Court. As I have said elsewhere, his legal learning and wide community experience fit him well for this highest State court, and they will undoubtedly promote the public interest.

Some members of the Court cannot be here today, because they are on leave or at distant centres. All would wish to be associated with this welcome. Justice Williams, who is overseas, has asked specifically to be mentioned in that regard.

I note with pleasure the presence of the Chief Judge and the Judges of the District Court, Judges of the Federal and Family Courts, retired Judges of the Supreme and District Courts, and magistrates.

I record that the Chief Stipendiary Magistrate telephoned to express his regret at his inability to be here today, and to pass on his good wishes to the new Judge. Over many years Mr Deer has regularly attended on these occasions, occasions of such significance for the State judiciary. He has thereby illustrated abiding support for the institution. That has not gone unnoticed, rather, it has been greatly appreciated, and we wish him well.

Mr Justice Douglas comes to us from a weighty legal milieu. His father and grandfather and two great-uncles were all eminent former members of this Court; his two brothers are Queen's Counsel, the younger, as we know, being President of the Bar Association of Queensland; and one of his children, Charlotte, is a solicitor. His predecessors render his appointment especially interesting historically, as do the circumstances of his appointment last Thursday. His Honour was then appointed by the Governor in Council, meeting, as only rarely occurs, out of Brisbane. The Executive Council meeting took place, for the first time ever, at Gladstone. Those members present were His Excellency the Governor, the Honourable the Premier, and the Honourable the Attorney General. Also significantly, all three heads of Government were then present together in Gladstone, as I was privileged to be chairing, at the same time, the Queensland Constitutional Convention, opened by His Excellency and addressed by the Premier; and it was a delight to be able, from Gladstone, to express my own welcome to our new colleague.

Mr Justice Douglas was born on 25 November 1944. He is married to Jennifer and they have three children. The Judge was educated at Villanova College and the University of Queensland, graduating with a Bachelor of Laws degree in 1968. Following admission to the Bar in that year, he developed a busy practice, and was appointed one of Her Majesty's counsel in 1982. In further recognition of his distinguished practice at the Bar, he was elected as President of the Bar Association of Queensland from 1992 to 1994, and of the Australian Bar Association from 1993 to 1994. For two years he was a member of the panel of the Misconduct Tribunal of the Criminal Justice Commission, and has been Wing Commander (RAAF Reserve) Judge Advocate and Defence Force Magistrate.

Our new Judge's community involvements have, as with his legal experience, been diverse: including his being a member of the Advisory Board of Mount Olivet Hospital from 1983 to 1995, Chairman of the Smith Family Queensland Development Committee since 1995, and Chairman of the Totalisator Administration Board for some seven years.

It is reassuring that His Honour's appointment now brings the Court back to normal strength. I do, however, take the opportunity to signal clearly that last week's decision of the High Court, invalidating the beneficial State/Commonwealth cross-vesting scheme, may, likely will, substantially affect the Court's capacity to maintain the expeditious results currently being achieved. It is difficult accurately to gauge the probable increase in the Court's caseload. What presently is absolutely clear, is that the public must not be allowed to suffer any reduction in the high level of performance now being delivered by the Court.

This comes at a time when court resources are stretched anyway, because of the need to divert some resources to streamlining the implementation of the new Uniform Civil Procedure Rules. If the effect of the High Court decision on our lists justifies a consequent increase in resources, through more Judges or otherwise, then the Executive Government will simply have to make them available. The Executive, I add, will have to make those resources available without prejudice to other needs. I have in mind needs, currently still unmet, for the technological resources necessary to enable us to do our work as efficiently as we may in this "day and age". The objective must be to render the court the leading institution it should be, appropriate to the "smart State" proudly being proclaimed these days by the other arms of Government.

Mr Justice Douglas, we again welcome you to the Court, congratulate you on your substantial personal achievement, and wish you well in the discharge of this pivotally significant new public responsibility.