



**ADDRESS OF THE PRESIDENT MR TOM SULLIVAN QC, ON THE OCCASION OF
THE EXCHANGE OF CHRISTMAS GREETINGS
AT THE SUPREME COURT OF QUEENSLAND
ON WEDNESDAY 16 DECEMBER 2020**

May it please the Court.

The Christmas Greetings held at this time each year are generally a time of reflection of the year passed, and of hopes for the year to come.

I am grateful to Rebecca Treston QC who provided me with a copy of her speech from last year to consider before putting pen to paper. I note that Rebecca spoke of a number of then evident concerns which presented themselves at the end of 2019. Bushfires, the continuing drought, wildlife concerns, erosion of personal liberties and freedom. It is pertinent to note that at that time COVID was not mentioned as one of the obvious concerns. It was only on 5 January 2020 that the WHO, via twitter, made publicly known that it was undertaking inquiries into a cluster of pneumonia of unknown cause in Wuhan.

The year 2020 as it has subsequently unfolded, has been one which we will not soon forget. With the rapid spread of the COVID virus in the first quarter and the onset of the consequential lockdown of the State on 22 March, a sense of uncertainty and trepidation prevailed at the Bar.

This was, of course, not the first pandemic Queensland had experienced. Whilst largely forgotten in the public mind, except as a footnote to the end of the First World War, for three years the Spanish Flu wrought severe economic damage and social dislocation to Queensland, only to finally subside in 1920, 100 years ago.

It is with some fortune, but in a larger part, due to the diligence of State and Federal authorities, and indeed the public at large, that the spectre of that previous pandemic has not manifested in Queensland to the same extent.

In the sphere of the legal profession, I take this opportunity to record the thanks of the Bar Association and its members to those who have helped to maintain the efficient delivery of Justice in this State during this period.

In particular, I wish to acknowledge the essential work performed by the weekly Committee chaired by the Chief Justice which included the Senior Judge Administrator, other Judges of the Supreme Court, the heads of the other State jurisdictions, representatives of the

Department of Justice and Attorney-General, Rebecca Treston QC and Jeff Hunter QC on behalf of the Bar Association, and the equivalent representatives of the Queensland Law Society. The Committee ensured by its quiet but efficient work that administration of justice continued with the least disruption possible in the circumstances. This included:

- (a) that the closure of the various courts were kept to a minimum;
- (b) that proceedings in all courts were able to be re-scheduled with the promptness that circumstances allowed;
- (c) that concerns about COVID in various detention environments were able to be considered and dealt with as the changing circumstances arose;
- (d) that technology which to date had been intermittently used, was able to be implemented on a wider scale and in more varied circumstances than previously experienced. This was so particularly in the Supreme Court both in the Appellate and the Civil Trial Division.

In the area of crime, the District Court offered Judge only trials to all defendants who wanted to avail themselves of this option. In the area of Planning and Environment, that Court has been able to ensure that its previous efficiencies were not compromised as a result of the lockdown, predominantly through its case management system and its increased application of its electronic trial procedure. In the Land Court, the President and Members conducted hearings by video-link, including concurrent expert evidence sessions. Similarly such beneficial practices were also adopted in the State's other courts, Commissions and Tribunals with an emphasis on prioritising urgent matters.

Although the Bar Association had to cancel its initial Bar Course this year, with the generous assistance of the Supreme Court we were able to organise for the course to take place in the court precinct as early as August this year.

Whilst somewhat parochial, I believe that it is accurate to say that the Queensland legal system as a whole has continued to meet the expectations of the community for the efficient and open administration of justice. The Members of the Bar Association have throughout this year remained committed to contributing to the community including by the continued provision of pro-bono work and speaking out on social justice issues.

The Bar was fortunate to have had the leadership of Rebecca Treston QC in 2020. Rebecca's continued communication to our members and prompt decision making, in no small part, helped to allay those initial fears and trepidations which had been felt by the Bar.

Moving forward, the progressive steps that have been taken to further implement or take advantage of technology during this year should not be wasted. The wider adoption by practitioners of the electronic trial procedures offered by the courts and the wider use of video evidence stand as tangible advances in the conduct of litigation in this State. Further technological advances should, in the near future, be considered for implementation.

Moving to an electronic filing system would seem to be the logical next step and this is a further advance which the Association would support the Court and the Government in promoting.

We wish to thank the former Attorney-General for her co-operative and consultative approach over the many years in which she held the office. We welcome the new Attorney-General and wish her well in her new role. We look forward to working with you over the coming years. The Bar Association remains, as it always has been, committed to assisting the Court and litigants in the proper administration of justice.

Finally, to our newly minted Silks who appear before the Court today, the Bar extends its sincere congratulations and its good wishes for a safe and happy Christmas break. Whilst many of us will bid 2020 a fond farewell, at least each of you will not have trouble recollecting the year that you were appointed Silk.

May it please the Court.