



Law Council
OF AUSTRALIA

Welcome to Chief Justice John Pascoe AC CVO and Chief Judge William Alstergren QC

Speech delivered by Fiona McLeod SC, President, Law Council of Australia at the Law Courts Building, Queens Square, Sydney.

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May it please the Court.

I too acknowledge the traditional owners of the land on which we appear, and pay my respects to Elders past and present.

This morning we welcome not one but two new Chiefs in a ceremonial sitting that marks an unprecedented show of unity between our federal courts.

I have every confidence that spirit of cooperation will continue with the appointment of Chief Justice Pascoe and Chief Judge Alstergren.

Each of the courts exercising family law jurisdiction bears an enormous workload.

The judges of each court are dealing with families in breakdown. Their stories are familiar but they are no less painful for the participants. The tide is unrelenting and resourcing of each court has not kept pace with demand. In this context, Your Honours appointments represent a significant challenge, but also an opportunity for wholesale reform.

Your Honours will no doubt make an immeasurable contribution to each of the courts you will lead. You are both leaders with a track record of reform and community service.

Chief Justice Pascoe, there have been three features of your tenure on the Federal Circuit Court: the way you have managed the growth of the court, the support you have given its judges and your deep commitment to helping families and upholding the rights of children.

When Your Honour joined the Court in 2004, there were 31 federal magistrates. There are now 66 judges that sit in 30 locations across Australia. In 2004, 6,500 general federal law applications were filed along with 74,000 family law matters. In 2016, there more than 8,600 general law filings and 84,000 family law matters.

It is a tribute to Your Honour's exceptional skill as an administrator that you have managed to keep the show on the road.

While your eyesight may be compromised today, your vision has not been lacking.

Your advocacy on child trafficking and international surrogacy has been recognised at home and abroad.

You walked through the slums of Bangkok and spoke – in Thai – to the children who lived near rubbish tips. You held hands with the mothers who gave up their children to strangers and an uncertain future. You have described how children were packed in shoeboxes and shipped across the Mekong River.

Anyone who has heard you speak on these issues has been left in no doubt that you were deeply moved by their plight and committed to helping them.

At home, you have highlighted the epidemic of family violence and the impact of drug use.

These are issues that take a heavy personal toll on court personnel. It is just as well that you are a calm man, with a soothing influence on those around you.

Chief Judge Alstergren, you already have a link with this Court and share something in common with the new Chief Justice.

Twenty years ago former Chief Justice Bryant left the bar to take up her appointment as Chief Judge of this Court. You took over her chambers at Chancery in Melbourne and will now follow in her footsteps to take over this other office she once held.

Your Honour and I have worked together on the Victorian Bar Council and the Australian Bar Association.

We survived the readers course, signing the role of counsel in November 1991. That course that included a number of high flyers including former Solicitor-General for Victoria, Justice of Appeal Pamela Tate, Justice Hollingworth and now, of course, Your Honour.

Under threat of contempt, I shall not mention the way we managed the pressures of the readers' course and our early years at the Bar.

The wellbeing of the Bar and access to justice have, for all that time, been close to your heart.

A notable achievement of yours was the launch of the Duty Barristers Scheme in Victoria in 2007. It has not only provided representation for significant numbers appearing before the courts; it has given young advocates vital court experience and senior juniors exposure to appeals; it has promoted the importance of pro bono work; and it has provided enormous assistance to the courts.

You have yourself appeared in a number of difficult matters for extremely difficult clients providing great assistance to the court in doing so.

In 2014, as Chair of the Victorian Bar you were dedicated to promoting the Bar and hosted a series of dinners with the solicitors.

But you have been involved in the life of the Bar and its work and celebrations long before and since that time culminating in a successful Australian Bar Association Conference in London and Dublin this year.

As the Attorney noted, you have been a champion on the bobsled track, leading the Australian men's crew in the sled and coaching the women's team.

Your days of sprinting over the ice for might be over, but I am confident you are ready for the long sprint that now faces you as the leader of this Court.

No doubt your wife Kate, and your three boys, Rupert, Ted and Finn will be hoping your new duties do not keep you away too long from the surf, the deer and the fishing on Satellite Island.

Your Honours, I wish you both every success with your new endeavours and look forward to working closely with you in the important work of reform that lies ahead.

May it please the Court.

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