

20th Australian Institute of Judicial Administration Annual Conference Stamford Plaza Hotel, Brisbane Saturday 13 July 2002, 9.00am

Opening Remarks

Chief Justice Paul de Jersey AC

Mr President, your Honours, Magistrates, ladies and gentlemen,
In welcoming you all to the conference and to the State of Queensland, I particularly welcome delegates from overseas countries, including Fiji, Germany, New Zealand, Singapore and South Africa: and I will especially note, if I may, the attendance of the Fijian lawyer, Mr Richard Naidu, which is a reflection of the close ties which exist between the Queensland and Fijian professions. I am pleased to acknowledge the financial generosity of the Queensland Law Society in facilitating Mr Naidu's attendance. The substantial extent of the registration at this, the 20th annual conference, bears fine testimony to the interesting nature of the program, and more generally, widespread endorsement of the work of the Institute.

Although the putative focus of the AIJA rests on "judicial administration", the influence of its endeavours extends very broadly beyond the dryly administrative. The 26 years of its existence have witnessed the Institute's streamlined, comprehensive examination of a host of subjects, mostly of critical significance to the delivery of justice according to law in the various Australian jurisdictions.

The Institute, early in its history, attracted the approbation, nay enthusiastic support, of the judiciary. I think that attitude was fed in large part by the Institute's admirable contribution to two matters: first, the development of a more managerial approach to the conduct of litigation; and second, awareness

of the concept and mechanisms of alternative dispute resolution. Those two were among its very early projects.

There is no doubt the Institute fostered acceptance of departure from the traditionally reticent judicial approach to pre-trial management, consistently with late 20th century and present public expectations.

As to ADR, in the late 70's into the 80's, some were sceptical about the beneficial worth of ADR, and concerned about the possibility of damage to the traditional litigation model. Comprehensive work under the auspices of the AIJA over a lengthy period was instrumental in dispelling those concerns for many.

I believe that work of the AIJA – on ADR and judicial management – largely helped establish the Institute's firm foundation, and from an early stage assured the support of the profession, the judiciary and academia. That support has proved well-warranted: the work of the AIJA has consistently been relevant, comprehensive and enlightening.

The Institute's work has occasionally proved controversial. The 1998 report on "Courts and the Public" exemplifies that. Some courts felt a little bruised upon the publication of that report. Yet hindsight demonstrates how beneficially the report riveted attention upon what we now acknowledge as persistently problematic, that is, encouraging appropriate community awareness of the nature and significance of the work of this judicial arm of government. Undoubtedly as a reaction to that report, courts gave much closer consideration to ways of addressing that problem, and progressive change resulted.

On the other hand, we perhaps needlessly surmised the recently 2002 released, "Guide to Judicial Conduct" may prove controversial. Predictably the media was, most recently, interested in the colourful but inconsequential: membership of same-sex clubs, where the Guide left the issue to the discretion of the individual

judicial officer; while, again helpfully, cautioning as to developing attitudes in that area. But maybe I speak too soon...

As a head of jurisdiction, may I say that the judicial orientation courses remain a jewel in the Institute's contribution to judicial education, courses annually drawing enthusiastic acclaim. But the work of the Institute goes well beyond judicial education, recognizing the importance of streamlined support for the legal system more generally: hence, many special projects, including, currently, on the subject of aboriginal cultural awareness, technology for justice, gender awareness, ongoing monitoring of the impact of the "Courts and the Public" report, the work of the East Timor Support Committee; many valuable publications, very recently, for example, "Indigenous Interpretation Issues for Courts"; and a continuingly impressive programme of regular conferences and seminars.

Although now 26 years old, the Institute has striven to keep its programmes up-to-date, and its success is conspicuous. Indeed, some of the Institute's programmes have anticipated issues not by then acknowledged.

In applauding the historical achievement of the Institute, I come now to the instant. The annual conference showcases AIJA commitment to excellence. This year's programme, again, is topical, comprehensive and challenging, centred on access to justice – inhibitions being our persistent major problem. Distinguished speakers will address a range of sub-issues, and no doubt provoke stimulating comment.

I am very pleased to welcome all delegates into this jurisdiction. Queensland has traditionally been a strong supporter of the AIJA, through membership of the council and committees, and leading and participating in programs; and in some cases otherwise even more "hands on", as by Professor Stephen Parker's leading the "Courts and the Public" research project to which I referred earlier; and our Justice John Byrne's travel in April last year with Professor Reinhardt to

Jakarta, to look at assistance to the Indonesian judiciary and the development of a worthwhile perspective on that nation's judicial training requirements. We warmly welcome colleagues who share our enthusiasm for the work of AIJA. As Chief Justice, I express the hope that you find this period informative, but more importantly, provocative and inspiring.