



**SENATOR THE HON GEORGE BRANDIS QC**

**ATTORNEY-GENERAL  
LEADER OF THE GOVERNMENT IN THE SENATE**

**JOINT SWEARING-IN CEREMONY TO WELCOME  
THE HON CHIEF JUSTICE JOHN PASCOE AC CVO, AS CHIEF JUSTICE OF  
THE FAMILY COURT OF AUSTRALIA, AND THE HON CHIEF JUDGE  
WILLIAM ALSTERGREN, AS CHIEF JUDGE OF THE FEDERAL CIRCUIT  
COURT OF AUSTRALIA AND A JUDGE OF THE FAMILY COURT**

**20 October 2017**

**E&OE.....**

May it please the Court. May I begin by acknowledging the Gadigal people of the Eora nation, the traditional custodians of the Sydney area, and pay my respects to all of Australia's indigenous people. I also acknowledge the presence at this ceremony this morning of very many distinguished judges and members of the legal profession, including:

- The Honourable Michelle Gordon of the High Court of Australia;
- The Honourable James Allsop, Chief Justice of the Federal Court of Australia;
- The Honourable Thomas Bathurst, Chief Justice of the Supreme Court of New South Wales;
- The very many current and former members of the Federal Court, the Supreme Court of New South Wales and the District Court of New South Wales.

I also acknowledge:

- Professor Rosalind Croucher, the President of the Australian Human Rights Commission;
- The presence of two former Attorneys-General, the Honourable Philip Ruddock, and a former Attorney-General of New South Wales, the Honourable Peter Collins QC;
- Leaders of the profession, including Mr Hutley SC, the President of the Australian Bar Association; Ms McLeod SC, the President of the Law Council of Australia; Mr Collins QC, the Senior vice-President of the Victorian Bar Council; and Ms Pauline Wright, the President of the Law Society of New South Wales.

I understand that your Honours are also joined here today by your families, including your wives, Jane and Kate, and your children and grandchildren, Roderick, Cameron, Camilla, Rupert, Ted, Finn and Benjamin, who take pride in your achievement.

Your Honours, today is an historic day in the life of the Australian judiciary and of both the Family Court and the Federal Circuit Court of Australia. This morning, for the first time in history, we witness the swearing in of the heads of two federal jurisdictions. Indeed, 2017 has been a year of unprecedented renewal in the leadership of Australia's federal judiciary, when we consider that in February we also saw the swearing in of new Chief Justice of the High Court, The Honourable Susan Kiefel. As well, we recently saw the appointment of a new President of the Administrative Appeals Tribunal, Justice David Thomas.

The Family Court and the Federal Circuit Court are, as we all know, the courts which administer Australia's family law system. It is this area of the law with which more Australians come into contact than any other. So it is extremely important that the family law system works as well as it can, to provide justice to Australians at what is invariably a difficult and distressing time in their lives. The Government has recently announced a number of initiatives to enhance the operation of the family law system. As well, last month, I released the terms of reference for the first-ever comprehensive review of the family law, by the Australian Law Reform Commission, since the Family Law Act commenced on 5 January 1976, almost 42 years ago. So this is a time both of renewal and reform.

The renewal in the leadership of these courts gives us a rare opportunity to consider afresh their structure and operation. The Government will work with the two new heads of jurisdiction, as well with the Chief Justice of the Federal Court, to consider what, if any, structural improvements can be made to the federal judiciary to ensure that Australians who come before the courts with family law matters get swifter, less expensive justice in an environment that seeks to minimise confrontation and enhance the opportunities for consensual resolution of disputes. I want to stress that I have an entirely open mind as to what structural reforms are desirable, and I will be guided by the views of the heads of jurisdiction. I look to their leadership in that regard. However, we all know that the system is capable of improvement and the Government is open to change – if need be, radical change. Now is the window of opportunity for those improvements to be made and implemented.

Let me turn to say a few words about the two distinguished judges who have sworn the oath of office this morning.

Chief Justice Pascoe, your Honour was admitted as a solicitor in New South Wales in 1972, following your graduation from the Australian National University with a Bachelor of Arts and Bachelor of Laws degrees, with honours. You were admitted that year as a solicitor in New South Wales and commenced your career at the firm then known as Stephen Jacques and Stephen, now King & Wood Mallesons. You became a partner of that firm in 1977. Your career has also branched into the world of business. You were for a time the CEO of a major food company. You served on the boards of a number of public companies, in some cases as chairman.

However most of your Honour's career has been in the law. You were appointed by the Howard Government as the Second Chief of the Federal Magistrates Court in 2004, at which time you were the Managing Director of Phillips Fox. That Court later became the Federal Circuit Court of Australia in 2004, and your Honour became its first Chief Judge, a role which you have acquitted with distinction. Your Honour's time as Chief Judge of the Federal Circuit Court has been marked by significant reform and innovation – guiding the Court through new administrative arrangements for the delivery of corporate services and overseeing the introduction of the Commonwealth Courts Portal and eLodgement electronic

filing facilities. Your Honour also led the adoption of a nation-first Reconciliation Action Plan for the Court, reflecting your commitment to improving access to justice for our First Australians. I note that the Family Court is currently taking steps to adopt its own, similar Reconciliation Action Plan, and it is fitting that that work will be completed during the time of your leadership.

During your tenure as Chief Judge, your Honour has been recognised for your vast experience and dedication, in particular to the area of family law. I should mention especially your Honour's passionate and abiding commitment to the welfare of children and in particular, to orphaned children in South East Asia. You are a Patron of the LawAsia Family Law and Family Rights Section, and a member of the Board of Trustees of the Advisory Board for the Cambodian Children's Fund Australia. You're the Australian Representative to the Hague Conference on Private International Law Experts' Group on Parentage and Surrogacy. Your work on surrogacy, child exploitation and child trafficking, including vigorous advocacy to Government, has been influential and indeed, path-breaking.

Your commitment to young people has also been evident in your service to education. Your Honour has served on the Board of Trustees of Duke of Edinburgh's Award International Foundation, and as Deputy Chancellor of the University of New South Wales. Your Honour's service within and outside the court room have been recognised with some of the nation's highest honours. You were made a Member of the Order of Australia in 1994, and an Officer of the Order of Australia in 2002. You were elevated to the rank of Companion of the Order of Australia last year. You also hold an Imperial honour, having been made a Commander of the Royal Victorian Order in 2010 for your service, in particular, to the Duke of Edinburgh's Awards. Outside of the courtroom, your Honour is fondly known for your kindness and loyalty, your intelligence and attention to detail, and I am told, for your near-legendary wine cellar.

Your Honour has taken on this new and important leadership role relatively late in your career, but I have no doubt that the time during which you occupy this office, it will be marked by the same calm, firm and wise leadership qualities which you have shown throughout a life of service to both your profession and to the community.

Chief Judge Alstergren, your career has also been a distinguished one. Your Honour is a graduate of the University of Melbourne, with the degrees of Bachelor of Arts, Bachelor of Laws and Master of Laws. And your commitment to legal scholarship continues to this day; I am told that you are currently working on your doctoral thesis, focused on pro bono representation in the superior courts and on self-represented litigants. Your Honour was admitted to practice in Victoria on 2 September 1991 and you went directly to the independent Bar, commencing the Bar Readers Course that very day. You signed the Roll of Counsel on 28 November 1991 and developed a busy practice, taking silk in 2012. Over a career at the Bar spanning some 25 years, your Honour has appeared in major commercial, industrial, tax, family law and common law matters, both in Melbourne and in superior courts across Australia.

Outside the courtroom, you have had a tremendous impact on the development of the legal profession, especially in your home state of Victoria. Your Honour was a driving force behind the launch of the Melbourne Commercial Arbitration and Mediation Centre, an important step in establishing Melbourne as an international arbitration hub in the Asia-Pacific region. A key focus for your Honour's has been developing closer relationships with

solicitors and the wider legal profession, and you have been a leader of the profession. In 2013, your Honour was elected Chairman of the Victorian Bar Council, after having served as a member of the Council for some seven years. Your exemplary leadership of the Bar Council was underscored in 2014, when your Honour spearheaded a profession-wide conference with the Law Institute of Victoria, bringing together the Victorian Bar, solicitors and the judiciary for the first plenary of its kind.

And on the subject of “firsts”, it would be remiss of me not to mention that your Honour was a member of Australia’s first ever bobsledding team.

Your service to the profession culminated earlier this year when you were elected as the President of the Australian Bar Association. You served in that capacity with the energy and enthusiasm for which your Honour has been renowned. The same leadership skills you have brought to the profession, you will no doubt bring to the bench of the Federal Circuit Court.

May I say, in more than four years now as the Attorney-General, I have had occasion to deal very frequently with Chief Justice Pascoe and Chief Judge Alstergren, and I want to thank both of you for your very close and wise engagement with me, my staff and my office over those years.

Your Honours’ appointments are a testament to many years of hard work and unwavering dedication, not just to the legal profession but to justice. I have no doubt that each of you will undertake your new commissions with the same integrity and commitment that have marked your distinguished careers to date and, in the years ahead, that you will be leaders in the reforms of which I have spoken.

On behalf of the Australian Government and the people of Australia, allow me to extend to both of you my sincerest congratulations.

May it please the Court.

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