



Swearing-in as a Judge of Appeal 4 February 2015

The Hon Justice A Philippides Court of Appeal

Chief Justice, President of the Court of Appeal, Judges of the Supreme Court, Judges of the Federal, Family and Federal Circuit Court, Chief Judge O'Brien and Judges of the District Court, Chief Magistrate Rinaudo and other Magistrates, the Honourable Attorney-General, the Honourable Shadow Minister for Justice and Attorney-General, distinguished guests, including the Vice President and the Deputy President of the Industrial Court, the President and Members of the Land Court, retired Justice of the High Court, Ian Callinan AC, retired judges of this and other courts, Mr Doyle, Mr Fitzgerald, members of the legal profession, family and friends, ladies and gentlemen.

I thank those who have spoken so kindly about me today.

It is a great honour and privilege to have served the State for over 14 years as a judge of the Supreme Court.

I look forward to continuing to serve in my role as a Judge of Appeal performing the work of the court, in administering justice according to law.

The rule of law is the most elemental part of our justice system. It is premised on the concept that all are equal before the law and represents the triumph of reason and rationality over the arbitrary and irrational. It calls for the impartial determination according to law of disputes between citizens and between a citizen and the State. It is a precious inheritance affording citizens individually, and the community collectively, the stability and security to flourish and prosper. Maintenance of the rule of law depends on a judiciary that jealously guards its independence. Judicial office is thus a great responsibility as well as a great privilege.



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Over the period that I have been a judge, there has been a group of people with whom I have had quite a lot to do, and to whom I wish to pay tribute. I speak, of course, of the jury. I have very much enjoyed the special engagement that a criminal trial judge has with the jury in the conduct of a trial. During the 14 years that I have presided over criminal trials, I have been impressed with the dedication and commitment with which members of the public who serve as jurors perform their important duty, often dealing with confronting and emotionally difficult cases. That civic duty, as Alexis de Tocqueville noted, “invests each citizen with a kind of magistracy. It makes them all feel the duties with which they are bound to discharge towards society and the part which they take in its government, and by obliging each to turn their attention to other affairs than their own, it rubs off that private selfishness which is the rust of society”.

As a trial judge, I have had the privilege, as you have heard, of sitting in the Land Appeal Court and the Mental Health Court. Each of those courts performs important work. I would like to make special mention, however, of the Mental Health Court as a unique court that provides a fair, humane and expeditious approach to particularly challenging legal and social issues.

When I was sworn in as a trial judge, I acknowledged the enormous debt I owed my family and I hope you will understand my wish to pay tribute to them again on this occasion. A judge’s family is accustomed to adjusting to the professional demands imposed on family life. I am very fortunate that my children, Lily and Tom, who were only just starting their schooling when I was appointed a judge, have always faced such impositions with good cheer. To my husband, William, I owe a great deal. I counted as my greatest blessing that our paths crossed over 30 years ago.

While my father is no longer with us, I am delighted that my mother is able to be here. My parents placed a high value on education. They came from a generation that, in the 50s, with courage and optimism, made a life for themselves in a new



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country. It was a generation that, when faced with adversity and difficult circumstances, was not disheartened, but determined to work even harder to ensure that the opportunities that they themselves did not always enjoy were available to their children.

The children of that generation, and the descendents of earlier generations who travelled to Australia to start a new life were present in large numbers last week in this court at the Queensland launch of the Hellenic Australian Lawyers Association, of which I am very honoured to be the Queensland patron. And they are represented in significant numbers in the members of the legal profession that are here today.

I am delighted and grateful that my sister, Athena, is able to share this occasion with me, having travelled from America to be here. I acknowledge the presence of other family and friends whose attendance today adds to this occasion. I want also to recognise the exceptional assistance that I have had over the years from my wonderful Associates and also from my secretary, Carla.

I look forward to my new role, conscious of the remarkable judges who have preceded me and who I join as a Judge of Appeal.

I thank you all for the great honour you have accorded me by your attendance today.