



**SUPREME COURT
OF QUEENSLAND**

Supreme Court Oration 2013
Banco Court
Thursday, 19 September 2013, 5.30pm

**The Hon Paul de Jersey AC
Chief Justice**

Your honours, ladies and gentlemen,

Justice George Fryberg has asked me to express regret at his inability to be here tonight because overseas. He is a long-term friend of our guest speaker.

The annual Supreme Court Oration reflects the Supreme Court's view that the court has an important public role beyond simply what is determined in the courtroom, important though that be.

I gratefully acknowledge Thomson Reuters for its sponsorship of the occasion. The company sponsored last year's Oration as well. Thomson Reuters are generous, good friends of the Court, and the Library and supporters of legal scholarship. The sponsorship was set in place by account executive Mr Trevor O'Connor, who is not with us tonight, but would I am told be happy to visit each and every one of you, sales book in hand, at a later date. Our sincere thanks go to Thomson Reuters for their valuable support.

Today's oration is the third since the inception in 2011, when the Chief Justice of Canada, Beverley McLachlin, spoke of the courts and the media, and then last year's oration, delivered by former Chief Justice of the High Court Murray Gleeson, who spoke about the celebrated case of Donoghue and Stevenson on the occasion of its 80th anniversary.

Canada...Australia...tonight we travel west to a jurisdiction which excites in many of us both fondness and empathy: Ireland. We are most honoured that the President of the



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High Court of Ireland, Mr Justice Nicholas Kearns, is here with us to deliver the third, 2013 Supreme Court Oration.

The Irish High Court has a jurisdiction comparable with that of this court, criminal, civil, administrative and constitutional. Its jurisdiction is, as we rather like to say here, plenary rather than statutory. In Dublin, the High Court sits at the pleasantly named “Four Courts” building.

President Kearns is the thirteenth President of the Court since its establishment in 1924.

In this, by contrast, rather old and staid jurisdiction – I am its seventeenth Chief Justice since 1861, we relish new takes on traditional subjects – I assume I am not speaking alone in this, and Mr Justice Kearns will take up the subject tonight through the topic “Judicial independence in times of financial cholera – lessons from the Irish experience”, and he has generously agreed to speak and take questions, I propose under Chatham House rules.

Our distinguished speaker was admitted to the Bar in Ireland in 1968 and appointed Senior Counsel in 1982. Then to the High Court in 1998, and to the Supreme Court in 2004. Five years later he assumed his present position. Over the years he has sat on the European Court of Human Rights, and somewhat unusually though not unheard of for us, has chaired a Commission established by the executive government of Ireland. We welcome our distinguished speaker, and with added delight, Mrs Eleanor Kearns.

Mr Justice Kearns...