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THE SUPREME COURT OF

WESTERN AUSTRALIA

FULL BENCH

WELCOME TO THE HONOURABLE JUSTICE KATE GLANCY

TRANSCRIPT OF PROCEEDINGS

AT PERTH ON FRIDAY, 23 FEBRUARY 2024, AT 4.17 PM

**QUINLAN CJ:** The Court sits this afternoon to welcome the Honourable Justice Kate Glancy as a judge of the Court. In doing so, 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 and present.

We warmly welcome the many members of Justice Glancy's family, who are here present, and those who are joining us from afar by livestream, particularly her Honour's mother, Maureen, and her Honour's children, Daniel and Alice, and we welcome many other members of her Honour's extended family, colleagues and friends. I've also no doubt that her Honour's late father, Dr John Glancy, is here in spirit, bursting with quiet pride.

We also welcome many other distinguished guests here this afternoon, including Justice Katrina Banks-Smith, and Justice Darren Jackson of the Federal Court of Australia, his Honour Judge Hylton Quail, President of the Children's Court of Western Australia, State Coroner Ros Fogliani, Ms Joanne Stampalia PSM, Deputy Director General of the Department of Justice, Mr Michael Celenza, Manager of Superior Courts, Ms Kelly Martinelli, Executive Manager of the Supreme Court, Mr Alan Sefton SC, State Counsel, and Ms Catriona Macleod, President of Women Lawyers of Western Australia, together with many past members of this and other courts.

I particularly extend our welcome to her Honour Judge Julie Wager, Chief Judge of the District Court and many other members of the District Court of Western Australia. I feel, on an occasion such as this, that once again, our congratulations to a new member of this Court should be coupled with an apology to our brothers and sisters on the District Court for taking another valued member of their bench.

I did seek inspiration from a certain American singer-songwriter, who is currently in Australia and who her Honour will be taking Alice to see in Sydney this weekend, to express our gratitude to the District Court but, on this occasion, Demi Lovato put it better; sorry, not sorry. Finally, I welcome those who will address the Court this afternoon, Mr Craig Bydder SC, Solicitor General of Western Australia, Ms Paula Wilkinson, President of the Law Society of Western Australia and Mr Timothy Hammond SC, representing the WA Bar Association.

Justice Glancy brings to the Court a conspicuous record of decades of public service to the community of Western Australia. As one of the Crown Solicitor's Office Alumni, that sit on the Court, her Honour spent two and a half decades of her career working in State service, advising and acting for the executive government at the highest levels across a wide and diverse range of legal fields, attaining the position of Deputy State Solicitor.

A little over six years ago, as I have said, her Honour joined the District Court of Western Australia and from October 2022, her Honour was Deputy President of the State Administrative Tribunal. In that time, Justice Glancy has proved not only to be a fine judge, combining a mastery of the diverse jurisdictions of the District Court and Tribunal, with a model of judicial temperament, but also a greatly valued colleague, with a real interest in the welfare of those with whom she works.

Her Honour's first trial at the District Court was, I recall today, the cause of some comment on account of what was, at the time, the usual way in which her Honour concluded it. I went back and located the transcript of the trial to see if the story was true, the story that I had heard six years ago. Sure enough, the transcript of the trial from 7 February 2018 reveals the following; after the verdict, her Honour discharged the jury and thanked all of the members of the jury for their service. Nothing surprising there. Her Honour then thanked the prosecutor and the defence counsel. Nothing unusual there, perhaps.

Her Honour then, however, publicly thanked the security officers, the jury officer and made sure that her thanks were conveyed to the jury officer from the previous day, who had taken ill. In short, there was no one left in the courtroom, excepts perhaps for the recently acquitted accused man, who was not singled out for their contribution to the trial. That story is characteristic of her Honour's genuine recognition of and gratitude for the contribution of others, and a reminder to us all that we are never alone in our work and that the administration of justice is a collective endeavour.

And so, Justice Glancy, we thank you for joining us on this Court. On behalf of the judges, master, registrars and all of the staff, can I express how pleased we are to have you join us on the Court and bring your talents and expertise to the work and extend our warm congratulations to you, Daniel and Alice, to the family of the Court. As you continue with 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 Solicitor.

**BYDDER, MR:** May it please the Court. It is a great honour and privilege to appear this afternoon on behalf of the State of Western Australia, its Government and people, to welcome your Honour Justice Glancy to the Supreme Court of Western Australia. I also appear more specifically on behalf of the Attorney General, who regrets that he is unable to appear this afternoon to personally welcome your Honour, due to interstate commitments. And in doing so, I join in acknowledging the Whadjuk people of the Noongar nation as the Traditional Custodians of the land on which we meet and pay my respects to their elders, past, present and emerging.

May I also join in recognising the distinguished guests, welcomed by your Honour the Chief Justice, here this afternoon, and in warmly welcoming your Honour Justice Glancy's family and friends, especially your Honour's children, Daniel and Alice and mother, Maureen. Justice Glancy, you are very highly regarded in the legal profession and the wider community.

Indeed, your appointment to this Honourable Court begins the most recent chapter of a professional career devoted to public service. That career began in 1993 in what is now the State Solicitor's Office where, as his Honour the Chief Justice has observed, your Honour spent almost 25 years and rose to be Deputy State Solicitor. Over that period your Honour became a trusted legal advisor to Government at the highest levels.

In doing so, your Honour also provided hundreds of written opinions to government and its agencies on a very wide range of subjects, and may I say to your Honour, that your opinions continue to provide helpful guidance on many of those subjects, not least on some of the most arcane aspects of government law.

In addition to your wide experience as a legal advisor, your Honour also had the conduct of much significant litigation. To take but one example, your Honour was a principal instructing solicitor in the Miriuwung-Gajerrong native title claim over Kununurra and its surrounding region, and your excellent work on that claim took your Honour to Kununurra for significant periods.

Your Honour also appeared as junior counsel to Solicitor Generals in the High Court in a number of cases, including *New South Wales v Kable*, *Fardon v Attorney-General* and *Baker v The Queen*. Your Honour's experience in advice and litigation was reflected in your appointment as a Deputy State Solicitor, responsible for civil litigation in the State Solicitor's Office.

An important aspect of your Honour's work in that capacity was coordinating the provision of legal services to the State for the Royal Commission into institutional responses to child sexual abuse. Those legal services extended to the State's response to the Royal Commission's recommendations which included one of the most important law reforms in recent years; the lifting of limitation periods which, until then, had prevented survivors of child sexual abuse from seeking justice in the civil court.

Your Honour also contributed to the profession more broadly, including as a member of the Women Lawyers of Western Australia. In that capacity, your Honour contributed to their 2014 report into gender bias and the law and in the administration of justice in Western Australia. As his Honour the Chief Justice has observed, your Honour's kindness and care for your colleagues at all levels is a hallmark of your Honour, it was a hallmark of your time at the State Solicitor's Office, and it was a hallmark of your contribution to the wider profession, and that kindness and care your Honour has continued after your Honour's appointment to the District Court in January 2018, through to this day.

Your Honour presided over many criminal and civil matters in the District Court before being appointed a Deputy President of the State Administrative Tribunal. In that capacity, your Honour dealt with a range of matters, including disciplinary proceedings and the review of administrative decisions, and in the latter capacity, to continue your Honour's long contribution to good government in this State. Your Honour continued to serve as a Deputy President of the Tribunal until your appointment to this Honourable Court.

Justice Glancy, the legal experience and expertise you now bring to the Supreme Court, your commitment over many years to public service, the legal profession and the wider community, and the kindness and care you have shown throughout your career make you an outstanding appointment to this Honourable Court. On behalf of the Government and people of Western Australia, I congratulate you on your very well-deserved appointment and wish you all the very

best as you begin this new chapter of public service. May it please the Court.

**QUINLAN CJ:** Thank you, Mr Solicitor. Yes, Ms Wilkinson.

**WILKINSON, MS:** Thank you, your Honour. May it please the Court. It is a great privilege to appear on behalf of the Law Society of Western Australia to welcome your Honour Justice Glancy to the bench of this Honourable Court, and I also join in acknowledging the Traditional Owners of the land on which we meet, the Whadjuk people of the Noongar nation. On behalf of the Law Society of Western Australia, I pay my respects to their elders, past, present and emerging.

May I also recognise the distinguished guests here today and especially welcome and congratulate members of your Honour's family, especially your mother, Maureen, your daughter, Alice, and your son, Daniel. And I acknowledge your friends and colleagues present here in Court and those attending the livestream in various locations.

Your Honour has been a valued member of the Law Society for more than 25 years. Your contribution through participation in many of our educational and social events has helped support one of the Society's important brand pillars, which is to connect with the community. We are so grateful for your involvement, your Honour, and we are privileged to support your appointment.

Your Honour grew up in Perth and you were born in the United States, where your father was working at the time. Your family returned to Perth via Queensland and you attended Loretto in Midlands and John XXIII College, which you greatly enjoyed and where you made lifelong friends. You have said that you were grateful for your education at those schools, which you have described as magnificent. While at school, you went on exchange to Italy, to the city of Genoa, at the age of 15, and this engendered a life-long love of Italy. On your return to Australia, you went on to study Italian at school and university. You attended the University of Western Australia.

Your Honour, I now turn to your career ambitions. Your Honour, you initially wanted to actually be Jana Wendt. Not just to be like her; but to be her. You were also inspired to consider a career in medicine. I understand that you believed this was your fate from about the age of five, when you met what must have been a very charismatic lady doctor, and you must also have been

influenced by your parents, noting that your father, John, was a well-known radiologist.

At about the age of 16, you were smuggled into an operating theatre disguised as a nurse, to watch an angiogram taking place. Just as the process started, your parasympathetic nervous system went into overdrive, and you hit the deck when you fainted. You found out that day that you could not withstand the sight of blood. This event prompted you to give up your plans to study medicine. Your mother observed at this point, you were very argumentative, perhaps you should study law.

Perhaps being argumentative at the age of 16 does not quite qualify anyone to go into the study of the law, but I like to think that your mother, at that moment, saw much more in front of her than her beloved argumentative 16-year-old. I'm sure she could see everything that you could become. Your Honour has been heard to say that you are incredibly grateful to both your parents.

So, it came to pass, your Honour, that you enrolled at the University of Western Australia where you studied for a combined Arts/Law degree. Here, too, as a school, you made many friends. As well as this cohort of friends, I understand it was a source of great delight that your mother as also a student at UWA at the same time as you. She had qualified as a mature age student and I've been told how you used to meet up together at the university café.

Happily, some of the friends you made were working at the Crown Law department, as professional assistants at the time, when you were looking for summer clerkships and articles. You were offered a summer clerkship at the State Solicitor's Office and thereafter articles and, as I understand it, you had a wonderful time there, and you stayed. You certainly stayed, because you work for the same employer for the next 25 years and, of course, the work of the State Solicitor's Office is vast and replete with opportunities.

Your strategy at work, from the very yearly days was to say yes to every opportunity offered to you at the State Solicitor's Office. You came to the conclusion that it was okay not to be sure what to do in your career, and it was okay also not to do any particular task at first. You had wonderful mentors in the early days, including former Justice Pullin and former State Solicitor and Justice Meadows, and Ken Pettit SC, to name just a few. Trying everything that came your way at the State Solicitor's

Office led your Honour to have a very rich career, which ultimately resulted in your holding numerous roles at that office, before rising to the position of Deputy State Solicitor.

And I understand, while you were at the State Solicitor's Office, one of the things you did - and I thought this was very interesting - was to draft an extremely long and complex contract which involved the construction of an extension to a prison, and that drafting this document was a learning curve for you, and it seems that this was a task which had come your way, and you embraced it. I understand that, many years on, that contract is still operational.

I know that you had low moments at work, as we all do. For instance, as a very young lawyer, you were asked to photocopy a large number of documents for a trial. You spent a long time in the library, shrinking the text of each page, so that you could fit two pages of text onto one page. This was expense driven. You were the thrifty student once more, making savings on behalf of the State. However, when you presented the completed task to counsel, there were no smiles of thanks, and your work had to be done again, page by page, and you were specifically instructed not to shrink the text again.

On another occasion, you came to the end of the week in court with counsel. Orders were made by the judge at the end of a Friday sitting for written submissions to be filed in court on Monday morning. You were nominated by counsel to prepare the written submissions and these were to be delivered to counsel for signing at their home on Sunday. There was little or no discussion about the content of the submissions, and this was very early in your career. There were no secretaries working on the weekend.

A supporting friend unplugged a giant word processor at the office, and you took it away for the weekend. Your friend helped you to type the submissions, the completed submissions were delivered to counsel on the Sunday afternoon, and they were signed by counsel and, I might also say, barely read, and they were filed on time, and I think you were even asked on that Sunday if you had had a nice weekend.

Perhaps these early experiences led to you becoming a natural mentor at the State Solicitor's Office, maintaining a keen interest in the management and professional development of staff at the office. For many years, you were on a chaired panel responsible for the recruitment of



new graduates, and you were involved in organising continuing professional development and mentoring programs at the office.

I understand you thoroughly enjoyed your time at the State Solicitor's Office. Your work there included prosecutions, commercial drafting and advice, civil litigation, native title litigation, mining law, advice to government on public law matters and public law litigation. Significantly, your Honour was responsible for coordinating the State Solicitor's involvement in the Royal Commission into institutional responses to child sexual abuse.

You've been described by your colleagues as thorough, formidable, an incredibly hard worker and widely available and accessible to members of the office with never a cross word to juniors, with whom you were always considered approachable and a reassuring presence. In 2018, your Honour was appointed to the District Court. You had been heard to say that your children thought you had really made it because, at last, you had your own bathroom.

You've described your early experience at the District Court as a light-knuckle start, because you are known to be a warrior and you wanted to do your very best. But your colleagues at that Court were fabulous, and you were grateful for all the help and collegiality you experienced there. You also said that the nicest thing about working at the District Court was that there was no competition. Everyone was helpful to you, and there are too many to name. We assure this will be your experience at this Court as well.

You have also said that you went to the District Court with zero experience in crime, and this was a substantial learning curve. It is apparent your Honour yet again was up for what must have been a massive challenge because, of course, your Honour went on to preside over numerous criminal and civil cases.

In 2020, your Honour was appointed Deputy President of the State Administrative Tribunal and the wealth of experience you gained from your time on the Tribunal will surely be very valuable to you in your new role. It has been said that you loved your work on the State Administrative Tribunal, where you were sitting on a panel as a decision-maker. Tribunal work helped you to understand how to deliver justice to litigants in a way they would understand, most never having been in a courtroom before. I understand you found the informality of the process very helpful in this regard.

Your Honour comes to this Court with a considerable reputation for legal excellence and ability based on a wide range of experience as a solicitor and barrister, as a District Court judge and as a member of the State Administrative Tribunal. Your Honour's experience informs a strong voice of wisdom and strength to inspire others in the profession.

Last year, your Honour, you provided an inspiring and thought-provoking speech for the Law Society's long table lunch live, during Law Week in 2023, and we celebrated 100 years since women won the essential legislative change to remove barriers to gaining admission and to practice law in Western Australia. Your story, words and perspective made a memorable impact on our audience that day.

In March 2024, we look forward to your Honour's keynote speech for the annual welcome to the profession breakfast, and we are sincerely grateful and very much appreciative for you taking the time to be with us. Your Honour's colleagues and peers speak very highly and with great affection for you, and many wanted to contribute to the speech today. Justice Janine Pritchard, President of the State Administrative Tribunal, had this to say:

Justice Glancy has been an outstanding Deputy President of the SAT and brings not only her incredible intellect, but also common sense, fairness and empathy to her judicial role. Her judicial career so far demonstrates that she can do the whole range of judicial work, from criminal law to civil litigation, to the enormous range of jurisdiction that the SAT have. She is a true all-rounder.

Another colleague provided some endearing anecdote that give us insight. Judge Amanda Burrows had this to share:

Your Honour can only be described as kind, funny, smart, a great mum and an extremely hard-working, compassionate judge.

Justice went on to say:

She loves Lego. Her constructions fill her chambers.

And this also:

There was one time in the District Court, when court adjourned, that your Honour went into the utility cupboard rather than the exit door.

Justice Pritchard articulates it well in her final statement about your Honour:

She is also an excellent example for women in the profession, and there are many paths to the judiciary, other than the bar, and that it is possible to combine judicial life with family responsibilities.

Another colleague who wanted to be heard today said:

She is kind, smart, funny, caring, a mentor extraordinaire.

And another:

At the SSO, your Honour was extremely highly regarded for her legal judgment, her leadership and mentoring skills, and her robust sense of humour.

Finally, your Honour, I wanted to mention what I've heard of your future plans. You are already considering what you might do in retirement which, of course, is some time off. You would like to teach children to read and you would also like to be the person who hugs the babies in hospital. You might be lucky to do that, your Honour, as the rules about who can hug babies in hospital are quite strict these days.

However, your Honour, I would put nothing past you because your life story indicates a formidable will to achieve your ambitions, whatever they may be. You may well persuade those in charge of the babies in hospital that you're the right person to hug them. Your wish to become involved in teaching children to read in retirement is a wonderful ambition, and I hope this happens for you and that it causes much satisfaction.

A further, somewhat predictable ambition is that you hope to renew your love of Italy and, for that, your Honour, I would recommend a discussion with his Honour Justice Matthew Howard. Your Honour, on behalf of the Law Society and the wider profession of Western Australia, we warmly congratulate you on your appointment, and we wish your Honour all the very best in this new role in serving the community and the administration of justice. May it please the Court.

**QUINLAN CJ:** Thank you, Ms Wilkinson. Yes, Mr Hammond.

**HAMMOND, MR:** Thank you, Chief Justice. May it please the Court. I'm delighted to appear on behalf of the Bar Association to welcome your Honour Justice Glancy as a

Justice of the Supreme Court Western Australia. In doing so, I too acknowledge the Traditional Owners of the land upon which we meet, the Whadjuk people of the Noongar nation, and pay my respects to elders, past and present.

I join the Chief Justice, Mr Solicitor and Ms Wilkinson in acknowledging special guests mentioned by them, together with your Honour's family, who are part of this occasion today. Sadly, both the President and Vice President of the Association were unable to be here. They have both asked me to convey their deep regret at not being able to be present. They also both convey their personal congratulations upon your appointment.

Their absence, however, has become my privilege in terms of making these remarks on behalf of the Bar Association. It is such privilege because we have such a unique opportunity today to publicly acknowledge the extent to which your Honour has made such a significant and positive contribution to the administration of justice as a practitioner, as an advocate and as a judicial officer, be it as a judge of the District Court, or as the Deputy President of the State Administrative Tribunal.

And, in many ways, as varied as those roles in the law have been, your Honour has consistently and is universally regarded, both professionally and personally, in equal measure, as genuine, empathetic, generous, authentic, dedicated, someone who possesses an extraordinary level of insight, as well as emotional and intellectual intelligence, all combined with a formidable determination to keep the show on the road, as it were. Your Honour's success in keeping the show on the road is a trait of your Honour's that I will return to very shortly.

The Court has been well-informed by my learned friends, Mr Solicitor and Ms Wilkinson as to your Honour's background, as well as your Honour's extraordinary capacity to manage both the personal and professional juggle with good humour and diligence, all to remarkable affect. From the perspective of the Bar, not only do we adopt those remarks, but it also allows us to take this opportunity to expand upon your Honour's commitment to service to the administration of justice over the course of your Honour's career thus far.

Whilst working as a practitioner and as counsel at the State Solicitor's Office from 4 February 1993 until your appointment to the District Court on 9 January 2018, your Honour's approach to life and work whilst at the State Solicitor's office, as it later became, has been described

as one in which you were a consummate leader, insightful, strategic, approachable and, at times when you needed to be, quiet and politely devastating to those around you who might have needed a refresher about a complex legal concept every now and again.

To those of you whom you were a mentor, and there were a great many during your time at the State Solicitor's Office and also whilst at the District Court and the State Administrative Tribunal, your Honour was someone who made you want to work harder, to work smarter, just to be better, not necessarily to avoid disappointing your Honour, but out of a desire to show your Honour that they were just trying to be the best practitioner that they could be.

Your Honour has been routinely described by those younger lawyers and associates, whilst at the Court and the Tribunal, as a never-ending source of support, wisdom and generosity, and someone who made you want to stretch yourself as far as you could, again just to be the best that you could be. Whilst at the State Solicitor's Office, your Honour's experience traversed many different areas, as we've heard, native title, High Court constitutional matters, matters involving judicial power, administrative law, Royal Commissions, as well as the most complex and sensitive of advice, which was often required by Government on an extremely urgent basis.

And, again as we have heard a little of, your Honour's record of appearances in the High Court are as varied as they are numerous. Commencing in September 1997, with the State of Western Australia v Ward, up to 2014, which the Australian Communications and Media Authority v Today FM. Other notable High Court matters in which your Honour was also involved during that time, included a case known as Betfair, involving complex constitutional matters, as well as a case called BHP v Schulz, which dealt with complex interjurisdictional issues in relation to the determination of forum for claims involving victims of asbestos disease.

So, when it comes to appearing in the High Court, by my count during your time at the State Solicitor's Office, your Honour has appeared alongside and, arguable, has seen off, Meadows QC, Mitchell SC, as his Honour then was, and Donaldson SC. I think on that basis, one can confidently make the argument that behind every State Solicitor General stands an even more learned, talented and diligent junior counsel.

**QUINLAN CJ:** Present company excluded.

**HAMMOND, MR:** Of course, Chief Justice. In addition to your Honour's extensive record of running and managing complex litigation, it is fair to say that your Honour brings to the Court a history of breaking new ground in the administration of justice. Together with Jeff O'Halloran, your Honour was one of the first at the SSO to be involved in On Country hearings for native title matters in the case of *Western Australia v Ward* or, again as we've heard, more commonly known as the *Ward Case*, or the *Miriuwung-Gajerrong* case.

I mentioned previously one of your Honour's hallmark attributes of "just getting on with the job". A perfect example of such an attribute is found with reference to the *Ward* case. I'm informed of a matter, which I am told was one of many experiences on that litigation which could be described as character building, occurred whilst your Honour was working in the Kimberley, up near Kununurra.

Apparently the SSO legal team had to traverse relatively treacherous conditions in a LandCruiser to get to a remote community. At that time, the legal team was being led by Chris Pullin QC and Ken Pettit SC. Apparently, said LandCruiser got bogged, and there was no available external assistance on hand in order to get the LandCruiser out of the mud. The story then goes that Pullin QC discretely retired to the shade of a tree to read a book whilst your Honour led the charge to dig the LandCruiser out of the mud and get it on its way.

There are two qualifications to the story; whilst Pullin QC expressly gave me permission to mention what happened with the LandCruiser, he also insisted this story was an apocryphal tale. However, the second aspect to it is that I am told that the reason we can be confident the story is true is because your Honour has said it was, and given your Honour's long-standing history of candour and integrity, now the story is out, one is in rather an invidious position.

On a serious note, your Honour's reputation in leading from the front in relation to ventilating important matters of justice in rather uncharted waters, has ventured well past native title work today. By this, I am referring again to your Honour's crucial role in relation to representing the State and its officers at the Royal Commission into institutional responses into child sexual abuse during the latter part of your time at the SSO.

That work was vital in order to facilitate a pathway to justice both through the redress scheme and the common law for thousands of survivor victims of child sexual abuse in this State. And in many ways, the way in which your Honour acquitted yourself in that role was a prime example of how your Honour's skills and strengths make you eminently qualified for an appointment to this court.

The role of the State in the Royal Commission into Institutional Response to Child Sexual Abuse, and to the law reform in subsequent litigation that followed, is complex and nuanced. On the one hand, it is necessary for the State to absorb much of the trauma experiences by those victim survivors, but on the other hand, the State must also consider and, where necessary, defend those claims where it is appropriate to do so.

Given the sensitive and, at times, traumatic subject matter of the litigation, such an approach requires great empathy, attention to detail, but also an objective focus upon matters of public policy that may, at times, be broader than any particular case. Your Honour has all of those qualities and, in no small part, it was a combination of all of those qualities your Honour possesses that resulted in the introduction of those unprecedented reforms that saw rights of survivors delivered to them for the first time in their lives.

In relation to your Honour's time at the District Court, your Honour became immediately known for both your collegiality and sense of humour, combined with a formidable work ethic, both at home and at the Court. It has already been noted that your Honour's lightning-fast grasp of criminal law and procedure demonstrated your Honour's capacity to hit the ground running at the District Court and to get on with the job.

And your Honour's time at the State Administrative Tribunal, again, was a demonstration in real time of your Honour's skill in combining empathy with legal expertise and thoughtfulness, be it with an in-person litigant, an applicant with issues surrounding capacity, a dividing fence dispute, or a medical or legal practitioner involved in disciplinary proceedings in circumstances where their livelihoods may be on the line.

Your Honour, I am sure I speak for all at the Bar when I say that your Honour is not only eminently qualified as a Justice of this Court, but it is beyond all doubt that your Honour's attributes as described almost admirably and

effectively continue to serve the administration of justice. May it please the Court.

**QUINLAN CJ:** Thank you, Mr Hammond. Justice Glancy.

**GLANCY J:** Thank you. Chief Justice, my judicial siblings, honoured guests, dear friends, colleagues, my beloved family, I too would like to begin my remarks today by acknowledging the Traditional Custodians of the land on which we sit today, and those in every place where today's ceremony is being viewed, and pay my respect to their elders, past and present. I would also like, at the outset, to thank everybody for making the time to come today and especially thank everybody who has had a role in preparing today's ceremony, especially Anne Hatten and Graham Kelly.

Many of you have heard me make a speech of this kind before. I can't promise that everything that you hear today will be new, but I hope that it is somewhat different from my earlier speech which I gave, of course, before I had any experience in the role of a judge. I did seriously consider the possibility of simply publishing my earlier remarks and adopting them today, but while I understand we might all have preferred that short approach, that's not the path I've chosen to take this afternoon.

As to differences between today and my welcome to the District Court in 2018, I would firstly and importantly like to draw attention to the fact that I did not burst into tears immediately upon setting foot in the courtroom today, as I did on the occasion of my welcome in the District Court. Glancys are known for crying at happy and sad occasions in equal measure, and I am proudly one of the founding members of what is referred to now in the District Court as the blub club.

Please don't take the fact that I did not cry as a sign that I'm not as overwhelmed by being here today and seeing you all here honouring me in this way as I was at my welcome in 2018. The lack of tears, so far, only means that I am perhaps better at managing my emotions in Court. I can't promise you that I will make it through all of these remarks without tears, but I will judge today's start as an improvement on the last occasion.

As I said at my District Court welcome, I was very surprised to be asked to accept judicial appointment. I certainly thought I was rusted on at the State Solicitor's Office. I was equally surprised today to be sitting here in this position. When I started out in law in the early 1990s, the members of this Court were all men. They seemed



to me at that time to be old men, and they were, in my estimation, so learned in the law that they were people in whose footsteps I never would have dared to think I might follow.

Now, I acknowledge today that my perception of their ages may have done the members of the Court at that time a great injustice and that, in hindsight, my view about that issue may have been a function of my gormless youth. So, today, I wish to retract that assessment of the ages.

But while I do that, there is no about the assessment of the abilities of those judges at the time and there can also been no doubt that there has been progress towards diversity in appointments as evidence by the fact that I sit here today, and I sat at the District Court with so many accomplished women on the bench too. That said, there is still much to do to increase diversity and ensure that the judiciary reflects the community that we serve. But that's a subject that has received a lot of attention and will continue to do so and is really for another day.

Some years ago now, when Paul D. Evans was the State Solicitor, he introduced me a client and, in doing so, he said words to the effect of, "This is Kate. She's a gap filler." At the time, I didn't really like being described in those terms, and when the clients left, I raised with Paul D. Evans why he had referred to me in that way. And I don't tell the story to big-note myself, but he responded to me by saying what he had intended to convey was that I was somebody who could be relied upon to have a bit of a guy with reasonable success at pretty much anything that they suddenly needed somebody to do.

As I say, not trying to big-note myself but, really, the point of that story is that, on reflection, I think my career has really been like that. I've been fortunate not to have been pigeon-holed into any one area of law. I've had the opportunity to work on many very interesting matters with, as I've said many times, many wonderful people at the State Solicitor's Office. It was a fantastic place to work. It was like having one employer, but different jobs over the many years, and I do hope that at the end of my career, the people who judge success or otherwise of judicial officers will judge my career in the way that Paul D. Evans did at the time.

But that's something that others will judge at the end of my career and is for others to decide and all I can do is to work with that goal in mind. I also aim to work in a way that might mean I come to be regarded as someone who

treated those appearing before me with - fairly and with courtesy, as I'm sure all the members of our courts do.

Chief Justice, it's a pleasure and a privilege to join this Court. I've had the pleasure of working with and for many past and current members of the Court, who I greatly admire, and it's an honour to sit here today. The only real sadness I had in accepting appointment to this Court was having to resign my other commissions. After what I can only describe as a baptism of fire, I was very happy at the District Court, as I was at the State Administrative Tribunal, and I like to think that we are all still part of a bigger judicial family, doing different work in different places, but for the same purpose.

Mr Solicitor, thank you for your kind words today, which were made on behalf of the Attorney-General and the government. If you could convey to him my thanks for the confidence that the Government have demonstrated in me by this appointment, I would be very grateful.

Ms Wilkinson, thank you also for your remarks today, and for taking the time on behalf of the Law Society to get to know me a little over coffee last week. It's a very personal approach that you take to the preparation of your speeches. I'm sure it takes a lot of your time. But it does have the effect that you told me that you wanted, which was to make your remarks personal and very special to me and also to my family.

Mr Hammond, as I remarked on the occasion of my welcome in the District Court, it was never within my contemplation to join the bar, despite being urged to do so by the likes of Mr Chris Pullin KC, as he was at the time, and Ken Pettit, who was SC also at that time, before - we had a lot of fun on that native title claim that took many years of our time. It was probably the happiest time I actually had as a lawyer. I hadn't wanted to do it, but really the joy of that was as a result of the wonderful people with whom I was lucky enough to work. The story about the four-wheel drive, I'm going to say I can't remember.

I do remember, though, that Chris Pullin and Ken Pettit would fly business class while I was in the back, and one day they said to me that they felt terrible that that was happening, and they had a solution and I, as a young practitioner thought they're going to let me fly business class and one of them will go down the back and, in fact, what they asked me was to board first, so they didn't have to watch me - but that was really just an example of the very good humour which that case was

conducted, and was and will always be one of my most happy memories in the law, I'm sure.

Now, for a number of reasons, I never took the path of becoming a barrister and, while I understand why most judges have traditionally come from the Bar, I'm very pleased that it's well accepted now that there are alternative valid pathways to judicial office. I look forward to the continued assistance, which I've already received in the resolution of disputes by the contribution made by members of the Bar while I'm on this Court, and I thank you too for your very kind observations about my work history and personal characteristics.

I've had the pleasure and the privilege of working as a judicial officer at the District Court and the tribunal and now the Supreme Court for a brief few weeks. I'm not sorry I didn't ever sit as a Children's Court judge, but the fact that I have sat in each of the three jurisdictions I've mentioned is not unique, of course.

The current president of the State Administrative Tribunal is but one other person who has done that. But it has given me an opportunity to see how justice is delivered by judicial office in several of the State's jurisdictions, and while the substantive work in each, in my observation, is different, there are also some particular things that are common across each of the jurisdictions.

The first is that the role imposes a real burden on decision-makers. Whether it's the traumatic subject matter with which they're dealing, the pace at which justice is expected to be delivered, or the complexity of the work, or perhaps all of those three things in combination. The work is taxing and time-consuming, and often undertaken to the significant detriment of relationships, friendships and physical and mental wellbeing and outside interests.

The second difference is that, despite that, perhaps it's the commonality - despite that, or perhaps because of it, there is a real collegiality among judicial officers, and I use that term today to include the members and senior members of the tribunal.

In each jurisdiction, I've been made to feel welcome and supported and I can't speak highly enough of my judicial siblings from each of those jurisdictions and I value every kindness that was ever shown to me, every piece of advice or precedent or good idea which was shared to me, or every warning about things not to do, which was equally valuable which was offered to me. The collegiality of

those work places has, for me, been a significant means by which the burdens, to which I have referred, have been shared and salved.

A third commonality is the shared desire to deliver justice with sensitivity to and respect for the people who come before us. The position that we hold of hold of privilege and power is not lost on us and the leadership shown by the heads of jurisdiction and the commitment of all of the judiciary, including the members of the tribunal, to the aim of demystifying, which is what is often a disempowering and confusing and foreign experience to people who appear before us, is I think an important way in which we each contribute to the maintenance of the rule of law.

I found the work of the judges of the District Court to be fairly unrelenting. I know I had to work really hard because I've not had any lengthy experience in crime, which was the primary work of that court, which I could draw upon when I started. But in my observation, even the judges of that court, who are the most experienced in crime, work exceedingly long hours because they are committed to ensuring justice is delivered with as little delay as possible.

And I wish to publicly acknowledge the dedication of those judges today who, despite their own heavy workloads, were always willing to take the time to assist me, including on weekends and after hours, which is not to suggest that the members of the tribunal or the members of this court don't work very hard too. Of course, they do. We all give more than is sometimes seems fair to our jobs.

Now, I would certainly not be sitting here today without the love, support and encouragement of my parents, and the excellent education they allowed me to receive. They provided me with everything a child needs to have a great start in life and more. My siblings, Michele and Justin - and Justin can't be here today - and I wanted for nothing and were encouraged in everything. I embarrassingly confess that I perhaps did not appreciate how fortunate I was, as much as I should have at that time.

My mum, Maureen, has been a constant source of support, encouragement and advice, and I cannot thank her enough for everything that she has done for me. As you've heard, she returned to study when Michele and I were in upper high school, and Mum and I completed our Arts degrees together at UWA. Wisely, we pursued different subjects. Some of my friends, though, were forced to discuss with her

their thoughts on their pre-reading during the summer holiday, during visits to our home.

Dad, sadly, did not live to see today. His loss, 10 years ago, feels like both forever ago and yesterday all at the same time. I know, though, that he would be very proud of this achievement, as he would be proud of the considerable achievements of all of his children and grandchildren. He was a gentleman who taught me and my siblings by his example, about integrity, the importance of family, the value of hard work, and the importance of service to others. He had a lot of wisdom to offer and he dispensed it very freely. There are many long-term friends, some of whom are here today, who have been the recipients of his advice, solicited or otherwise.

To my siblings, Michele and Justin, and their spouses, Grant and Yvonne, and their families, you are always here and often taken for granted, but a vital part of my life. You have your own busy lives and successful careers, but perhaps don't get the public recognition that this does, but which are important and also deserving of acknowledgement. Although we live far apart, when we get together, as we did recently at Christmas, the time apart doesn't matter.

Alice and I are flying to Sydney tomorrow. There has been mention of a Taylor Swift concert which we will enjoy, but we are mostly looking forward to seeing my brother, his wife and children and celebrating Charlie's birthday with them on Sunday. As I look out into the gallery, I can see friends from all facets of my life. There are school friends, book club friends, mother's group friends, friends made through university and work, and my family through marriage, who have become my friends.

Not everybody who fits within those categories could fit within the room, or even come, of course, today, so all of you are representative in some ways of other larger groups of people who are important, and there is crossover between some of those categories. Each of you is important to me. Each of you has brought me joy and consolation when life has visited hard times on me, as it does from time to time even for the most privileged of us.

Some, perhaps most of you, have shown more belief in me than I have had in myself. Some of you, and I know you know which ones you are, have pushed me along in pivotal moments of my career, or inspired me to keep going when it has seemed too difficult to manage full-time work and family life, or to take the next step into a job that

seemed to hard, or have opened doors to opportunities for me.

Some of you have provided me with wise parenting advice, or done other things to help make it possible for me to combine work and parenting, and I want to publicly acknowledge the importance of all of those relationships. But I would like to make special mention of my dear friend and colleague, Justice Pritchard, in that regard.

I said at my District Court welcome six years ago, and still believe that there is much to do to improve the culture of law to adequately recognise that its participants are human beings with lives outside of the law that need to be acknowledged and for which room should be made. I would like to thank the former Chief Judge Kevin Sleight for the important part he played in doing just that for me when I was appointed to the District Court. At that time, my children were very young, and he recognised that fact and did not require me to go on circuit, and I think that accommodation, at a time when I really needed it, was much more important to me and our family than Kevin realised.

I would also like to acknowledge the work of all of my associates and ushers. They're, I think, all here today. Each of you is clever and capable and I thank you for your contribution to the work of our chambers. I've learnt as much from you, probably more from you, as you may have learned from me. I'm going to enjoy watching your careers flourish, as I'm sure they will. Catherine, in particular though, without your experience and the knowledge of how things worked in the early days, and your level-headedness, and prompting that sometimes sounded like a stage whispering of words like, "Don't forget trial bail, Judge," much more would have gone wrong than did go wrong.

To Matthew, we have two wonderful children together and I thank you for taking the lion's share of being at home in the evenings with them while I worked at the District Court, and for the contributions you continue to make to their care. To the grandmothers, aunts, uncles, cousins, after-school carers and every friend who has helped with school holiday care and lifts to and from sport, and took a photo of my kids at school functions that I could not attend, and sent it to me, who looked after my children when I was - they were sick, or shared in the trials and tribulations of raising children, while juggling work commitments, or just provided some support or company in good times or bad, thank you.

It's only really possible to give enough to this job when everything else in life is manageable. Your help and encouragement has meant that everything else in my life has mostly been manageable. Now, turning to my two great treasures. Daniel and Alice; you are my pride and joy. At my first welcome, you were quite small, and I thanked you for sitting quietly through the ceremony.

Now, of course, I would expect nothing less of you. But I've more important things to thank you for now. You're fun and interesting people, who bring so much richness to my life. You're kind and compassionate and interested in the world and life and ask big, important questions that make me think and, mostly, you're fun to be around. I look forward every day to coming home to you and setting this job aside for a while and just being Mum.

You've heard a lot today about how important this job is. That's very true. Although there are very many ways in which one can serve the community and seek justice in the world and I'm sure you will find your own equally valuable way of doing so. I know you lose out sometimes, when I have to miss events, or when someone else has to care for you when you're not well, or when I'm just tired and grumpy after a long day at work, and I appreciate your understanding about that.

I sincerely hope that you come to understand that while this work is important, the best and most important job I could ever have is being your mum, even if it's not the job that means other people make speeches about me. I would like to say that there has been a lot said about what I did at the State Solicitor's Office and what I did over my career, and none of it could have been done, or was done by me alone.

It was really done by very, very many people who worked really hard as well and whose contribution to the work that I've been praised for today, is equally valuable as my contribution was. And finally, I want to say that when I was sworn in last month, I took an oath by which in part I promised to fulfil the role of a judge of this court to the best of my ability and I will do my utmost to uphold that oath. Thank you.

**QUINLAN CJ:** Thank you, Justice Glancy. And that completes this evening's formal sitting. The Court will now adjourn.

AT 5.13 PM THE MATTER WAS ADJOURNED ACCORDINGLY

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