

Copyright in this document is reserved to the State of Western Australia. Reproduction of this document (or part thereof, in any format) except with the prior written consent of the Attorney General is prohibited. Please note that under section 43 of the Copyright Act 1968 copyright is not infringed by anything reproduced for the purposes of a judicial proceeding or of a report of a judicial proceeding.

THE SUPREME COURT OF
WESTERN AUSTRALIA

FULL BENCH

WELCOME TO THE HONOURABLE JUSTICE NATALIE WHITBY

TRANSCRIPT OF PROCEEDINGS

AT PERTH ON WEDNESDAY, 7 JUNE 2023, AT 4.17 PM

QUINLAN CJ: The Court sits this afternoon to welcome the Honourable Natalie Whitby as a judge of the Court. We acknowledge the traditional custodians of the land on which the Court sits this afternoon, the Whadjuk People of the Noongar nation and pay our respects to their elders past, present, and emerging.

We warmly welcome members of Her Honour's family who are here present, her Honour's husband Reece, and their children Faith, Sam, Luke and Hope, her Honour's parents Terry and Dianne Jones, and her father-in-law Ray Whitby, her Honour's sister Nicole and Nicole's husband Michael, her Honour's brothers Clint and Regan, and Regan's wife Monica, and we welcome many other members of her Honour's extended family and friends.

We also welcome many other distinguished guests here this afternoon, including the Honourable Justices Darren Jackson and Michael Feutrill of the Federal Court of Australia. Chief Judge Gail Sutherland and Justices Richard O'Brien and Robin Cohen of the Family Court of Western Australia, his Honour Steven Heath Chief Magistrate, Doctor Adam Tomison Director General of the Department of Justice, Ms Joanne Stampalia Executive Director Courts and Tribunal Services, Mr Michael Celenza Manager Superior Courts, Ms Kelly Martinelli Executive Manager of the Supreme Court, Mr Robert Owen Director of Public Prosecutions, Mr Graham Hill State Solicitor, and Mr Martyn Plummer Assistant Director Commonwealth Director of Public Prosecutions together with many members of this and other courts.

Justice Pritchard, the President of the State Administrative Tribunal is interstate and particularly asked me to extend her apologies. I especially extend a warm welcome to her Honour Chief Judge Julie Wager and many past and present members of the District Court of Western Australia, far too numerous to name. For reasons that will be apparent, we are very much indebted to our brothers and sisters on the District Court for this occasion this afternoon.

Finally, I welcome those who will address the Court. The Honourable John Quigley MLA Attorney General of Western Australia, Mr Ante Golem President of the Law Society of Western Australia, and Mr Brahma Dharmananda SC President of the WA Bar Association.

Justice Whitby's appointment fills a vacancy on the Court arising from the recent retirement of his Honour Justice Graeme Murphy. Justice Murphy served as a judge of the Court for over 14 years, including over 12 years as a judge of appeal. We take this opportunity to publicly acknowledge and thank the Honourable Graeme Murphy SC for his contribution to the life of the Court, to the administration of justice, and for his service to the people of Western Australia as a judge of the Court.

We thank you Mr Attorney for ensuring once again that vacancies on the Court continue to be filled in a timely manner, and that you continue to appoint the best possible candidates as judges of this and other courts. Candidates of excellence of character, experience, legal ability, and commitment to work and public service.

Which brings me to Justice Whitby who is of course no stranger to this Court having previously served as a judicial officer of this Court for over a decade both as a Registrar and Acting Master. Her Honour has for the last two years has been on loan to the District Court serving as a judge of that Court with distinction. While Chief Judge Wager, with some justification, maintains that we have stolen the fairest and best from the District Court, we prefer to think that the Supreme Court has simply taken her Honour back to where she rightly belongs.

More generally however Justice Whitby's appointment to this Court is a reminder to us all that there is but a single judiciary in Western Australia to which all of the judges belong. In whichever court we are privileged to serve there is but one oath or affirmation of office, and our responsibility to the community and those who come before each court is one in the same. To administer justice according to law without fear or favour, affection or ill will.

And across the numerous courts of the State, while we are all called upon to play different roles the significance of those different roles must always be understood in terms of function rather than in terms of status. Justice Whitby, your Honour comes to this Court with an already well-deserved reputation as a fine judge who is able to combine the expertise and experience across the broad civil and criminal jurisdiction of this Court with the human qualities of fairness, respect, courtesy, and humility so essential to the judicial role.

Justice Whitby on behalf of the Court can I say how pleased we are to have you join us in our work and to

extend our warm welcome to you, Reece, Faith, Sam, Luke and Hope to the family of the Court. As you continue your distinguished judicial career you can do so assured of the collegiate support of all of the judges of the Court as we look forward to your collegiate support of us in return. Yes, Mr Attorney.

QUIGLEY, MR: Thank you Chief Justice. Before rising I checked my phone, and I'm still the Attorney. And in that capacity may I also acknowledge the traditional owners of this land, and on behalf of the government of Western Australia whom I represent here today I too pay my respect to the traditional owners, the Whadjuk People of the Noongar Nation and their elders past, present, and emerging.

It is my great honour to appear here today as the Attorney General on behalf of the State of Western Australia, and the government and people of Western Australia to welcome the Honourable Justice Natalie Whitby to the Supreme Court of Western Australia.

I also extend my warm welcome to Justice Whitby's family who are here with us today, especially her husband, my parliamentary colleague, the Honourable Reece Whitby MLA, their children Faith, Sam, Luke and Hope, and to Justice Whitby's parents Terry and Dianne, her brother Clint, and her father-in-law Ray Whitby, and her brother and sister-in-law Regan and Monica.

May I commence my remarks this afternoon - and I also wish to acknowledge and welcome all of those distinguished guests that you have mentioned by name this afternoon, Chief Justice. May I commence my remarks this afternoon by acknowledging that your Honour is uniquely qualified for this appointment. That is by reasons of your Honour's wide judicial experience, your Honour has occupied almost every judicial position in the State.

Your Honour has been a Registrar of the Supreme Court. In that role you acted in the position of Principal Registrar and also Master of the Supreme Court. In these roles your Honour became well versed in the intricate details of the Supreme Court procedure including taxing costs, hearing interlocutory disputes, and conducting examinations under the Corporations Act.

You also acted as a mediator and learned the importance of dispute resolution. At the same time, your Honour was also a Magistrate sitting in the Stirling Garden's Magistrates Court. There you conducted committal

hearings, bail applications, and sentenced on summary matters.

Then your Honour was appointed a judge of the District Court of Western Australia. Your Honour conducted both civil and criminal hearings of all sorts in that capacity. Now as a result of your success in that role on the District Court, your Honour has been appointed as a judge of this Court. Your Honour will continue here with both the civil and criminal components of your experience.

By my reckoning your Honour has therefore been appointed to or acted in the roles of Magistrate, District Court Judge, Registrar of the Supreme Court, Principal Registrar of the Supreme Court, Master of the Supreme Court, and now a Justice of the Supreme Court. I cannot recall anyone else being so exceptionally experienced or qualified for this appointment.

There is something else I would like to say about these accomplishments. Your Honour has not put a foot wrong in all of those previous roles. In fact, your Honour has carried them out with distinction. I am told that the Chief Judge of the District Court expressed her disappointment when she was informed that your Honour would be leaving the jurisdiction and that the Supreme Court had an equal but opposite reaction in knowing that you would be returning here.

That leads me to another matter I would like to touch upon. The genuine disappointment which I have heard expressed upon which your Honour has left a previous role to go to a new one which is due to two things. Your Honour has proved to be proved a very popular colleague, and partly that is due to your Honour's humility in carrying out your judicial tasks. That is notwithstanding that you have done so with care, diligence and success.

The humility to which you bring to judicial office is something to be particularly mentioned for as the Chief Justice has said in a recent welcoming speech it is an important part of judicial demeanour which makes a person suitable for judicial office. There is no doubt that your Honour possesses the necessary demeanour to ensure that your appointment to this Court will be a lasting success and that it is evident that you have the confidence of the entire legal profession in the judiciary as evidenced by the massive turnout in this court today to both witness and celebrate your Honour's ascension to this bench.

Justice Whitby, your appointment to the Supreme Court is a testament to your hard work and dedication to the legal profession. You bring to this Court a wealth of experience and expertise that will serve the people of Western Australia well. Justice Whitby, on behalf of the government of Western Australia and the people of Western Australia I congratulate you on your appointment and wish you all the very best as you begin this new chapter of your service to the people of Western Australia. May it please the Court.

QUINLAN CJ: Thank you Mr Attorney. Yes, Mr Golem.

GOLEM, MR: May it please the Court. It is my personal privilege to appear today representing the Law Society of Western Australia in welcoming the Honourable Natalie Whitby to the bench of this Honourable Court. May I also welcome and congratulate members of your Honour's family, and also extend my acknowledgement to your friends, colleagues, distinguished guests and members of the judiciary present here today.

The Law Society also joins in acknowledging the traditional owners of the land on which meet, the Whadjuk People of the Noongar Nation and on the Society's behalf I pay my respects to elders present and present.

Your Honour was admitted to practice in 1996 and worked in an international accounting firm before joining the firm Freehills, now Herbert Smith Freehills in the area of commercial litigation. We have heard from the Attorney this afternoon of your Honour's distinguished service as a member of this Court and as most recently as a judge of the District Court.

It has been said by the Honourable Justice Michael Kirby AC CMG, a former Justice of the High Court of Australia that leadership is something that comes from within a person. But if he had to identify three elements, he would say the following are important: courage, empathy for others, and a combination of intelligence and clear vision.

The Honourable Justice Kirby considered that Nelson Mandela was one of the great leaders of our time, and interesting, Mr Mandela was a lawyer himself and once described the qualities of a judge as follows: certain minimum technical skills are essential for the appointment to the bench of a court, women and men of integrity, experience, able to understand people and legal principle, deal with arguments and advance them themselves, write

judgements that can be understood should be sought for appointment.

Your Honour undoubtedly fulfilled these qualities as a judge and has already achieved being a member of distinction as a member of the judiciary of this State. The warm regard that your Honour is being referred to already this afternoon has been mentioned to me by multiple colleagues, friends, and members of the profession who hold your Honour in the highest regard, and I would like to use the remainder of my time this afternoon to share some of those comments with your Honour and all of those present this afternoon.

One of your former colleagues at Herbert Smith Freehills said this to me. I have the pleasure of working with Justice Whitby from the time I started as an article clerk when we were at Freehills. Her Honour is an exceptionally smart and commercial lawyer. She is also incredibly organised, generous with her time, calm, reliable, and most importantly a lot of fun. Those appointing her have made a very good choice. She will be a diligent, fair and compassionate judge of the Supreme Court.

I have also had the pleasure of speaking to some of your Honour's former associates. One of those said the following to me. To distil Justice Whitby's professional aptitude and contributions to the legal community into words is a difficult task. She is a brilliant lawyer, not only technically, but her Honour is one of those rare members of the profession who understands and excels in mathematics. A talent which is not always shared with her Honour's associates. On one particular occasion, this particular associate had to resort to finding her year 12 calculator just to keep up with her Honour at a hearing over a matter that was being heard in this Court.

Special mention has also been made to me of your Honour's commitment to the development of junior members of our profession. This has been said. Leading by example and on some occasions without even intending to do so Justice Whitby always demonstrates that empathy in the legal profession makes for better lawyers. That patience and understanding are personal professional strengths, and offering support to your colleagues creates a legal community that we can all be proud of.

I have also been told the following, Justice Whitby has throughout her career worked tirelessly to advance the interest of justice in her various capacities, and in so

doing has made a valuable contribution to the legal profession of this State. She will continue to do so as a judge of this Honourable Court. Her many leadership attributes include integrity, excellent communication skills, empathy yet again, clarity in decision-making, the list goes on. She is an absolute pleasure to appear before and a role model for all of us.

And most finally I have also had the pleasure of speaking to your Honour's friends. Many of the things that they shared have remained on the cutting room floor so to speak, but the ones that I can mention are these. They have mentioned to me how they are in awe of your ability to achieve all you have whilst balancing being a mum to four children and supporting your husband in all that he does.

They speak warmly of your commitment to various charities, supporting your friends through charitable runs, and always providing them with terrific personal support and encouragement in all aspects of life. They also share with me your love of champagne while also mentioning that you still enjoy the simple pleasures of a cup of tea and a Freddo frog.

On behalf of the legal profession of Western Australia and the Law Society, we warmly congratulate you on your appointment to this Court and wish your Honour all the best in this new role as you continue to serve the community and the administration of Justice. May it please the Court.

QUINLAN CJ: Thank you Mr Golem. Mr Dharmananda.

DHARMANANDA, MR: May it please the Court. May I also acknowledge the traditional owners of the lands on which we meet, the Whadjuk People who form part of the Noongar Nation and pay my respect to their elders, past, present and emerging.

On behalf of the WA Bar, it is my delight, honour, and privilege to welcome your Honourable Justice Natalie Whitby. As has been said more than once today your Honour brings a wealth of experience to this Court. Your Honour has already served the administration of justice as a judge of the District Court of Western Australia, and as a Registrar, acting Principal Registrar, and as Acting Master of this Court.

Your service to this Court started in 2010, some 13-odd years ago. Your Honour has both a Bachelor of Laws and a Bachelor of Commerce in accounting from Murdoch

University. May I say without the risk of contradiction the fact that your Honour is well versed in accounting would mean that your Honour can read and understand a profit and loss statement, and a balance sheet and not mistake the two. Such a skill is not necessarily the bread and butter of commercial barristers. I speak from personal experience, and of course, may be incorrect.

Your Honour was trained and worked for some 14 years at Freehills, now Herbert Smith Freehills. The training and experience your Honour gained at a leading commercial litigation practice under the supervision and guidance of fine lawyers gave your Honour a significant lead. Your Honour was involved in complex litigation involving many multinational companies where large sums were at stake.

Your Honour has given advice in a broad variety of areas including in taxation. Your Honour brings versatility to the Court given your commercial litigation experience, and the fact that your Honour whilst serving at the District Court presided over criminal jury trials. Your Honour also brings the Court a little closer to gender equality.

Baroness Hale Richmond, the former President of the United Kingdom Supreme Court in "How diverse are judges" made the point in 2017 there had to be gender equality among judges. Lord Hale said that the principal reason for this is that it promotes democratic legitimacy. The judiciary she argued should reflect the whole community, not just a small section of it, and the public should be confident that the law is being developed by people like them.

When the Honourable Mary Gaudron KC was appointed as the first female Justice of the High Court in 1987, we applauded. When the Honourable Justice Jayne Jagot was appointed as a Justice of the High Court in October 2022 so that the High Court had a majority of female justices for the first time, we applauded. Closer to home, and by way of example, when Julie Taylor SC and Rachel Young SC were appointed as Senior Counsel at the tender young age of around 40 we applauded. We applauded both because the quest for gender equality was advancing, and because of the quality of the appointments.

May I say on behalf of the WA Bar we applaud your Honour's appointments for the same reasons. In "Humankind: A Hopeful History", Rutger Bregman argues that human beings are not by nature selfish but are innately good. Bregman contrasts the views of Thomas Hobbes in Leviathan, first published in 1651 with the views of Rousseau about 100

years later. Whilst Hobbes argued for the need for an absolute ruler to tame humans, Rousseau argued that our species is innately good and needed to be freed from the rules imposed by bureaucrats and kings. I have come to believe that Bregman has a deep point worthy of much reflection.

More than one person has said that Your Honour is not only astute, but also kind, gregarious, and willing to assist all those that seek out your help. Your Honour would appear to reflect Bregman's view as to the innate kindness of humans. There are many stories of your Honour's empathetic nature. One includes your Honour's tears of relief after a person found guilty of contravening the Corporations Act was given a suspended sentence not a term of imprisonment. Your Honour felt deep relief for the accused for whom you acted, and more so for his family.

As Carolo Rovelli tells there are places in the world where rules are less important than kindness. This is such a place. Your Honour is well placed to enforce the rule of law with a kind spirit. As I said earlier, your Honour was trained at Freehills. Your Honour no doubt was tutored in the need for a client's argument to be made as best as can be made even in the face of judicial doubt about the arguments ultimate merit. As barristers, that is our role.

For judges, the role is to determine where the true merits of a case lie. Given your Honour's training, background, experience, and kind spirit might I say there is little doubt that your Honour will be able to determine the true merits of a case and will judge them fairly and evenly. On behalf of the WA Bar may I again congratulate your Honour and express our delight in your Honour's appointment. May it please the Court.

QUINLAN CJ: Thank you, Mr Dharmananda. Your Honour.

WHITBY J: Thank you. Chief Justice, current and past members of this Court and other courts, Mr Attorney, Mr Golem, Mr Dharmananda, members of the legal profession, and my family and friends thank you for being here today to share in this occasion with me.

I begin today by acknowledging the Whadjuk People of the Noongar nation, the traditional custodians of the land on which we gather and pay my respects to their elders, past and present. I extend that respect to Aboriginal and Torres Strait Islanders people here today.

Mr Attorney, Mr Golem, and Mr Dharmananda thank you for your kind words today. Mr Attorney, thank you for providing me with the privilege and opportunity of serving the people of Western Australia. Mr Golem, the work of the Law Society is incredibly important to the legal profession, and I look forward to supporting that work in this role. And Mr Dharmananda, the members of the Bar Association provide an invaluable service both to the public and to the judiciary. The Association is fortunate to have a Senior Counsel of your calibre as President.

I also thank Anne Hatten and Jamie Freestone for their hard work in organising this sitting today. Thank you to members of the legal profession, the judiciary, my family and friends for all of the supportive and kind messages I have received upon my appointment. They have meant the world to me.

Most of the words spoken today have focused on my life and my career. However, it is only because of the support of so many that I am fortunate enough to be sitting here today. I want to begin by thanking the most important people in my life, my Mum and Dad Dianne and Terry. Everything I have achieved is possible because of you. Mum and Dad were only 20 and 22 when I was born. My sister Nicole joined the family only 15 months later, and then 9 years later my brother Clint came along. The best sister and brother I could have asked for.

Mum and Dad worked five jobs between them, saved enough for a deposit to build a house in Morley, and gave me, Nicole and Clint opportunities that they did not have. Mum and Dad, you taught me the importance of education and hard work, but above all of kindness and caring for others. You continue to provide me and my family with love and encouragement. I simply would not be here today without you. Thank you, Mum and Dad, Nicole, and Clint for being my constant strength and my foundation in life.

I was also raised by a kind and loving grandmother. The unconditional love of my nanna Elma was a constant in my life. Together with my nanna Yvonne my grandmothers were wonderful role models and are always with me.

I have had the great fortune to expand my family through marriage. My sister married Michael, and they had three incredible children, Grace, Abby, and Josh. And I married Reece and became the daughter-in-law to Ray and Lynne and sister-in-law to Regan and Monica. You all bring such joy to me and my family.

I am also very happy that my mum and dad's lifelong friends Mick and Eileen Dallas and Raelene White can be here today. Thank you for being constant supports in my and my mum and dad's lives.

I have been very fortunate and privileged to work in the legal profession in many different roles and to witness first-hand the commitment, dedication, and compassion in so many. I started my career as a solicitor at Freehills where for 15 years I worked alongside Steven Penglis.

Steven, you were and continue to be generous with your knowledge and advice. Your support meant that I never had to choose between a career and a family and being both made me a better lawyer and a better parent. Thank you for your support and friendship. I loved the work, but I also love the people even more at Freehills. We shared a lot of time together, and I made lifelong friends, and I am very fortunate that many of my friends from Freehills are here today.

While at Freehills I also tutored in civil procedure at the University of Western Australia. That was possible because of John Fiocco. John had a profound impact on the practice of law in Western Australia, and throughout those years I learnt more than what I taught. Thank you, John, for that opportunity.

After 15 years and four children, I left Freehills to take up a role as a Registrar at the Supreme Court. The Registrars of the Supreme Court are talented, empathetic, and hard-working people. The people of Western Australia benefit from the considerable and considerate work that they do. Sandra and Christopher Boyle and Simon Dixon, I want to thank you for your kindness, patience and encouragement. You are legends of the profession.

I also had and continue to receive the support of outstanding former and current Principal Registrars at the Supreme Court. Judge Michael Gething, Justice Larissa Strk, Acting Master Kate McDonald, and Acting Principal Registrar Danielle Davies. You are all exceptional people. Thank you for your support and your continued friendship.

Two years ago, almost to the day, I was given the incredible honour to serve the community as a judge of the District Court. My brother and sister judges led by the amazing Chief Judge Julie Wager are courageous, kind, compassionate, fair and committed. It was an absolute honour to work alongside all of you. Each one of you was generous and continues to be generous with your knowledge,

your wisdom, and your friendship. You are my judicial family, and I have the utmost respect for each one of you.

And now I have the absolute honour and privilege of being a judge of the Supreme Court. I would like to express my gratitude to the Chief Justice and the members of this Court for being so welcoming and generous to me upon my commencement. Thank you for all your advice, offers of assistance and kindness. Thank you, Chief Justice Quinlan, for your outstanding leadership and support. The judiciary is exceptionally fortunate to be led with such humanity, compassion, and kindness.

Thank you also to Justice Andrew Beech for your generous mentorship and guidance over the years. I would also like to express my admiration for Justice Kenneth Martin, Justice Graeme Murphy, and Master Craig Sanderson. Your service to the Court has been outstanding, and I wish you all well in the next chapter in your lives.

I have been fortunate to have the support and loyalty of amazing associates and ushers at the District Court over the last two years, and luckily, they come with me. Yasmin McCann and Sophia Drazevic, you are outstanding women who have long and successful careers ahead of you, and to my incredible associate Cassie Beven, you are so clever and kind, and I hope I look after you half as well as you look after me.

Thank you to the Law Society, Women Lawyers of Western Australia, the Bar Readers' Association and the Piddington Society for inviting me over the years to speak to your members. You are all amazing educators, and you ensure that the members of the legal profession are well supported both academically and personally, and I look forward to supporting you in the future.

I would also like to pay tribute to the former and current female judges and judicial officers in all of the courts and tribunals of Western Australia. As it should be there are too many to name individually. From those of us that serve now, thank you to those of you who lead the way. Each of us has taken a different pathway to our destination, but I hope that those that follow us will see what is possible.

Throughout my life I have been surrounded by many friends. People who hold me up through the challenges and share in the happiness. Thank you to so many of you who are here today. Drew Daniels and Clare Park, collectively I have known you for nearly 70 years. Your friendship

gives me strength and joy. To each of my friends here who have known for over 20 years, Tanya Stanwyck, Margo Pfeiffer, Angela Komninos and Charlotte Wallace, I treasure your friendship.

I wish I could name each and every one of my other friends here today and tell you individually how much you mean to me in front of everyone. However, I think that would make for a very long evening. I will make sure I continue to tell you, each one of you, over the years to come how much you mean to me and how lucky I am to have each one of you.

Now that brings me to my best friends of all. My husband and my children. At school I couldn't decide whether to study law or journalism. I chose to study law and to marry a journalist. Both have turned out to be excellent choices. Reece, thank you for always being by my side, and for being a gentle and kind man. I am so proud of you and all you have accomplished in your own career. You are a wonderful and loving father to our children. I love you, and I couldn't do all of this without you.

And to my children Faith, Sam, Luke, and Hope. Each one of you is an inspiration to me, and you have all taught me a lot in life. Faith, you keep everything in perspective, and you focus on what really matters. Sam, you have a wonderful curiosity and a warmth, and you are never on time. You do live life in the moment, and you do bring a great sense of joy to those around you. Luke, you are kind and funny. I am proud of your commitment to hard work, and I am proud of your resilience. And Hope, you are wise beyond your years. You show kindness and empathy to everyone.

Sometimes people say to me that they don't know how I do it. Having four children and having a career. The truth is this, I couldn't do it without each one of you. Being your mum is the best part of my life. I know that you have wonderful lives and that you have great times ahead of you. Remember although there will be times when you are sad that life is full of joy, and the sadness will pass. I will always love you fiercely, and I will always be there for you.

As I reflect upon my career in the law, I am grateful that I have worked alongside solicitors, barristers, educators, the judiciary, and all of the people who support these roles. No one of us is more important than the other. Each and every one of us has the same objectives. Delivering justice according to law, being kind and

compassionate, listening to people, being fair, and supporting each other.

Each of us brings our own unique perspective and humanity to our role in the justice system, and that is to be celebrated. Each of us has our own story, and that is to be cherished. I respect each one of you, and I offer you my continued support.

This has been a speech about the most important people in my life. All of you. The people who inspire me. I cannot promise to inspire others as greatly, but I do promise that I will treat everyone with respect. I will listen to understand and with empathy. I will be fair and impartial, but always kind.

A very wise judge wrote to me recently and said, "Remember the oath. The rest will follow". I will start each day by remembering my oath, and I trust that the rest will follow. Thank you.

QUINLAN CJ: Thank you, Justice Whitby. That concludes this special sitting of the Court. The Court will now adjourn.

AT 4.56 PM THE MATTER WAS ADJOURNED ACCORDINGLY

VIQ Solutions are contracted by the Department of Justice to record and/or transcribe court and tribunal proceedings in Western Australia as specified under a government Contract. This Contract prescribes the recording and transcription production standards that must be adhered to.

The transcript of Welcome to the Honourable Justice Natalie Whitby heard on 7/6/23:

- Is a written reproduction of the audio record of the proceeding;
- Is a complete transcript except where otherwise stated. Any "indistinct" notations within the transcript refer to those parts of the recording that could not be accurately transcribed due to speech clarity, recording quality or other factors impacting word intelligibility.

Certified on 16/6/2023.