

IN THE CHILDREN'S COURT OF NEW SOUTH WALES
AT PARRAMATTA

MONDAY 1 JUNE 2009

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CEREMONIAL SITTING OF THE CHILDREN'S COURT OF NEW SOUTH WALES TO MARK THE APPOINTMENT OF HIS HONOUR JUDGE MARK CURTIS MARIEN SC AS THE FIRST PRESIDENT OF THE COURT.

10 The Honourable J Hatzistergos, MP, Attorney General, on behalf of the New South Wales Bar
Mr J Catanzariti, President, Law Society of New South Wales, on behalf of solicitors
Mr L Templeton, Registrar, Children's Court of New South Wales

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(Commission read)

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ATTORNEY GENERAL: Your Honour, it is my pleasure to congratulate you on your appointment as the inaugural President of the Children's Court of New South Wales. This is a new role which will significantly strengthen our efforts to protect children from harm and to deter them from offending.

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The Government has presently completed the greatest overhaul of the child protection system and legislation in general based on the landmark report of the former Supreme Court Justice, the Honourable James Wood, AO QC, resulting from his work on the Special Commission of Inquiry into Child Protection Services in New South Wales.

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The Report makes recommendations across all areas of Government acknowledging the problems facing child protection are beyond the reach of the Department of Community Services alone. Some of the most significant reforms from the Report are aimed at the way that courts deal with child care and protection and the Government has moved quickly to implement them. In fact, they are the first of the reforms to be implemented with the commencement of the Children's Court Provisions of the **Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009** fast tracked to ensure their rapid application.

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Emblematic of the importance of the Children's Court to the Wood Reforms is the change that we are all here to celebrate today, that is, the appointment of a District Court Judge to the newly created position of President of the Children's Court to reflect the seriousness of the work carried out by the court for the care and protection of children and young people and to acknowledge the complexity of cases now heard in the jurisdiction.

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The change will also be of assistance to the District Court as at the expiration of the President's term to this court he or she will be able to return to the District

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5 Court with expertise to form part of an appeals panel of judges. Whilst we look forward to the future and to the benefits that will come from the Wood Reforms at times of transition and change such as this it is also important and appropriate to reflect on the great work the Children's Court has carried out in the past and the dedication of its magistrates, including the significant contribution of the Senior Children's Magistrate Scott Mitchell, for the welfare of children of this State. I would like to pay tribute to the magistrates, to the registrars and indeed to all of the staff of the Children's Court who carry out this important work, particularly in times of change like the present.

10 Child protection and welfare is a collective responsibility. A responsibility that we must embrace as a community and which must be supported across all arms of government. We all have an important part to play in providing children with social, cultural, economic and emotional support that will give them the best opportunity to achieve their potential.

15 The Children's Court plays an essential role in ensuring that children are provided with the care, opportunities and rehabilitation that they might require in circumstances where familial bonds have broken down or in cases where children have strayed on the wrong side of the law. Its care and protection decisions touch at the very heart of social relations. Its jurisdiction for decisions about the removal of children from their families and the subsequent allocation of parental responsibility is undoubtedly one of the most important responsibilities in the system of child protection and justice.

20 The appointment of Judge Marien, as well as being symbolic of the seriousness with which the Government views this jurisdiction, is also an important practical step to provide leadership to the Court at this time of great transformation. As the Government implements reforms, it represents an overhaul of the practices of the Court and the way it deals with care and protection matters, but I am pleased today to also announce a further enhancement of the ability of the court to provide its knowledge and understanding of care and protection matters to cases of children in rural and regional communities.

25 The Government will fund an additional two Children's Court Magistrates that will assist the court in servicing circuits outside of metropolitan areas. It is important to ensure that children in more remote areas get the benefit of specialised knowledge and understanding of Children's Court Magistrates in important decisions regarding their future. This was a key recommendation of the Special Commission of Inquiry and would allow the Court to expand its sittings in country areas outside of the metropolitan centres where it regularly sits in Parramatta, Glebe, Campbelltown, Woy Woy, Wyong, Broadmeadow, Port Kembla and Nowra.

30 This accompanied other significant reforms to the Children's Court recommended by the Inquiry, such as the creation of more user friendly court processes for parents and children by reducing technicality and increasing the use of alternative dispute resolution. Although there are provisions for the use of alternative dispute resolution in the **Children's and Young Persons (Care**

and Protection) Act 1998 the Special Commission found that they were seldom used. Introducing an increasingly useable alternative dispute resolution process will take families and children out of the adversarial encounter so that there is a greater chance that they can negotiate an outcome before going to court.

In line with the Inquiry's recommendations Children's Court Registrars will also be required to have legal qualifications to ensure that they are equipped to manage matters at a higher level, particularly for the conduct of alternative dispute resolution.

The Government has also funded the development of an alternative dispute resolution system for the Children's Court and for the training in its practice and it has begun the process of establishing a working party of stakeholders to develop the model that will be used in the Court. The Government will be upgrading the data collection in the Children's Court to assist the Department of Community Services in understanding, assessing and monitoring the operation of a child protection system.

The Inquiry's recommendations to consider the transfer of the Children's Court Clinic to the Health portfolio has already been acted on and the Government has agreed to transfer the Clinic to ensure that it exists as an independent body from the Court itself and it is seen as such.

These Children's Court reforms are an essential part of the Government's broader reforms to child protection outlined in our five-year plan to improve the way the Government and the community works together to protect children and young people. The plan entitled '*Keep Them Safe A Shared Approach to Child Wellbeing*' is a concrete, costed and timetabled plan of action that emerged out of the year long Special Commission of Inquiry.

The Government's response marks the beginning of a new era of collaboration and partnership between government, community organisations and individuals. The three key changes are: the raising of the threshold to risk of significant harm; the establishment of child wellbeing units in six Government agencies; and greater responsibility given to the non-government sector with appropriate resources.

The **Children Legislation Amendment (Wood Inquiry Recommendations) Act** 2009 has been developed to give effect to these recommendations that require legislative change. The Act passed parliament and was assented on 7 April and in summary the amending legislation provides for changes to the type of information to be reported, new processes for reporting and responding to information provided by staff of government agencies, expanded powers to disclose information about reporter identity and between agencies, streamline court processes including having a report accompany the initial care application, clarification that the court is to act judicially and not as an oversight body for children in out-of-home care, a new approach to out-of-home care based on children being in statutory supportive and voluntary out-of-home care and expanded categories of background checking and streamline child death

reporting. The significance of these changes in securing a more effective child protection system in New South Wales cannot be understated. In releasing the *'Keep them Safe'* report in March 2009, the Government announced an initial commitment of two hundred and thirty million dollars including more than one hundred million to the non-government sector. These funds will be used for early intervention and intensive family preservation services and building the capacity for non-government organisations in determining the best way forward to provide the new regional intake and referral services. Further investment in the services as part of *'Keep them Safe'* will be announced in the 2009/2010 State budget. In the context of all of these, changes the role of the Children's Court, in general, and the President is clearly a significant one.

Your Honour, you have lead a distinguished career in law and public life, having practised privately and then in the service of the Crown and more recently having served on the District Court Bench. The Government and the bar are delighted that you have agreed to accept this challenging new role. I am confident that you will continue to serve this State with the distinction and dedication in your new position as President of the Children's Court.

Your Honour was educated at St Patrick's Christian Brothers College in Sutherland and apparently you were presented with an abundance of career choices. A career guidance counsellor recommended that your personality was suited to either the Bar or to the stage fortunately, you chose the former.

From your schooling you moved to study Arts Law at the University of Sydney. After graduating in Law you were articled to solicitors, Abbott, Tout, Greer and Wilkinson, and then took up a position as a solicitor with the firm, Frank O'Davenport, which later merged into the firm of Phillips Fox, where you specialised in insurance litigation.

In 1982 you embarked on an interesting branch of your career in Arts Administration having been appointed as Business Manager and Assistant to the General Manager of the Australian Opera. After three years in the Arts you returned to the law as a solicitor with the Commonwealth Deputy Crown Solicitors Office in Sydney specialising in general litigation. From there you joined the Sydney Office of the Commonwealth Director of Public Prosecutions.

In 1986 you finally settled on a career where you could combine both your interest in law and your performative talents before a captive audience, that is, you joined the Bar.

Following admission to the Bar in November 1986 you became a reader at Waddell Chambers, you practised in administrative law, general litigation and criminal law. With respect to the criminal law you took briefs from both the prosecution and from the defence. Whilst at the Bar you practised part-time as a member of the Mental Health Review Tribunal and a board member of the Inner City Legal Service.

In 1992 you were appointed as a New South Wales Crown Prosecutor,

practising extensively in criminal trials in the District and Supreme Courts and
extensive practise in the Court of Criminal Appeal. Whilst as Crown
Prosecutor you were a member of the Criminal Law Committee of the New
South Wales Bar Association, and then in September 2001 you took up
5 secondment as the Director of the Criminal Law Review Division of the
Attorney's General Department.

Your period in the Criminal Law Review Division happened to coincide with the
year before and after an election, challenging times to be involved in criminal
10 law policy in the Public Service and whilst at the Criminal Law Review Division
you worked on some of the more controversial and significant law reforms of
the period including the landmark **Law Enforcement (Powers and
Responsibilities) Act** which consolidated police powers and a range of
reforms to sentencing legislation, most particularly standard minimum
15 sentencing.

Despite the enormous pressure you were burdened with, your professionalism
and integrity never faulted. Your calm and measured advice in the face of
sustained and impassioned debate was heeded by many and always
20 appreciated. Whilst serving as a Director of the Criminal Law Review Division
you continued your active involvement in the continuing Professional
Development Program of New South Wales Bar Association and you are a
member of the Institute of Criminology Advisory Committee and a member of
the Model Criminal Code Officers' Committee of the Standing Committee of
25 Attorney General.

In September 2002 you were appointed as a Deputy Senior Crown Prosecutor.
This then was followed with your appointment as Senior Counsel in October
30 2003.

Throughout your career you have remained close with ties to the arts world
having been a long time board member of both the Seymore Group and the
Marien Street Theatre. I am informed that despite the name of the Marien
Street Theatre it is not actually one that follows from your name. Nevertheless,
35 your Honour has great breadth and depth of experience that makes you an
important addition to the Children's Court Bench and a cornerstone of our
efforts to protect the children of New South Wales.

40 Once again your Honour I congratulate you on your appointment.

I thank you for accepting this important challenge and I wish you well in the
important task ahead.

45 May it please the court.

PRESIDENT: Thank you Mr Attorney General.

MR CATANZARITI: May it please the court.

5 On behalf of the solicitors of this State I am pleased to add my remarks on this occasion and to welcome your Honour as the first President of the New South Wales Children's Court.

10 The Children's Court of New South Wales is one of the oldest juvenile courts in the world. I understand it is only second to Chicago which opened its doors in 1899 following a campaign spearheaded by an American lawyer after seeing children as young as eight years of age imprisoned alongside adult offenders. Six years later the New South Wales Children's Court came into existence under the **Neglected Children and Juvenile Offenders Act** 1905 and for the first time the focus was on reformation and protection of young people rather than punishment.

15 We have certainly come a long way since that time. In the last decade or so there has been a substantial drop in the proportion of juvenile reoffending, in a large part due to the introduction of the **Young Offenders Act** in 1997 and the recourse to increased diversionary interventions, but despite the best will in the world vulnerable children are still at risk, neglected and abused and denied basic rights. As James Wood, AO QC, head of the Special Commission Inquiry into Child Protection Services in New South Wales told a media conference in December 2007, the will to get it right was most certainly apparent during the consultation process. It is clear, he said, that there is a strong will on the part of everyone involved in this critical, complex and challenging area of child protection to ensure that there is in place an efficient, compassionate and workable system in which interagency co-operation can be guaranteed.

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30 The circumstances that gave rise to the Wood Inquiry are harrowing in the extreme and an indictment on our society. For the interest of the child must be paramount and as members of society each one of us has an individual and community responsibility to ensure our children are nurtured and protected from harm or neglect.

35 As signatories to the United Nations Convention on the Rights of the Child we also have a global responsibility to ensure that every child has a basic right to survival, to develop to the fullest, to protection from harmful influences, abuse and exploitation and to participate fully in family, cultural and social life.

40 The Law Society supports the Government's response to the Inquiry findings and recommendations in terms of elevating the profile and importance of the Children's Court in line with the principle of providing an efficient, fair and effective court service for children, young people, parents and our community. Likewise, the Society generally supports the concept of mediation and the greater emphasis placed on alternative dispute resolution proceedings with regard to care proceedings that reach the Children's Court.

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50 We are pleased to have two representatives on the working party convened to develop an improved model for dispute resolution proceedings and we look

forward to working with all parties in that development and implementation. The Law Society also notes the Government's intention to develop guidelines for the Children's Court Advisory Committee, which in the interests of our members are represented through the New South Wales Bar Association. We
5 expect to be consulted regarding the drafting of the guidelines for this statutory body.

The solicitors of New South Wales are proud to acknowledge our long and positive working relationship with the Children's Court over the years, most
10 recently with Senior Children's Magistrate Scott Mitchell and his predecessor, Roger Dive, now Senior Judge of the Drug Court of New South Wales.

Some thirty years ago the Law Society set up a Private Practitioners' Roster Scheme for legal representation for children which then transferred to the
15 responsibility of the Legal Aid Commission. Since this time most children had legal representation when appearing before the Children's Court. We have been very fortunate to have Children's Magistrates serving on Law Society Committees, sharing their expertise and knowledge to inform and strengthen our response to issues of common interests. Some have served for many
20 years. Magistrates Beverley Schurr and Paul Mulroney are two who immediately come to mind as former members of our Criminal Law Committee.

The Criminal Law and Family Issues Committees of the Law Society were formerly one body, the Children's Legal Issues Committee. This Committee
25 took responsibility for the development of comprehensive guidelines for the legal representation of children and young people following a court of profession by the Human Rights and Equal Opportunity Commission and the Australian Law Reform Commission in 1997. The release of these representation principles for children and lawyers in November 2000 were the
30 culmination of a year long process of consultation and reference to international experiences. These principles cover issues relating to the role of the lawyer, confidentiality, the child's right to access documents and third party contact. They were framed on the basis that a child's right to be heard should be respected and that practitioners should note the wishes of the child and,
35 where possible, present them in court. This also reflected our international obligations as a signatory to the Convention of the Rights of the Child to respect and acknowledge the wishes of the child.

The principles have since been refined and updated in line with legislative and terminology changes. Care practitioners on the Family Issues Committee
40 contribute to the third and current Edition.

Your Honour, as President of the New South Wales Children's Court, you are taking on the role of judicial leadership and administration as well as being the
45 public face of the Children's Court and the duties that entails.

At your swearing in at the District Court of New South Wales in 2004 your Honour quoted an excerpt from Chester Porter's autobiography, *Walking on Water*, regarding the ideal attributes of a judge, notably "*the instinct for the fair
50 thing, the just thing, which are more important than legal brilliance.*"

Your Honour's view, based on your advocacy experiences, was that the key attributes towards achieving a fair and just outcome according to law were courtesy and patience.

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Your Honour from all accounts you have demonstrated those attributes well in your judicial capacity to date and will find them particularly relevant in your new role.

10 As a District Court Judge your Honour has presided over some high profile and unusual cases. One of those involved the sentencing in December 2008 of the Qantas conman who posed as a licensed aircraft engineer and then faked character references to support his bid for leniency in sentencing. Those references included a fictional school counsellor, which had been misspelt
15 'councillor', and an alleged fictional Senior Sergeant Woodward, who purported to be the president of a fictional Hornsby Junior Australian Rules Football Club.

The saga prompted your Honour to assert that, "*What has occurred in these sentencing procedures is in my experience an extraordinary event*". Of course,
20 your Honour could equally well have turned your considerable talents to the theatre but in the words of the famous dramatist, William Shakespeare, "*All the world's a stage*". So the profession is pleased that you ultimately chose the legal arena to showcase your talents. I say "ultimately" because your Honour spent some years moving between law and more artistic pursuits such as
25 working for the Australian Opera.

It could be surmised that your Honour's theatrical leanings were decided at birth. Your mother's efforts to win over your father with the name, 'Anthony', failed. The compromise was to name you, 'Mark'. The middle child of five
30 boys, neither of your parents can lay claim to your Honour's career choice. Your late father, Brian, was a journalist while teaching dominated your mother Yvonne's side of the family and indeed this was the profession your younger brother, Michael, pursued.

35 Your Honour did not share Michael's sporting interests as a diehard Rabbitoh's fan, in fact, it has been suggested that if you were handed a tennis racket you would not know what to do with it. Sporting prowess aside, your Honour nonetheless has the reputation of being quick on your feet. An early example of this occurred in the gap year between completing your secondary education
40 at St Patrick's Christian Brothers in Sutherland and commencing your law studies at the University of Sydney. In pursuit of a life outside the theatre of law your Honour had gone to London where you secured a non speaking role in a Shakespearean play of note, as a guard. Taking your position at the bottom of the staircase, an unscripted incident took place when the famous
45 Mark Antony missed his footing on the steps and his hasty descent saw the actor land unceremoniously at your Honour's feet. Your Honour's quick response, bearing in mind you had a non speaking part was, "The day does not all go well for you, Mark Antony".

50 Your Honour, I trust this day all goes well for you and that your Presidency in

the New South Wales Children's Court proves a fulfilling and fruitful experience both for yourself and for those whom you serve in the pursuit of justice and equity for all.

- 5 As the court pleases.

PRESIDENT: Thank you.

5 Your Honours, His Honour Judge Ellis, List Judge of the District Court here at Parramatta, His Honour Judge Dive, Senior Judge of the Drug Court of New South Wales, His Honour Chief Magistrate Henson, Mr Attorney, Mr Catanzariti, Mr Nicholas Cowdery, AM QC, Director of Public Prosecutions, Miss Needham, distinguished guests, members of the legal profession and of the public. Your presence today both honours me and honours the Court. Mr Attorney and Mr Catanzariti, thank you for your very kind personal comments.

10 It is a very great honour to be appointed the first President of the Children's Court of New South Wales. As Mr Catanzariti informed us this morning, it is the second oldest such institution in the world. However, I had thought that the first children's court was established in Brooklyn, New York, so it is a subject that I can take up with Mr Catanzariti later as to our respective researches or the reliability of them.

15 In 2005 this Court celebrated its centenary. The Court is also one of the most efficient courts in Australia. In each of the years 2007 and 2008 the Australian Government Productivity Commission identified the performance of the Court in its criminal jurisdiction by way of timelines as pre-eminent in the Commonwealth.

20 By way of a very abbreviated history and with due acknowledgment to the thorough researchers of the former Senior Children's Magistrate, Mr Rodney Blackmore and former Children's Magistrate, Mr John Crawford, a specialised children's court was first established in New South Wales in 1905 under the **Neglected Children and Juvenile Offenders' Act** of that year.

25 The purpose of the Act was stated to be and I quote:

30 *"To make better provision for the protection, control, education, maintenance, and reformation of neglected and uncontrollable children and juvenile offenders, to constitute children's courts and to provide for appeals from such courts".*

35 The first New South Wales Children's Court commenced sitting at Ormond House in Paddington in October 1905, however, because of overcrowded conditions in 1911 the court moved to new premises in Albion Street, which came to be known as the Metropolitan Children's Court.

40 The court then had, as it does today, both criminal and child welfare jurisdictions although the remedies available to the court then were far more restricted and less beneficial than those that are available to the Children's Court today. Initially, two special magistrates were appointed from the ranks of existing magistrates. A special magistrate was described at the time as being a person and I quote:

45 *"Having a special understanding and sympathy for children who combine the willingness to display leniency with an ability to recognise cases in*

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which corrective measures were needed”.

The practice of appointing specialised children’s magistrates from the ranks of the existing magistracy has continued successfully to this day.

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The 1905 New South Wales legislation reflected what was described as reforms in the United States, designed to stamp an informal character upon courts dealing with children. In the place of what Mr Want, the then Attorney General of New South Wales described in parliamentary debate as and I quote, *“The severity, formality and possibly terrorism of the ordinary courts of the land,”* one hopes that the ordinary courts of our land today, while they may have retained the formality and, on occasions, severity to which Mr Want referred are, to paraphrase George W Bush, *“No longer instruments of terror”*.

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Further reforms were enacted in New South Wales through the Child Welfare Acts of 1923 and 1939, however, the law pertaining to child welfare and juvenile justice remained relatively static for the next thirty years.

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In April 1983, the Metropolitan Children’s Court at Albion Street was closed, again because of overcrowding and poor facilities and was relocated at the Bidura Children’s Court.

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The present Children’s Court was constituted under the **Children’s Court Act 1987**. It exercises criminal jurisdiction under the **Children (Criminal Proceedings) Act 1987** and a care and protection jurisdiction under the **Children and Young Persons (Care and Protection) Act 1998**, commonly known as ‘The Care Act’.

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The Children’s Court today comprises thirteen specialised Children’s Court Magistrates sitting in courts throughout New South Wales exercising jurisdiction in relation to criminal matters involving children and in care and protection of children and young persons. The headquarters of the court are now housed here at Parramatta in this magnificent new purpose built building which opened in November 2006.

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Whilst the Children’s Court has two distinct jurisdictions, in both Juvenile Justice and care and protection, it is important to recognise that the two jurisdictions are, in fact, complementary to each other. Criminologists throughout the world have uniformly identified a clear correlation between child neglect and juvenile offending. An effective child care and protection system operating both at agency level and by way of court intervention when necessary will, therefore, have the additional very positive impact of reducing levels of juvenile offending.

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My appointment brings New South Wales into line with most other jurisdictions in Australia where Children’s Courts are now headed by either a District Court or a County Court Judge. Such a model is seen as reflecting the very important work carried out by Children’s Courts, particularly in its care and protection jurisdiction.

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Apart from deprivation of a person's liberty, no greater sanction can be imposed upon an individual by the State than the taking away from a parent, by coercive order of a court, their legal right to care for their child. These ultimate sanctions of the State can only be imposed in a civilised society, through the strict application of the rule of law and adjudication of disputes which may arise in its application by a fearless and independent judiciary comprising judges and magistrates.

I am particularly honoured today by the presence of the Honourable James Wood, AO QC. As a Supreme Court Judge, Chief Judge at Common Law, Royal Commissioner, Chairman of the New South Wales Law Reform Commission and the Sentencing Council of New South Wales, and more relevantly to today's occasion, Commissioner of the Special Commission of Inquiry into Child Protection Services in New South Wales. James Wood has, for the majority of his professional life, tirelessly devoted himself to the service of the people of New South Wales.

Most of the recommendations in his considered and thorough Report have been supported by Government and many have been implemented by legislation which recently passed through the New South Wales parliament.

In relation to the operation of the Children's Court, Commissioner Wood's recommendations which have been implemented in the legislation include the streamlining and simplification of initiating material to be filed by the Department of Community Services at the commencement of care proceedings, the expansion of alternative dispute resolution processes, both prior to and in the course of care proceedings, the expansion of case management and the piloting of a docket system in the court, the continuing monitoring and evaluation of the Nowra Care Circle Pilot relating to indigenous children and families with a view to expanding the Pilot to other parts of the State with significant Aboriginal communities, and the provision of sufficient specialist Children's Magistrates to deal with care proceedings in rural and regional centres. I am, of course, delighted and heartened to hear the announcement of the Attorney General today that two additional Children's Court Magistrates are to be appointed to assist in the meeting of this important reform in country and regional areas.

We must not think, however, that the proposed reforms which are to be implemented in the Court will radically alter the Court's nature and operation. This is a time of change, but not profound change, for the Court.

The Court has, for many years, served the people and particularly the children of New South Wales extremely well and it will continue to do so. It has developed a care and protection jurisdiction equal to the best in the world, a jurisdiction which is supported and greatly enhanced by highly trained and dedicated professionals working in an independent Children's Court Clinic.

In its criminal jurisdiction, outstanding successes have been achieved through diversionary and restorative justice programs, such as Youth Justice Conferencing under the **Young Offenders Act**, which is administered by the

Department of Juvenile Justice, and the court's Youth, Drug and Alcohol Court Program, the latter being presently conducted with great enthusiasm and commitment by Children's Magistrate, Hilary Hannam. The success of such programs is due in large measure to the high degree of interagency co-
5 operation between the court and the key agencies of the Attorney General's Department, the Department of Juvenile Justice, Police, the Department of Community Services, the Department of Education and New South Wales Health.

10 I would like to use this important occasion to publicly acknowledge the enormous contribution made to the court by His Honour, Senior Children's Magistrate Scott Mitchell. During his tenure as Senior Children's Magistrate His Honour greatly expanded and developed the jurisprudence of the court by
15 delivering many important judgments in the care and protection jurisdiction, most notably **Re Rhett** and **Re Ashley** concerning the need for a care plan to adequately and appropriately address permanency planning, **Re Leonard** as to the meaning of "*realistic possibility of restoration*," and **Re Anthony** concerning the assessment of acceptable and unacceptable risk in cases of unexplained injury.

20 His Honour was dedicated to the establishment of efficient court procedures and the continuing legal education of Children's Magistrates and practitioners in the Court as well as the legal profession generally. One of His Honour's many notable achievements was the revival of the publication of cases and
25 articles relevant to the children's court through the online *Children's Law News*. This invaluable resource is now readily available to practitioners in the court. His Honour also has a very close personal interest in the impact of the Court's processes on indigenous Australians and he has been greatly supportive and personally involved in the Care Circle Pilot in Nowra, which in its short life has
30 achieved some remarkable successes. I share His Honour's close interest in that pilot and I look forward to being personally involved in it.

I thank His Honour for his dedicated service to the court and to the community and particularly to the children of New South Wales and I wish him well in his
35 future judicial career.

I am acutely aware that my new task brings with it many challenges. I am sure they will be exciting ones. I look forward to my new role with enthusiasm and I earnestly hope to carry out the functions of my office to the best of my abilities.
40 I am sure that with the help and support of the highly professional and dedicated Children's Magistrates and Children's Registrars of the court I will be able to achieve that goal.

I should say that it is my intention to sit regularly in both the criminal and care jurisdictions of the court. I look forward to working closely with agencies and practitioners on various committees and forums of the court such as the Courts
45 Advisory Committee.

I trust that through regular contact, discussion and collaboration we will be able
50 to achieve just outcomes for the children of New South Wales and further

efficiencies in the court's processes.

5 It is a matter of great personal pleasure for me to have my brother, Michael,
and a number of my very close friends in attendance today. To everyone
present today I thank you for finding the time to share this very happy occasion
with me. The court will now adjourn.

COURT ADJOURNED

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