



Law Council  
OF AUSTRALIA

# Ceremonial Sitting of the Full Court of the Federal Court of Australia to welcome the Honourable Chief Justice Mortimer

**Speech delivered by Luke Murphy, President of the Law Council of  
Australia, Federal Court of Australia, Melbourne.**

**17 April 2023**

May it please the Court.

I also respectfully acknowledge that we are meeting on the traditional land of the Kulin Nation and I pay my respects to their Elders both past and present, and Elders from other communities who may be here today.

I also acknowledge the Attorney-General, the Hon Mark Dreyfus KC MP; President of the Australian Bar Association, Mr Peter Dunning KC; Ms Tania Wolff, President of the Law Institute of Victoria; Ms Elizabeth Bennett SC, Vice President of the Victorian Bar Association; all judicial officers, dignitaries, family, friends, and, most of all: Chief Justice Mortimer. I am honoured to appear on behalf of the national legal profession to welcome your elevation.

In 2013, Your Honour's affirmation to office included a promise to "do right to all manner of people according to the law without fear or favour, affection or ill-will".

Access to justice for all, and whether we achieve it, defines us as a society. As we have heard this morning, and as was emphasised by all who addressed this court in 2013 on the occasion of Your Honour's swearing in and welcome, access to justice for all is something Your Honour has always embraced with vigour.

In his foreword to the Report of the Access to Justice Taskforce, in September 2009, then Attorney-General Robert McClelland said: "An effective justice system must be accessible in all its parts. Without this, the system risks losing its relevance to, and the respect of, the community it serves. Accessibility is about more than ease of access to sandstone buildings or getting legal advice. It involves an appreciation and understanding of the needs of those who require the assistance of the legal system."

I know this principle will be one that guides Your Honour as you manage the business of the Court.

On the occasion of his swearing in as the first Chief Justice of this Court, Sir Nigel Bowen said:

*"This Court has no history and, as yet, no tradition. At least it has some fine examples. It is my hope that the Court will establish itself as a court of high standing in the eyes of the profession and of the public."*

It cannot be questioned that His Honour's hope has been achieved. The high standing of this Court has been contributed to enormously by the leadership of it by your four

predecessors as they fulfilled their responsibility for the orderly and expeditious discharge of the business of the Court.

The Australian profession has no doubt that Your Honour will build on the outstanding work of your predecessors to ensure this Court continues to meet the changing needs of our community and maintains its high standing.

From its beginnings as a Court of limited specialist jurisdiction, this Court's jurisdiction now covers almost all civil matters arising under Australian federal law.

Just as the law does not stand still, neither does the Court's jurisdiction, nor does what constitutes true access to justice.

The demands on our justice system and how justice is accessed has undergone an incredible transformation in recent years and our journey is not yet over. There are many challenges ahead. This Court's ability to respond is clear and as it was described by the Hon Sir Gerard Brennan AC KBE in his speech on the occasion of the 40<sup>th</sup> Anniversary of this Court, and I quote:

*“The history of the Federal Court from its commencement had shown that its comparative youth gives it freedom to innovate, that its commitment to scholarship, integrity and courtesy commends it to counsel and litigants and that its internal relations ensure efficient and cooperative disposition of its work. The Court is well placed for the challenges of the times.”*

The ability of the Court to fulfill its central role in informing and leading the administration of justice in our community will, I have every confidence, continue with Your Honour at its helm.

On behalf of the Australian legal profession, I congratulate Your Honour on your appointment to Chief Justice and express the profession's gratitude for your continued service to our community.

May it please the Court.

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