



FEDERAL CIRCUIT COURT OF AUSTRALIA

Ceremonial Sitting to welcome

**Justice William Alstergren as
the Chief Judge of the Federal Circuit Court of Australia**

Wednesday, 29 November 2017

Melbourne

**SPEECH BY JUSTICE ALSTERGREN
CHIEF JUDGE OF THE FEDERAL CIRCUIT COURT OF AUSTRALIA**

On behalf of all present, I acknowledge the traditional custodians of the land upon which we meet and pay my respects to their elders past and present.

Justice Nettle, Justice Gordon, Chief Justice Allsop, and Chief Justice Pascoe, Chief Judge Kidd, your Honours, Former Governor Chernov AC QC, Lady Southey, members of the legal profession, ladies and gentlemen.

Thank you for your attendance today, it both honours and humbles me and, more importantly, it honours the court.

Ms Henderson, thank you for your kind remarks. I welcome you and note your deep interest in Family law Reform.

Mr Huntley, Ms McLeod, Ms Harris, Mr Holcroft and Commodore Rush. thank you for all your kind remarks.

I was fearful of defamation, hence the presence of so many Senior Counsel at the Bar table, surrounding each speaker.

However, it was not needed as each of you was able to masterfully exaggerate my achievements, whilst gliding over my many failings.

If I may, I want to say something about the Court.

I have had the privilege of knowing and appearing before both Chief Justice Bryant and Chief Justice Pascoe. I am delighted that Chief Justice Pascoe joins us on the Bench today.

Both have made extraordinary efforts to the development of the Federal Circuit Court of Australia. Both have been very encouraging of my new roles and have made me feel very welcome, as has the Court staff and administration.

It has been a very busy 4 weeks and I especially want to thank Cath Bull for all her help as my new head of chambers, as well as CEO Stewart Fenwick, Steve Agnew, Renee Corcoran, Mary Baulch, and Jane Reynolds for all their help. I also want to thank my sister and brother judges on the Family Court and the judges of the Federal Court for helping me make the transition into my new roles.

The Court is the busiest federal court in Australia and the business of the court has grown from what was described in its first annual report as “simple matters” to now, as predicted by Chief Justice Murray Gleeson in 2003, as one of Australia’s largest Courts. It has 66 judges, 500 staff and a \$100m budget.

There is no doubt that the Court faces challenges. It is, for example, untenable for a single judge of the Federal Circuit Court to have 500 cases in her or his docket at any one time. That results in, among other things, unacceptable delays in getting cases heard, which is inconsistent with the values and aims of this, or for that matter, any court.

Change is needed, and as many of you know, the Court is in the process of embarking on a number of initiatives to make an immediate difference, including;

- Major Call Overs in all registries;
- Ordering cases to mediation or ADR sooner, not later;
- The establishment of a number of case management pilots for new work and
- The establishment of a working group to examine how best to use registrars and judicial mediation.

The Court is also working on establishing a series of divisions in general federal law work to emulate the Federal Court.

The aim of these steps is to reduce the docket sizes to something like 100 cases per judge and significantly reduce delays.

I am also working with Chief Justice Pascoe to create a single port of entry in both Courts for all Family Law cases and the harmonisation of the rules of both Courts.

In these endeavours, I look forward to the support and cooperation of the profession, particularly the Bars. The Victorian Bar and Victorian Legal Aid have been extremely helpful in the last week with over 280 cases referred to alternative dispute resolution, some on a pro bono basis.

The Court is also establishing a health and wellbeing policy and committee for both Courts with the help of Chief Judge Kidd and the County Court.

The Court has been blessed to have been served in the past by many fine judges, as it is today. I have now met all of them, mostly in person. I am amazed at the work they do and the diligence they display. All are senior lawyers, a number senior counsel. All do a remarkable job. I am extremely proud to be joining them on the bench.

I did my articles and started my family law with Geoff Croxford, Tony Hargreaves and Peter Brown. I am delighted that they are here today.

I read with the great S.K. Wilson. I first met him when he was larger than life, dancing around his room sing Gilbert and Sullivan songs. We have been close friends ever since.

In my 25 years at the Bar I have been lucky enough to make very close friendships with some extraordinary people, some who are now on the Bench and some who remain at the Bar. I will be forever grateful for their support, particularly the kind words they have afforded me lately

I also thank my clerk John Dever, and my extraordinarily efficient and faithful secretary Victoria White.

I have had the privilege of being the President of the Australian Bar Association and the Chairman of the Victorian Bar. They were wonderful experiences and I would like to record my thanks in particular to the members and CEO's of both Bar Councils. I am also grateful that my partners in crime Hughes and Harris are here.

I was delighted to finish my time at the Bar having been a member of the 22nd floor of Aitkin with my good friends Wood and Steward.

I so grateful to my colleagues - both on the bench and at the Bar - and I thank everyone for their warm wishes and encouragement.

When I came to the Bar, Ross Gillis QC said "God loves barristers"

When I took silk, Gillies said "God loves silks"

Whilst he hasn't said "God loves judges", I hope that can be inferred.

Finally and most importantly I'd like to thank my family and friends, a great many of whom are here today.

My mother Denise is in court today. Mum is in her 90th year (and was Ms Victoria 1948!). She has been a great support and I have always admired her charm and quiet determination. My oldest sister Kristina, a renowned artist, is also here today with her son Michael and husband Fred.

As too is my mother-in-law, Anne Carter. I thought I was a reasonable advocate but I have never won an argument with Anne.

I also thank my uncles, Graeme and Tronn and the rest of the Alstergren Faulkner clans (including Michael, Chris, Ben, Petile, Oscar, and Ed) for being here.

My three Viking sons and their girlfriends are also in the court.

One of them, our youngest, Finn, is off to France for an exchange and we will miss him. Ted is off to Lyon in January, leaving Rupert, our oldest, child, to hold the fort. Boys, Kate and I could not be more proud of you!

However, life as you know it has now ended. No more overseas trips, no more uber eats or late night loans and yes, you will all have to pay rent once you leave university and School.

Finally and most importantly I'd like to thank my wife, Kate. She has always been on hand to support me and quick to discourage any sense of self-importance that I may otherwise have had. The fact that she crashed my car into a taxi outside the Federal Court building the day I was appointed should do nothing to diminish the support she has shown me.

She is the smartest, funniest, and most beautiful person I know. The debt I owe to my family, and particularly to Kate, is impossible to repay.

Thank you for attendance today. All that remains for me to say is that I will discharge my offices to the best of my ability, in accordance with the oaths that I have taken.

Please join us for a drink on the 14th floor.

Court is now adjourned.