



**ADDRESS OF THE PRESIDENT, MS REBECCA TRESTON QC, ON THE
OCCASION OF A VALEDICTORY CEREMONY FOR
HIS HONOUR CHIEF JUDGE KERRY O'BRIEN
ON THURSDAY, 13 AUGUST 2020**

1. May it please the court.
2. By any measure, your Honour's innings as a judge of this Court has been a remarkable one. Perhaps not rightly described as 31 not out or even retired hurt. Either way, your Honour is stepping aside to allow another batter to take the crease.
3. The use of the cricket analogy is not accidental of course. Your Honour is well known cricket tragic. Your Honour has a huge collection of cricket books and memorabilia, as well as a favourite cricketing memorabilia store which you love to frequent. Sadly, it is in London, so the frequency of your visits is not quite what you would wish it to be, and even less so in the current environment.
4. It has been remarked already, of course, about the unusual environment in which this ceremony is held. No other circumstance could have caused an empty seat in this court for this important occasion. Many members have contacted me, expressing their disappointment at not being able to be here to farewell your Honour today. Many are in the overflow court, while others are watching from courts around the state. To the last, they extend to you Honour their good wishes and their thanks for a remarkable period of service to this Court, and to the people of Queensland.
5. The difficulties for preparation of this day were not however limited to the logistics of seating. Whilst the capacity to forget stories is a trait of our species, your Honour is also known as a notoriously secretive person. More than one of your Honour's dear friends from your early days in the law has commented that when your Honour announced you were marrying Donna, most of your friends did not even realise you had a girlfriend. Anyone who has met Donna would now wonder how this could possibly be true. Donna is almost as much as a fixture of this Court as your Honour. She has befriended, counselled, consoled and amused the judges and spouses of this court for three decades. Many will miss her as much as they will miss you. Donna, the Bar thanks you and your children, Matthew, Michael, Emily and Amelia, all of whom are here today, for the contribution you have all made to the harmony of this court.
6. As a young man, your Honour had secrets other than Donna. You were an athletic fellow, engaged in lots of sports. Your special skills on the football field included a dummy pass so good it would fool not just the opposition, but sometimes your team mates and, on occasion, even yourself. You have a nickname of "old blue eyes", but this is not a reference to your love of Frank Sinatra. You have an incredible memory, your special subjects of interest being capital cities of the world and cricket statistics. You love the Bee Gees, and your Robin Gibb falsetto is apparently a secret best kept at home.
7. But some aspects of your Honour's life are not secret at all. Your Honour was well known as a formidable prosecutor. Many have mentioned that your Honour was, quite simply, the finest cross-examiner they ever saw in action. Your Honour was the backbone of this court long before your Honour assumed the role of Judge Administrator and later Chief Judge. Your Honour has conducted some of the most difficult and notorious criminal cases that have come before this court, relentlessly, over a period of more than 30 years. You have done so with calm, fairness, equanimity and humility.

8. When appointed for a period as an acting Supreme Court Judge, your Honour was even able to fix up mistakes of your fellow Supreme Court Judges. One such judge, who may or may not have been Justice McMeekin, had the indignity of having a matter remitted for re-trial after the Court of Appeal had decided that his Honour had displayed bias to the prosecution – a charge his Honour vigorously defends to this day. Your Honour reheard the trial, and the gentleman was again convicted, this time, as your Honour would often note, without judicial assistance.
9. For at least the six years that your Honour has led this court, but indeed for many years prior, it is no secret that your Honour has deeply cared for the judges of this court. Your Honour knows them, their partners and their children. Your Honour has assisted them by providing advice during difficult trials, has worried yourself about their physical and mental health given the work load and the subject matter that they deal with every day, and has been a true friend to them. Your Honour has been the example of hard work, sound judgement, compassion and fairness. You have led with a sense of purpose and a focus on collective well-being, all of which has led this Court to be described by many as such a happy place for your fellow judges.
10. Your Honour has always been a friend to the Bar, but the Bar Association of Queensland particularly records its thanks for the way in which your Honour has handled this most difficult year. The co-operation between the court and the profession has always been significant, but the events of this year have taken that co-operation to a new level. That has been due to many judicial officers, including your Honour, displaying a readiness to consider different and more efficient ways of handling problems that have arisen. The determination to do so, has saved the practices of many of the Bar's members, mostly at the criminal bar. For them, professional and financial uncertainty was casting a long shadow. By your actions and your quiet leadership, you have genuinely helped them, and for that we sincerely thank you.
11. Change, as we know, is the one constant of life. The change your Honour is about to experience, although anticipated, will nevertheless be significant.
12. The Bar Association and its members extend to you, your wife Donna, and your family our heartfelt gratitude for your service to the court and the community. It is no small commitment to spend the years that you have on the bench in what is a most challenging environment. For this, and all you have done for the profession, we thank you.
13. May it please the court.