

**Supreme Court Library Oration: “The Queensland
Criminal Code: from Italy to Zanzibar”
Banco Court
Friday 19 July 2002, 6.15pm**

**Opening Remarks
Chief Justice Paul de Jersey AC**

Your Honours, ladies and gentlemen,

I welcome you to the Supreme Court. I particularly welcome the many distinguished delegates of the XVIth Congress of the International Academy of Comparative Law who have been able to join us here this evening. May I particularly note the presence of Professor Kerameus, the President of the Academy, the Chief Justice of France, and Sir Anthony Mason and Sir Gerard Brennan, former Chief Justices of Australia, among many eminent jurists.

The occasion is unique in two respects: for the extent of international presence, and for the presence together here of as many as three former Chief Justices of Australia.

We will be very fortunate shortly to hear from the Rt Hon Sir Harry Gibbs, former Judge of this Court, former Chief Justice of Australia, and we welcome Sir Harry and Lady Gibbs.

The Exhibition in the corridor outside the courtroom is testimony to the carefulness and creativity of the Supreme Court Librarian, Mr Aladin Rahemtula and his staff, of whom I should with gratitude particularly mention Rebecca Cook, Siobhan Doherty, Emma Haerse, Lara Hues, Sarah McCosker, Michelle Radke and Laura Whitton. It is a fascinating display which will no doubt inspire considerable interest.

This evening’s event proceeds under the auspices of the Supreme Court History Program, and I thank its convenor Dr Michael White QC for his interest and support.

A large part of the inspiration for the Exhibition was interest shown in the origins of the Queensland Criminal Code by the Italian Professor Alberto Cadoppi. I will in a moment read a message from Professor Cadoppi. But I wish first to acknowledge with gratitude the financial support generously provided by the Italian Consulate-General in Brisbane – graciously represented here this evening by the Consul-General, Dr Vincenzo Ercole. Welcome Dr Ercole, and thank you!

Professor Cadoppi has written to us in these terms:

“I first came to know about the connections between the Zanardelli and the Griffith Code reading an article written by Mr Rob O’Regan QC, a very fine article that described the genesis of the Griffith Code and its influence on the development on the codification in various jurisdictions. Then, I spent a period of research in Brisbane, in December 1994-January 1995, where, with the kind and learned help of Mr Aladin Rahemtula and other members of the staff of the Library of the Supreme Court, I managed to fill my suitcases with photocopies of documents regarding the Griffith Code and other Australian and foreign codes.

After my return to Italy, I wrote an article on the topic for an Italian Law Review.

I am indebted to the Hon Justice Cullinane, who masterly translated my article into English, and made it available to the Australian lawyers, by publishing it in an Australian Law Journal.

I believe that it has been an excellent idea to put up an exhibition regarding such an interesting instance of “legal transplant”: a case quite rare in the history of codification, where a codifier made use of a code coming from a civil law jurisdiction, such as Italy, in order to draft a code to be adopted in a common law jurisdiction such as Queensland. This exhibition seems perfectly proper to accompany the XVth Congress of the International Academy of Comparative Law, currently held in Brisbane. I cannot take part neither to the Congress nor to the Exhibition, but I wish to send my best regards to the organizers of the Exhibition, and to its visitors, wishing a deserved success.”

We thank Professor Cadoppi, in absentia, for his encouragement.

Ladies and gentlemen, it is my pleasure now to invite the Honourable Mr Justice McPherson, Judge of Appeal, to introduce Sir Harry Gibbs...

It is my pleasure now to invite Father Jim Spence, who I may observe is a well-known Italofile, to express our appreciation to Sir Harry...

And now in closing, ladies and gentlemen, thank you for your presence, wish you well, and invite you to re-assemble outside to view the exhibition, with refreshments.