



The ABA acknowledges the relationship between the land on which it and its members work and the First Nations' peoples of Australia

OPENING REMARKS SILKS' DINNER

3 February 2020

Before I commence this evening's formalities, on behalf of the Australian Bar Association I wish to respectfully acknowledge the custodians of the land on which we meet – the Ngunnawal People. I pay respect to their Elders, past, present and emerging.

The ABA also respectfully acknowledges the First Nations' People on whose lands barristers across the nation work.

Welcome to the 2020 Silks' Dinner.

I welcome the Chief Justice of Australia and the Justices of the High Court, including Mrs Carla Gageler and Mrs Wendy Nettle. I wish to thank the Court for again allowing us the use of this magnificent setting in this iconic building which celebrates its 40th year this year. I also thank the staff of both the Court and the Chief Justice's Chambers for their invaluable assistance and patience.

I welcome the Chief Justice of the Family Court of Australia and Chief Judge of the Federal Circuit Court of Australia; who is, of course, a former President of the Australian Bar Association.

I welcome the Chief Justice of the ACT and the Honourable Justice Riordan who is representing the Chief Justice of Victoria.

I welcome the First Law Officer of the Commonwealth, the Honourable Christian Porter and the Shadow Attorney General, the Honourable Mark Dreyfus QC.

I welcome Chris Moraitis PSM, the Secretary of the Attorney General's Department.

I welcome the President, President-Elect and Acting CEO of the Law Council of Australia.

I welcome Ms Philippa Lynch, the Principal Registrar of the High Court and Ms Carolyn Rogers, Senior Registrar of the High Court.

And, most especially, I welcome the new silks and their families and friends as the people who have brought us here this evening.

Before saying something more specifically about the new silks, I feel compelled to acknowledge the extraordinary summer in which we find ourselves.

The Association acknowledges the tragic loss of human life; the many properties which have been destroyed; the loss of animals' lives and their habitats; and the devastating impact on the natural environment of our continent.



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With lawyers across the Country, barristers have volunteered to provide pro bono legal assistance to those requiring it following the fires. Unsurprisingly, the Bar has punched well above its numerical weight in this respect.

The ABA has also encouraged its members to make a donation to a disaster relief organisation as the 2020 legal year commences around the Country. Details of that appeal appear on our website.

May I now address a few short remarks to the new silks.

Congratulations on taking silk and the recognition of your abilities and character that entails.

Events like this afternoon and this evening are a rare chance to stop, and without tempting fate, to enjoy the acknowledgement of hard-won achievement.

That said, it is not uncommon for families to declare that the “festival is over” at the end of tonight’s Dinner.

In respect of your new professional lives I wish to say two short things.

Both, perhaps unsurprisingly, echo themes of the Chief Justice’s remarks this afternoon.

Firstly, the office of silk will remain vital and survive only for the time for which it continues to serve our communities in the administration of justice. On the assumption that each of you believes in the office you now hold, you are responsible for its continuation by ensuring that you serve the community in the highest and best traditions and aspirations of the Bar.

In short, we have no right to expect that confidence in the office will maintain itself. It very much depends on us.

The second is perhaps more prosaic.

I am sure that everybody in the room has stored away memories of conversations, remarks, observations, submissions or conduct from a silk or silks which were, and probably remain, of significance to us.

Some of those will only be in your memory. They may have been of no real moment or significance to that silk at the time.

You are now the people whose comments, observations, conversations and conduct will be stored away by others. Whether for bad or good, you are influential moving parts of the present culture and life of the Bar. For the Bar and the profession generally, you are culturally



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more significant than you may have thought. And it is your conduct in things apparently small which will influence, as much as on the occasions which seem significant to you.

I will wind up these opening remarks by previewing the evening from here.

After entrée I will introduce the Honourable Justice Bell to propose a toast to the new silks.

Main course will then be served and following that, Shane Drumgold SC of the ACT Bar will respond. Shortly thereafter the evening's formalities will be concluded.

I am sure you will enjoy the evening.

END.