

Valedictory Ceremony to mark the retirement of

The Honourable Mr Justice T F Shepherdson

Friday 10 March 2000

9.15am Banco Court

The Hon Paul de Jersey

Chief Justice

We gather today to farewell from the Court the Honourable Mr Justice Tom Farquhar Shepherdson. We do so with great regret at the departure from our immediate midst of an able Judge and loyal friend, and expressing gratitude, on behalf of the people of Queensland, for His Honour's dedicated judicial service, which now spans as many as 18 years.

Not all Judges can be present today, but all join me in this tribute. So does Justice Dowsett of the Federal Court, who specifically asked that this be recorded. I note with pleasure the presence of the Chief Judge and Judges of the District Court, the Chief Magistrate and other magistrates, Judges of the Federal and Family Court and, of course, at the Bar Table, the Attorney-General, the Solicitor-General, and the Presidents.

Mr Justice Shepherdson came to the Court in 1982 after a varied career in the private legal profession. After finishing his secondary education at the Church of England Grammar School, he undertook the Solicitors Board examinations, concurrently articulated to Mr W H Hart. Admitted as a solicitor in 1953, he commenced, four years later, what became a nine year partnership in the firm of Stephens and Shepherdson. He also studied law at the University of Queensland as an evening student, graduating with the degree of Bachelor of Laws. Then in 1966 he went to the Bar where, after a successful 14 years as a junior, he took Silk in 1980. Two years later, aged 51, he was appointed to the Court.

The Registrar, Mr Toogood, has asked me to mention specifically His Honour's close association over many years as an articulated clerk, solicitor, barrister and judge, with the officers of the Registry, who regard the Judge with warm respect.

As a judge, His Honour has served the people of this State with great dedication and distinction. There was never a doubt about the conscientious way in which he undertook the task. He was always patently concerned to render justice according

to law. He was astute to keep abreast of developments in the law. Finding facts in complex cases never daunted him. He has been a well informed observer of human nature, and that has equipped him admirably in the process of forming judgment.

I wish particularly to mention His Honour's chairmanship of the Supreme Court Library Committee from 1983 to 1987. This has never been an easy additional task for a judge of this Court, especially because of the Library's perennially insecure financial position. But Mr Justice Shepherdson was nevertheless able to secure many progressive advances during his chairmanship, including the establishment of regional courthouse libraries in Southport, Cairns, Toowoomba and Mackay, the introduction of computerised legal retrieval systems, the publication of the helpful Queensland Legal Indexes Service and the Criminal Sentencing Service, and introduction of Library Rules. We also during that period saw a focus turn to preserving the Library's rare book collection, which has come into recent prominence, and inaugurating a legal history collection containing biographical information on the judiciary, circuit courts and members of the profession.

The Judge has discharged his public judicial responsibility with undoubted independence. He has also not been shy to defend the courts publicly, especially in the face of unwarranted governmental or media criticism. As he said in a published letter to the Editor of the Courier-Mail of the 19 August 1994, about what he termed the newspaper's then "vendetta against the judges": "The judiciary is the third arm of the Government and quite independent of and separate from the other two. A strong judiciary, which I believe we have, is essential to stable government in Queensland."

And of criticism of criminal sentencing levels, that same year he invited any who complained to speak with their local Members: the judges, he pointed out, were rightly constrained by law. In criminal sentencing, I may presume to suggest, he was invariably fair, but also firm, especially when it came to violent offenders. I recall his apt observation 15 years ago to a group of prisoners found guilty of gang rape: "To say you behaved like animals would be casting a slur on an animal."

We will miss His Honour's company and support, and also the charmingly complementary association of Mrs Shirley Shepherdson, who has become a stimulating friend of us all. Shirley will henceforth enjoy the somewhat more comprehensive company of her husband, although the judge may be tempted to seek to improve his performance in the three sports and pastimes he chooses to list in "Who's Who": golf, fishing and cricket.

When sworn in as a judge, His Honour said in this courtroom: "I hope the counsel who appear before me in my early days will bowl me a few legal, not necessarily over-arm, gentle full tosses to help me get my judicial eye in." I will leave others to carry forward the batting analogy if they wish, but I will observe that once His

Honour's judicial eye was "in", which took but little time, he was always adept at discerning inattentive fieldsmen, whether they be jurors, witnesses or counsel.

His Honour has been a model of conscientious dedication, and we will greatly miss his company and collegial support.

On behalf of the Court, this judicial arm of Queensland government, I thank His Honour and Mrs Shepherdson for their conspicuously beneficial contribution to the good government of the people, and wish them both well as they now go forward into new ventures together.