



Law Council
OF AUSTRALIA

Ceremonial welcome for Justice Jacqueline Gleeson SC

Speech delivered by Dr Jacoba Brasch QC, President, Law Council of Australia, at the High Court of Australia, Canberra.

1 March 2021

May it please the Court.

All dignitaries.

I am privileged to appear for the Law Council of Australia to welcome Your Honour's appointment as a Justice of this Court.

I acknowledge that we meet on Ngunnawal and Ngambri land, and pay my respects to their Elders past, present, and emerging.

It was Deakin who called this Court the '*keystone of the federal arch*'. Today, Your Honour becomes a custodian of that keystone, at the apex of our nation's legal and constitutional life.

Your Honour has walked a remarkable path through life and law, defined by the themes of early achievement, diligence and humanity. This Court has gained in Your Honour a pre-eminent member of our nation's judiciary, who brings to each case an attentiveness to the issues informed by a great breadth of knowledge and experience, which is of enormous value to the law and this Court.

For Your Honour's first solicitor job with Bush Burke and Co, you made a strong impression as a personable, hardworking solicitor with a sharp intellect. Cases were colourful and varied, explaining the years-long presence on your desk of a can of abalone following a successful importation case.

When you first appeared in this Court as a young barrister, a member of that firm kept a court listing notice as a souvenir, as it bore your name. He gave it to Your Honour, but later wished he had kept it – it turned out to be an appreciating asset.

In 1991, Your Honour went to the Bar aged 25,¹ assured of what you wanted to do. Going to the Bar this young was an example of early achievement, following in the footsteps of advocates of old, such as Tom Hughes QC – who was called to the Bar in 1949 at 26,² and Trevor Morling QC, who was 23 in 1951.³

Senior barristers noticed Your Honour's diligence, perseverance and mastery of detail. You appeared with now Justice Steven Rares, now Justice Michael Slattery, now Justice Francois Kunc, the Hon. Bob Hunter QC, Bret Walker SC and Rod Smith SC, in a wide variety of litigation.⁴ I note many are here today.

You then gained expertise as a solicitor in public and broadcasting law as general counsel for the ABA, and in advising and acting for regulators with the AGS.⁵

On return to the Bar, Your Honour conducted a successful practice in administrative law, competition and consumer law, professional liability and taxation.

In 2012, just five years following your return, you took silk amongst an exceptional cohort.

1 Born 6 March 1966, so in September 1991 was 25.

2 <https://inbrief.nswbar.asn.au/posts/7be4753ee4e26b4fd93440f819105347/attachment/hughes.pdf>

3 <http://lawalmanacs.info/almanacs/nsw-law-almanac-1952.pdf>

4 <http://www5.austlii.edu.au/au/journals/NSWBarAssocNews/2014/44.pdf>

5 <https://www.fedcourt.gov.au/digital-law-library/judges-speeches/justice-gleeson/gleeson-j-20140422>

Of 26 appointments, 12 were women, 7 of whom are now judges of the District, Supreme, Federal and High Courts⁶.

As senior counsel, Your Honour was highly sought-after. Your appearances in the largest-ever civil ACT case⁷ – the Canberra bushfires litigation – and as counsel for the NSW Government at the Royal Commission into Institutional Responses to Child Sexual Abuse, are testament to the seniority and significance of your standing as an advocate.⁸ Your appointment to the Federal Court two years after taking silk is another example of Your Honour's intellect and expertise being recognised early in each season of life.

Early talent and diligence equally informed Your Honour's childhood. In fact, when news of your appointment came to light, your childhood neighbours emailed you, reflecting that your intellect was apparent to them even then. They recalled they used to hand Your Honour math tests over the fence, which were answered with aplomb, before you were of school age.

But it was diligence in the culinary arts that, in the 1990s, landed someone else in trouble. Your Honour's flatmate, Justice Loukas-Karlsson, had informed her mother, Aphrodite, that being a barrister and cooking were mutually exclusive.

Nevertheless, you impressed with consummate culinary skills during her mother's visits. Aphrodite, who was perhaps less impressed with her daughter's cooking, thus bestowed upon Your Honour her secret octopus recipe; which, to this day, she has not deigned to share with Justice Loukas-Karlsson.

Your Honour is deeply committed to your family – your daughter Claire, partner Angus, his children Ella and Steven, and your wider family. The Gleeson Family Dinner Table conversation, which was always a lively affair, now endures, in these times, in the form of a weekly Zoom call.

You have been a busy and hardworking member of the Federal Court, heavily committed across the spectrum of its work. Apart from your administrative and migration law workload, you shouldered a huge burden in commercial law, helping to run the Commercial and Corporations Duty list, and contributed strongly to the Court's committee systems.

In acknowledging the presence of Your Honour's parents, the Honourable Murray Gleeson AC QC and Mrs Robyn Gleeson, I acknowledge the historic nature of this appointment: the first time the daughter of a High Court Justice has been appointed to the same Court in this country.⁹ As the current President of the Law Council of Australia, I am proud to acknowledge your father's previous office holding in the Law Council and his honorary Life Membership.

I honour the diligent, disciplined and deeply-principled contributions you have already made to the law, characterised by an earliness of accomplishment, leading to this potential for longevity of tenure.

6 Chrissa Tereasa Loukas (ACT Supreme Court); Julia Lily Ann Lonergan (NSW Supreme Court); Kelly Anne Rees (NSW Supreme Court); Nicole Frances Noman (NSW District Court); Natalie Jane Adams (NSW Supreme Court); Jennie Ann Girdham (NSW District Court); Jacqueline Sarah Gleeson (Federal Court; High Court) <https://www.lawyersweekly.com.au/wig-chamber/10867-record-number-of-female-silks-appointed>

7 <https://www.canberratimes.com.au/story/6165512/fire-litigation-ends-for-act/>

8 <http://www.austlii.edu.au/au/journals/NSWBarAssocNews/2014/44.pdf>

9 <https://www.smh.com.au/national/federal-court-judges-elevated-to-high-court-as-new-appointments-revealed-20201021-p567cj.html>

Your Honour has spoken of your Scottish heritage. I thus invoke Robert Burns, who wrote in 1789, "*Dare to be honest and fear no labour.*"

He also identified "*prudence*" and "*cautious self-control*" as the "root of wisdom".¹⁰

On your elevation to the Federal Court, Your Honour named 'self-discipline' as the virtue you would most seek to follow.

You also spoke of a profound respect for the rule of law as the bedrock of our society and economy.

The legal profession of Australia is confident you will give life to those virtues, and make firm that bedrock, as you serve the people of Australia on this honourable Court.

May it please the Court.

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¹⁰ <https://webcache.googleusercontent.com/search?q=cache:cV-owTJSdosJ:https://www.scotsman.com/whats-on/arts-and-entertainment/robert-burns-inspirational-quotes-and-their-meaning-1485186+&cd=1&hl=en&ct=clnk&gl=au>