Valedictory ceremony to mark the retirement of
The Honourable Mr Justice Pincus

Friday 2nd March 2001
9.15am
Banco Court

The Hon Chief Justice Paul de Jersey

In welcoming all persons present here this morning, I particularly note the presence of the Attorney General, the Hon Rod Welford. On behalf of the Judges, I welcome you, Mr Attorney, to this your first ceremonial appearance before the Supreme Court as Attorney General. We wish you well in your new portfolio. You will of course have our encouragement as you seek actively to uphold and promote the courts within the wider spectrum of executive government.

We are gratified also today by the presence of the Hon Justice Callinan of the High Court of Australia, the Chief Judge and Judges of the District Court, Judges of the Federal Court of Australia and the Family Court of Australia, retired Judges of the courts, and the Chief Magistrate and other magistrates.

Justice Kiefel of the Federal Court asked specifically that I record her disappointment over her inability to be present, Her Honour having at the bar acted on many occasions as junior counsel to the then Mr Pincus QC. Justice Jones likewise has asked that I mention his regret. I am sure all of the Judges of the Court would join in supporting the sentiments I am about to express.

Our retiring colleague baulked at my initial suggestion this ceremony should occur on the basis the events invariably involve an outpouring of hyperbole. There will be none of that this morning!

Judicially, Mr Justice Pincus s hallmarks have been his deeply penetrating intellect, and his glaring, his startling honesty   and that embraces an acute perception of reality. Some people have found the combination of those qualities disconcerting. Yet for obvious reasons their existence has been distinctly beneficial to the community. They do justify   and I am not resorting to hyperbole   His Honour s legendary, "iconic" standing. And so, when last year Mr Justice Pincus announced his intended retirement, I spoke at once of the immensity of the consequent loss to the people.

Today we focus though, not on that loss, but on His Honour s invaluable contribution to the good judicial government of the State. After a dauntingly successful 26 year career at the bar, Mr Justice Pincus was appointed a judge of

the Federal Court of Australia in 1985, and in 1991, an inaugural Judge of Appeal of this Court.

It may be noted today that while at the bar, he had served for eight years as a member of the Supreme Court Library Committee, and for three of them chaired the Collections Subcommittee; and that as a Judge of this Court, he chaired for a time the Litigation Reform Commission established in 1991. He has been an assiduous and incisive contributor to the administration of the Court, invariably helpful with measured, wise advice on a raft of often difficult and sensitive issues. I will personally greatly miss that extremely valuable aspect of His Honour s support, and I record my deep gratitude for his immense assistance, especially, from my aspect, over the last three years.

But His Honour s unique judicial legacy undoubtedly rests in his judgments: they display brilliance, and that is unsurprising given the conjunction of that intellect, wisdom and honesty. Their acuity is explained also in no small degree by His Honour s approach during hearings: a master of the Socratic method, he would draw counsel quickly to the point, often uncovering real issues not hitherto perceived.

In wistfully farewelling Mr Justice Pincus today from our immediate midst, we also farewell Mrs Gillian Pincus, whose own vast wisdom has no doubt not infrequently informed the Judge s. Her support of her husband has been substantial and warrants our expression of sincere thanks.

Speaking for all of the Judges of the Supreme Court, I express profound gratitude to Mr Justice Pincus and Mrs Pincus for their enormous beneficial contribution to the judicial government of this State; and wish them well, as they embark now on a new phase of their lives together.