



Valedictory ceremony upon the retirement of
The Honourable Justice John Byrne AO RFD
Senior Judge Administrator
Banco Court
Thursday 17 August 2017, 9:15 am

**The Hon Catherine Holmes
Chief Justice**

We join today to farewell our friend and colleague the Senior Judge Administrator, Justice Byrne, and to acknowledge his Honour's 28-year contribution to the administration of justice in Queensland.

We are honoured by the presence of his Excellency, the Governor, Paul de Jersey. His Excellency was on the bench when Justice Byrne was sworn in as a Judge of this Court on 26 July 1989. This ceremony is being streamed to Rockhampton, Townsville and Cairns, where we are joined in the last two centres, respectively, by our colleagues Justice North and Justice Henry. Justice McMeekin is unable to attend the ceremony, but wishes to be associated with the sentiments expressed.

And we welcome in the court itself Chief Justice Kiefel, Justices Bell, Gageler, Keane and Edelman of the High Court; the Chief Judge and Judges of the District Court; the Judges of the Federal Court, led by Justice Dowsett, who has the rare, and I think possibly unique distinction, of being a longer serving judge than Justice Byrne, and like his Excellency was on this bench when Justice Byrne joined it. We welcome, too, Judges of the Family Court and the Federal Circuit Court, the Chief Magistrate and Deputy Chief Magistrate, the Deputy President of the Industrial Court, the President and Members of the Land Court and Tribunal Members. There are many of our former

colleagues, the retired Judges, present, a number of whom were on the bench to see Justice Byrne sworn in and now see him sworn out.

At the Bar table we are joined by the Attorney-General, Ms D'Ath, and we welcome, too, the Shadow Attorney-General, Mr Walker. We welcome the leaders and the many members of the profession, representatives of the Department of Justice, members of the academy and members of the public who have joined us. As you can see, the Banco Court is filled to capacity, and there is also an overflow court.

I must extend a very particular warm welcome on behalf of this bench to Justice Byrne's partner, Ms Jennifer Coleman, who has been a treasured member of the Court community for many years. And we acknowledge, too, all of Justice Byrne's family and friends, noting with especial pleasure the presence of his brother Robert and his wife Mirella.

Then there is a row of special guests which you cannot have missed, Justice Byrne. The members of the Bar have very graciously moved aside from their usual seats at the front of the public gallery to allow your former associates to line up. There are 18 of them; they have come from across the country. They are seated with your secretary, Ms Klein. The fact that so many of them have made an effort to be here speaks volumes for the kindness concealed behind that formidable judicial persona.

Justice Byrne, you were a relatively young appointment to the bench at 40. Your professional progress had been uncommonly rapid, although your commencement at the Bar was delayed a little by your undertaking of articles and then a Master's degree. You quickly became a star of commercial litigation, taking silk after an extraordinarily short nine years in practice. You had practised seven years as a silk before becoming a judge. Your appointment was very enthusiastically welcomed. Those relatively short

periods of practice, less than a decade as a junior and then as a silk, were then succeeded by almost three decades of service on the bench. You might have been forgiven for growing jaded, but you did not.

At your swearing-in, the President of the Law Society said this:

Your Honour will discharge the onerous task of judicial office with great distinction, unselfish commitment, and unstinting dedication to the task.

Things are often said in these courts which prove to be less than accurate, but not that statement. That is a precise description of what you have done. As well as your dedication to your judicial role, your leadership has been important: your presidency of the Australian Institute of Judicial Administration, your chairing of the Council of the National Judicial College of Australia and, most importantly, your last ten years as the Senior Judge Administrator of this Court. You worked selflessly in all of those roles and in 2013 your distinguished service to the judiciary and to the law was recognised when you were appointed an Officer of the Order of Australia.

I am personally indebted to you for your wisdom and support over the last two years. I look forward to the benefit of Justice Lyons' astuteness and energy, but I will miss your steady counsel and your ability to see around every corner of an issue. And I want to express the gratitude of all of us on this bench for all you did in providing, with former President McMurdo, leadership of this Court at a time of crisis. You conducted yourself with great fortitude, inspired by concern for the independence and integrity of the Court. The importance of the part you played and the strain it placed on you, are, I think, unlikely ever to be understood fully outside our number.

Finally, can I say that I sincerely hope that you prove better at retirement than you do at weekends, because it is a well-known fact on this Court that you

can be found in here working every Sunday morning. At your swearing-in, you spoke of the future in alternative dispute resolution, and it is possible that area will now attract your attention. Somehow I see you in arbitrations, not mediations.

We all wish you well in what will undoubtedly be a new set of pursuits. Having said that, and recognising the challenge for all the speakers of covering nearly three decades of service in anything like a reasonable time, I will stop there and let others continue with your praises.