

**SUPREME COURT OF QUEENSLAND
CAIRNS**

HENRY J

9.40 AM, FRIDAY, 24 APRIL 2020

**IN THE MATTER OF AN APPLICATION FOR ADMISSION AS A LEGAL
PRACTITIONER BY EMILY THAMBYAH, EMILY JADE ELJED, KYLIE LOUISE
WALMSLEY, TANNEIL NICOLE TINKER, FERN ANGELICA GRACE
NEWCOMBE, MIKAELA FRANCES FRENCH, PAUL MARK BOLAND and
RALPH CARLO PETERS**

HIS HONOUR: Of the many powers exercised by me in Court as a Supreme Court Judge, there is none more pleasing than admitting new practitioners. Admission ceremonies involve the Court's exercise of an important legal power in its role as the ultimate gatekeeper of determining who should be permitted to practise. As with other of life's ceremonies, admission ceremonies are important in marking the gravity of the moment, the gravity of the promise that each of you has just made.

Today's ceremony occurs in a manner which is entirely novel. Our admittees, their movers and some loved ones are participating or observing via audio or telephone link, consistently with the Court's present approach to the hearing of applications in an era of public health concern about the Corona-19 virus. Those of you who are pessimistic by nature might feel a little let down at being deprived of being physically present at Court for your long awaited special moment in the law. Can I suggest there is another more optimistic view to take of our ceremony today. It is that your moment is all the more special by reason of these novel circumstances and you being the first legal practitioners to undergo an admission remotely.

You are being admitted in a momentous time for our community. The ongoing need to minimise the spread of the COVID-19 virus calls for agility of thought and organisation in society's professions, including our own, as to how to continue to serve our community in this era. The economic downturn wrought by the pressures this era is placing and will continue to place upon legal practices will have consequences for the employment and income of lawyers. This may seem problematic to the pessimists among you. But, again, I would rather you look at the glass as being half full and urge a different more optimistic view of things by making two points.

The first is that in any era, whether of gloom or boom, lawyers – even newly admitted lawyers – can enjoy success in their calling and advance if they have a modicum of talent, they can get along with and communicate well with others and are prepared to work hard. Your future in the law will not be dictated by the pessimists or the optimists for that matter. It will be dictated by your own steel, your own determination. And can I assure you from my own experience, you would be very surprised at how far in the profession a modicum of talent can take a lawyer who is determined.

The second point is that our profession is one of society's oldest professions. It has outlasted many natural and man-made catastrophes over many hundreds of years. One, World War I, we will doubtless reflect upon tomorrow, Anzac Day. But there have been many others,

including many other public health crises. Let me tell you of a lesser known public health crisis of the 1700s.

I read from Foster's Crown Law reports cited in the 1792 edition:

“At the Old Bailey sessions in April 1750, one Mr Clarke was brought to his trial; and it being a case of great expectation, the Court and all the passages to it were extremely crowded; the weather too was hotter than is usual at that time of the year. Many people, who were in Court at this time, were sensibly affected with a very noisome smell; and it appeared soon afterwards, upon an inquiry ordered by the Court of Aldermen, that the whole prison of Newgate, and all the passages leading thence into the Court, were in a very filthy condition, and had long been so.

What made these circumstances to be at all attended to was, that within a week or 10 days at most, after the session, many people, who were present at Mr Clarke's trial, were seized with a fever of the malignant kind; and few who were seized recovered.

The symptoms were much alike in all the patients; and in less than six weeks' time the distemper entirely ceased.

It was remarked by some, and I mention it because the same remark hath formerly been made on a like occasion, that women were very little affected; I did not hear of more than one woman who took the fever in Court, though doubtless many women were there.”

The report later continues:

“The persons of chief note who were in Court at this time and died of the fever were Sir Samuel Pennant, Lord Mayor for that year, Sir Thomas Abney one of the justices of the Common Pleas, Charles Clarke esquire, one of the barons of the Exchequer, and Sir Daniel Lambert one of the aldermen of London. Of less note, a gentleman of the bar, two or three students, one of the under-sheriffs, an officer of Lord Justice Lee, who attended his lordship in Court at that time, several of the jury on the Middlesex side, and about forty other persons whose curiosity had brought thither.”

I trust that tale, a true one from the reports, lends some perspective to your view of things today. Doubtless those who died in 1750 because they came to Court, would, if they could believe what we can now do with technology, have thought it remarkable and commendable that the Court's work could be carried out as we have carried it out today. I cannot help but note that current reporting on the coronavirus also tends to suggest a higher level of fatality amongst men than women. I trust it was not the same virus in 1750. My point, of course, is that on and on through the centuries, the law has marched and it has survived and practitioners have succeeded.

Mr Peters, Ms Newcombe, Ms Tinker, Ms Thambyah, Ms French, Ms Walmsley, Mr Boland, Ms Eljed, you have today promised to truly and honestly conduct yourself in the practice of a lawyer of this Court according to law and to the best of your knowledge and ability. With that promise, you have today become officers of this Court, bound by your duty to it. You today join the legal profession in its noble joint mission of delivering justice according to law. The

rule of law is fundamental to the freedoms we enjoy as a civilised democratic society. And the role of the profession you have joined is fundamental to the administration of the rule of law. It is your profession which provides citizens with expert legal advice and representation, regardless of their gender, race or religion and regardless of the popularity, power or privilege of the cause to which they are opposed. It is an honourable calling.

At a personal level, today is an achievement well earned. It is a very significant achievement to successfully meet the rigorous demands of your degree, course and practical training. Today is the culmination of many years' study, doubtless tinged with personal tribulations and triumphs along the way. It is unlikely you have reached the milestone on your own without the support along the way of friends or family, as the case may be. The support given to you by them, both in your studies and your own life journey, has likely been a vital ingredient in your successful achievement. Today is rightly a proud day for them as well as you, a day to celebrate, as long as you keep your personal distance.

Mr Peters, Ms Newcombe, Ms Tinker, Ms Thambyah, Ms French, Ms Walmsley, Mr Boland, Ms Eljed, you collectively bring a commendably rich and varied life experience to our profession. The profession should be all the richer for your admission today. The Court extends its sincere congratulations to you, your family and supporters and wishes you a successful and satisfying career in the law. Welcome to the profession.

Let these proceedings be recorded and transcribed. Adjourn the Court.
