



Law Council
OF AUSTRALIA

Ceremonial Sitting of the Federal Court of Australia to farewell The Honourable Justice Steven Rares

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

14 November 2023

May it please the Court.

I respectfully acknowledge that we are meeting on the traditional land of the Gadigal people of the Eora Nation and I pay my respects to their Elders both past and present, and Elders from other communities who are here this morning.

I also acknowledge the Honourable Debra Mortimer, Chief Justice of the Federal Court of Australia; Mr Matthew Blunn, the Australian Government Solicitor; President of the Australian Bar Association, Peter Dunning KC; President of the NSW Bar Association, Dr Ruth Higgins SC; President of the Law Society of NSW, Cassandra Banks; all judicial officers, dignitaries, family, friends, and, most of all: Your Honour. I am honoured to appear on behalf of the national legal profession to congratulate your Honour on an exemplary career and to thank you for your commitment to the law and the service of the public.

A Judicial appointment is without question one of the truest examples of public service – it is a genuine service being work done for the good of the public, the wider community. Your Honour's 18 years of Judicial service is as we have heard already this morning a real example of this.

During Your Honour's swearing in-ceremony in 2006, your Honour said and I quote:

“Our Constitution guarantees that judges and courts are independent not only from the parliament but from the executive and also all extraneous influences, including public opinion and the media. The only influences upon courts can be the requirements of justice, which must be done and must be seen to be done according to law.

“I have long had an interest in judicial independence because it is a bulwark of liberty. Its counterpoise is the principle of open justice; that is, the requirement that courts exercising judicial power must sit in public, exposed to full scrutiny by all.”

Your Honour an independent, impartial, honest and competent judiciary is as you stated in 2006, integral to upholding the rule of law, and it also strengthens public confidence in our justice system and enable the dispensing of justice. It is a cornerstone principle on which effective functioning democracies are founded. When compromised to any extent communities no longer prosper and more often fall into decay.

I thank Your Honour for your steadfast commitment over nearly two decades of public service to this cornerstone principle. The Australian community has benefited from your commitment.

Of course, it is also appropriate to acknowledge the many other contributions that Your Honour has made to our community and profession, as they have been already this morning and which will be touched on further by Ms Banks. I will not repeat them.

I did however want to refer to one and that is, as we have heard this morning your time as President of the Australasian Institute of Judicial Administration (AIJA).

Your Honour led the institute through a period of immense change, including the impact of COVID. The Institute played an important role in considering how courts and tribunals

could manage and deal with the effects of the pandemic and for this the Australian community thank you.

Your Honour, the nation owes you a great debt. On behalf of the Australian legal profession, I thank you for your tireless and outstanding service and wish you well for your retirement.

May it please the Court.

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