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THE SUPREME COURT OF

WESTERN AUSTRALIA

WELCOME TO THE HONOURABLE JUSTICE FIANNACA

TRANSCRIPT OF PROCEEDINGS

AT PERTH ON MONDAY, 31 AUGUST 2015, AT 9.15 AM

MARTIN CJ: The Court sits this morning to welcome his Honour Justice Bruno Fiannaca to the bench of this Court following his Honour's receipt of a commission to serve in that capacity from her Excellency the Governor at Government House last Friday. I'm very pleased to welcome members of his Honour's family to this morning's sittings. They include his Honour's wife, Julie; his mother, Maria; his parent's in law, Ivan and Iva Grbavac; his sister, Nancy, and her husband, Basil Scaffidi; his sister, Ines, and her husband, Myron Sams; his brother, Raymond, and sister in law, Marianna Fiannaca; his sister-in-law, Sandy, and her husband, David Cherry; and other members of his Honour's family and invited guests.

I would also like to welcome his Honour Chief Judge Kevin Sleight of the District Court of Western Australia; President Denis Reynolds of the Children's Court; His Honour Chief Magistrate Steven Heath; State Coroner, Ms Ros Fogliani; the Honourable John McKechnie QC, Commissioner of the Corruption and Crime Commission; and the Honourable Michael Murray AM QC, Parliamentary Inspector of the Corruption and Crime Commission; Ms Cheryl Gwilliam, Director General of the Department of the Attorney General; and many other distinguished guests too numerous to mention including past members of this and other courts.

I would also like to welcome those who will address the Court this morning being Mr Grant Donaldson SC, Solicitor General representing the Attorney General of Western Australia; Ms Elizabeth Needham, Acting President of the Law Society; and Mr Peter Quinlan SC, President of the WA Bar Association.

Justice Fiannaca graduated from the University of Western Australia with degrees in Jurisprudence and Law. Following his graduation he served articles with the State Crown Solicitor of Western Australia. After completing articles he was admitted to practice in February 1985 and immediately commenced employment as a legal officer in the State Crown Solicitor's Office. During the seven years his Honour worked for that office he represented the State and its various agencies in a broad range of jurisdictions including all state courts, the Workers Compensation Board, the Industrial Relations Commission and Industrial Appeals Court, and the Town Planning Appeals Tribunal.

His Honour's skills as an advocate and legal advisor were recognised at an early stage of his career, and he rose to the position of Assistant Crown Counsel before

leaving the State Solicitor's Office to join the Office of the Director of Public Prosecutions when that office commenced operations in January 1992. Over the period of 23 years during which his Honour has served in the Office of the DPP he has engaged in and supervised the various areas of work undertaken by that office.

Once again, his skills as an advocate and legal advisor were recognised by his steady promotion through the various levels within that office including a period of almost six months during which his Honour acted as the Director of Public Prosecutions for Western Australia prior to the appointment of the current holder of that office. His Honour's broader legal skills and experience were recognised when in December 2005 he was appointed senior counsel.

Since August 2010 Justice Fiannaca has served as Deputy Director of Public Prosecutions for Western Australia and in that capacity has exercised, under delegation, most of the powers and functions of the Director. Justice Fiannaca has prosecuted innumerable trials in the Supreme and District Courts including some of the most complex, sensitive and demanding criminal matters that have come before those courts. His Honour has also appeared regularly in the Court of Appeal and, prior to its creation, the Court of Criminal Appeal in appeals relating to both conviction and sentence and has also regularly appeared in appellate proceedings in the High Court of Australia.

Within the office of the DPP Justice Fiannaca has served as a member of the Corporate Executive Committee for many years and has represented the Office of the Director of Public Prosecutions on various external committees in which that office had an interest. His Honour has also been very active in professional affairs including those associated with advocacy training and continuing professional education having presented seminars and papers on various topics at various conferences and programs over the years.

His Honour has also served on the executive of the Australian Association of Crown Prosecutors since 2003 and has also been active in the International Association of Prosecutors. His Honour has also given valuable service to the profession through his role as Deputy Convenor of the Professional Affairs Committee of the Legal Practice Board. Despite his Honour's extremely demanding professional commitments he has found time to engage, actively, in his recreational interests which include music and filmmaking.

His Honour plays regularly in a band and enjoys producing short films on a variety of topics, and I'm hoping that his Honour will be willing to bring that expertise to bear to assist in the production of audio visual materials that can be placed on the website of the Supreme Court so as to improve the range and nature of the information available to Court users especially in the context of the Court's move into a new civil Court building in the middle of next year.

There has been a significant increase in the number of cases coming within the exclusive criminal jurisdiction of the Supreme Court over recent years. His Honour's exceptional expertise and experience in that area of law and practice will be of great assistance to the Court in the discharge of that important area of our jurisdiction. Of course, this is not to say that over time his Honour might not also be encouraged to serve in other areas of the Court's jurisdiction.

On behalf of all members of the Court I wish to extend our congratulations to your Honour upon your appointment. We very much look forward to working with you in your new role and are very pleased to welcome you and your wife, Julie, into the community of the Court.
Mr Solicitor.

DONALDSON, MR: May it please the Court. The Attorney General is unable to attend this special sitting and has asked that I convey to your Honour, Justice Fiannaca and to the Court his apology. Cabinet sits, and I'm sure it is only the important work of executive government or of Parliament that could have kept the Attorney away from this special sitting for as is widely known, your Honour and the Attorney served for many years together in the office of the DPP.

Your Honour's entire career in the law has been spent in government service first in the Crown Law Department and, from its commencement in 1992, in the office of the DPP. In having spent the whole of your career prior to judicial service as a legal officer of the State, your Honour joins Justices Jenkins, Pritchard and Mitchell of and on this Court. In Australia it is rare indeed for the benches of Supreme Courts to have a multitude of its members drawn from the legal offices of the State.

To have a quartet of members of this Court so drawn following not that long after the simultaneous service on this bench of the first such quartet, retired Justices Murray, Scott, Parker and McKechnie, is an extraordinary thing. We are hopeful though expectant that the quartet

which your Honour joins today will serve together for much longer than the mere four years of your predecessor foursome.

Your Honour has been a prominent member of the profession in this state for many years. Indeed, your Honour was marked early with the one to keep an eye on marker. Even though your Honour had only been admitted for some seven or eight years at the time of the commencement of the Office of the DPP your Honour was then acknowledged as a most accomplished counsel and one that the young pretender, McKechnie, was keen to tempt away from the dark lord, Panegyres. The Crown Law Department schism of 1992 surpassed in its intensity the great schism of 1054 in which the communion of the Eastern and Latin churches was severed.

I'm aware of the intensity of the 1054 schism because Panegyres was old enough to have been present and has told me so. Time has somewhat dimmed the excitement that the commencement of the Office of the DPP brought. It was an important moment in the legal history of this state. Your Honour's time at the DPP coincided with a number of very substantial changes in criminal procedure and practice in this state. Change is difficult, and the very nature of justice in individual cases required that the time that would in other fields have been taken to introduce and accommodate such important change was, quite properly, not afforded to those charged with prosecuting crime.

These matters notwithstanding, the Office of the DPP in this state is a prosecution service of high standards and high quality in the attainment and maintenance of which your Honour has played a leading and, indeed, central part. From the very first your Honour's progression in the Office of the DPP was seemingly inexorable. As we have heard, your Honour was, ultimately, to serve in the important statutory office of Deputy Director, and you acted as Director on many occasions and at least once for an extended period although as a Consultant State Prosecutor and more so as Deputy Director your Honour bore a large burden of administration, supervision and mentoring.

For the whole of your time your Honour maintained a heavy trial load. Your Honour's prodigious capacity for work was particularly important following a period some years ago when, within a short period of time, a number of senior and accomplished counsel left the office of the DPP. Large holes near the top were left and your Honour, with one or two others, took on far more than would otherwise have been required or should have been required.

Your Honour did so at great cost simply out of a sense of duty and loyalty. This is not the occasion, indeed there is no occasion, to dwell upon any of the many important matters that your Honour prosecuted. Your Honour, I know, holds dear the truth that appearances as prosecutor of major crimes are not awards or trophies. Every one of them is a mighty thing that changes at least one person's life completely and forever, and your Honour approached every prosecution with this appreciation.

Suffice it on this occasion to record that countless were the trials and appeals and many were the appearances before the High Court undertaken by your Honour, and your Honour leaves the practising profession recognised as one of the most accomplished prosecutors and criminal appellate advocates that the profession in this state has produced. I've been permitted by the Director to say that your loss to his office is immense but that you have left behind much.

In these observations I hope not to convey that your Honour is a dour soul. Of course, you have been a popular member of the Office of the DPP and have given enormous professional and kindly personal support to members of that office and the profession more generally. As the Chief Justice has noted, in recent years you have devoted much time to the important work of the Legal Practice Board, the Australian Association of Crown Prosecutors and the International Association of Prosecutors.

You have assisted and mentored many and in all cases and at all times with care, sensitivity and calm. One aspect of your Honour's popularity within the Office of the DPP has been that your Honour, with Urquhart, initiated and, with others, have maintained the tradition of the annual theatrical and occasional cinematic performance within that office. Indeed, your Honour has been a keen filmmaker since at least your time at university.

Happily for the Court, your Honour has no talent, and so, like the rest of us, your Honour became a lawyer. Indeed, as to your Honour's lack of talent I have it on good authority - Jones, just in case your Honour was wondering - that at one such annual event your Honour, with Archer of Senior Counsel, had a go at singing that well known Talking Heads ditty, On The Road To Nowhere. That performance has been described, variously as "unforgettably appalling", "a felony" and finally and, I think, most unkindly "a murderous butchering atrocity". It sounds like one of Mactaggart's openings. Such reviews have, of course, completely overlooked the irony that that

particular tune, On The Road to Nowhere, was allegorical and a portend of your Honour's singing career.

I trust that your Honour will not consider it intrusive for me to express my hope that this appointment has not only been the source of great pride to your Honour but also to members of your Honour's family. Although your Honour was born in Australia both of your Honour's parents hail from Sicily and came to Australia in the 1950s.

That the son of migrants and alumnus of South Fremantle High School can get into university, excel at law school and then rise in the profession to be appointed to the bench of the highest court in this state says something good about us all. It says much more about your Honour and, no doubt, about your Honour's parents and family. All of us celebrate this as all of us celebrate the unique and unprecedented fact that three of the judges of this Court are either the child or grandchild of migrants to this country from Italy. Your Honour, the executive government is delighted and grateful that you have accepted this appointment.

No doubt, your service on this Court will simply be a continuation of your commitment and deep desire to serve the community in the administration of justice. Good luck. May it please the Court.

MARTIN CJ: Thank you, Mr Donaldson. Ms Needham.

NEEDHAM, MS: May it please the Court. It is my great privilege to welcome his Honour Justice Bruno Fiannaca to this Court on behalf of the Law Society of Western Australia and the Western Australian legal profession. I do not intend to again traverse the path of your Honour's career or your eminence. They have been eloquently covered by his Honour the Chief Justice and my learned friend, the State Solicitor. Instead, I want to concentrate on two linked aspects of your Honour's attitude to your profession that, in addition to what has already been mentioned about you, represent values the Law Society encourages in the profession.

The first is the collegiality you've shown and the second is mentoring. I'm pleased to report that immediately upon being admitted to practice your Honour joined the Law Society and therein started your commitment to professional development and education across the legal profession. It is an important aspect of any profession that if we are to promote high quality service to the

community then we must ensure professional standards by access to good quality continuing education and support.

It is therefore incumbent on each of us as we move through the profession to stretch out one hand to lift up those who follow behind us. Your Honour has always had a very keen eye on doing precisely that. Your Honour's distinguished service as chair of the DPPs internal Training and Development Committee, as a member of the Professional Affairs Committee of the Legal Practice Board, on the executive of the Australian Association of Crown Prosecutors and as an active member of the International Association of Prosecutors is all evidence of this.

All are significant roles in their own right, but in each of these you have taken the time to assist individuals in your profession to identify and enhance their abilities. A common comment from colleagues who have worked with you is about the help you have given each in various ways, sometimes by having an open door to listen and provide guidance, with others to actively promote learning amongst your colleagues.

In that regard, your Honour has played a vital role in the continuing professional development of your colleagues and other practitioners by supporting many of your colleagues to learn from the best by having them attend seminars and conferences both within the Office of the DPP and those run by the Australian Association of Crown Prosecutors and by the Law Society. The Law Society and the wider profession have benefited from your generosity in providing your time to impart your knowledge to others.

The most recent example being your presentation on the examination of witnesses in a seminar for the Law Society entitled Advocacy: An Introduction to Case Theory and Preparation. Mentoring individuals is something that you have also taken very seriously. Your Honour has often had an additional junior working with you to help to mentor them on any matter. It is reported by your colleagues that you sought a high standard from them as you did from yourself but it is a testament to you that, supported by your Honour, not only did your colleagues work hard to achieve those standards but they report that there was an active competition in the office to be your junior.

Your Honour has a gift for making knowledge and experience accessible across the generational divide. That gift is not limited to the law but has extended to your Honour's ability in short filmmaking and one area which two of us who appear before you today share and that is of

music and in particular the performance of music if not in singing then at least in your chosen instrument.

It has been said by your Honour's colleagues from the DPP that your performance of music at social functions of that office has added greatly to the life and collegiality of that office and to prove you have provided that bridge across the generational divide, it was reported to me by the younger generation of that office that you were the only person they could think of that could make playing the piano accordion cool.

All of the attributes your Honour has shown in supporting collegiality and mentoring others: the patience, empathy, clear and thorough explanation to others of the law and the ability to cross that generational divide are just some of those things that the Law Society considers will stand you in good stead as your Honour embarks on your next role in serving the community of Western Australia. On behalf of all members of the Law Society and the Western Australian legal profession I congratulate your Honour on your appointment as Justice of this Honourable Court. May it please the Court.

MARTIN CJ: Thank you, Ms Needham. Mr Quinlan.

QUINLAN, MR: May it please the Court. It is with great pleasure that I appear on behalf of the Western Australian Bar Association to welcome your Honour as a judge of this Honourable Court. I speak on behalf of all the members of the Bar in Western Australia in congratulating your Honour on this achievement and in wishing your Honour well in this next stage of your Honour's already successful and distinguished career. In congratulating your Honour we extend those congratulations to your Honour's family and in particular your wife, Julie.

I have it on good authority that the State and the legal profession largely have Julie to thank for your Honour's career in the law. I am reliably informed that the only reason that your Honour enrolled at the University of Western Australia in what was then the state's only law school was in pursuit of Julie who had already enrolled there.

I must admit that I was a little perturbed when I received the email advising me of your Honour's appointment and inviting me to address the Court this morning. The email was headed Welcome for the Honourable Bruce Fiannaca. This seemed to be one of three things: firstly, someone's spellchecker was being mischievous, secondly some distant

mysterious relative of your Honour's had come out of nowhere to be appointed or thirdly, as in the Monty Python skit, all the judges of the Court had been required to change their name to Bruce just to avoid confusion and keep things clear. Fortunately, for the people of Western Australia and for the other members of the Court the first explanation turned out to be the correct one.

As it has already been remarked, your Honour comes to Court having already provided over 30 years' service to the State within the Crown Solicitor's Office and since 1992 with the Office of the Director of Public Prosecutions. In those roles - particularly as Senior Crown Prosecutor and Deputy Director of Public Prosecutions - your Honour has not only excelled as an advocate and legal advisor but has proved to be one of the most dedicated, loyal and industrious servants of the public in Western Australia.

Your Honour's work ethic is renowned as is your meticulous attention to detail. It is therefore no disservice to the many other fine lawyers within the Office of the DPP that your Honour's departure now leaves a significant hole that will be very difficult to fill. This is not only because of the heavy case load shouldered by your Honour both in complex trials and appeals to the Court of Appeal and the High Court of Australia. Less public but no less important has been the significant administrative and policy roles that your Honour has undertaken within the office and for which a succession of directors have been heavily reliant.

It is a sure sign of your Honour's dedication to public service that your Honour has so freely undertaken these less glamorous tasks for the good of the office and also given so freely of your time in the education and supervision of junior counsel and solicitors within the DPP. It is in this last role - that of supervising others - that your Honour's meticulous attention to detail becomes most evident. Whenever in receipt of material prepared by other staff, be it memoranda attached to indictments or post-it notes, your Honour is known to carefully correct every spelling, syntactical, grammatical and punctuation error and return it to the author for their edification.

Just last week in the course of an exchange between bar and bench as to the contents of an aide-mémoire for a jury, Mr Urquhart of counsel apologised to her Honour Judge Petrusa that a number of his proposed amendments to the aide were "too finicky". Her Honour was quick to reassure him, "Mr Urquhart, you worked with Mr Fiannaca. I would expect nothing less." So fortunately the embarrassment of

combining upper case and lower case paragraph letters was averted.

This story does leave us to wonder whether Fiannaca may after all be the Italian word for the English "finicky" and fortunately your Honour's attention to detail also extends to your Honour's courteous and friendly manner. Your Honour has been meticulous in your respectful dealings with colleagues, a trait which the bar is pleased will no doubt transfer well to the bench. As has already been observed, in addition to your Honour's distinguished and successful legal career, your Honour is something of a polymath, excelling in fields of music and in filmmaking; a career path to which your Honour was almost permanently diverted.

Some of your Honour's more celebrated titles include the film clip for the song Special Treatment, a song about certain employees of the Crown Solicitor's Office, and the action-adventure The Spy Who Loved the DPP, a summary of whose cast and narrative arc can safely be left for another time. In all of these wide and varied activities your Honour may be favourably compared to another polymath and perhaps the most famous bearer of the name Bruno the Neapolitan friar, Giordano Bruno.

Your Honour has, I hope, had occasion while visiting Rome to visit the magnificent bronze statue of Bruno that stands in the Campo de' Fiori just south of the Piazza Navona. Like your Honour, Giordano Bruno did not confine himself to mastery of one discipline but excelled equally in philosophy, mathematics, poetry and astrology. Unfortunately for Bruno, these intellectual pursuits resulted in charges of heresy in 1593 leading to a trial which lasted just under eight years and culminated, in the year 1600, in Bruno being burnt at the stake on the very spot where that statue of him now stands.

Fortunately for your Honour, unlike the case of Giordano Bruno, I can assure your Honour of two things: first, while it is still steadily increasing, the length of criminal trials in this Court has not yet reached eight years and secondly the penalty for heresy in this Court is not burning at the stake. At most your Honour might expect a mild scolding from the Court of Appeal. No doubt those occasions will be rare indeed. The bar has every confidence that your Honour will serve this Court and the people of this state with great distinction. We extend our best wishes to your Honour for a long and distinguished judicial career. May it please the Court.

MARTIN CJ: Thank you, Mr Quinlan. Justice Fiannaca.

FIANNACA J: Thank you, Chief Justice. Your Honours, ladies and gentlemen, family and friends, it is very humbling to see so many of you attending this morning to mark my appointment to this Honourable Court. The presence of each of you means a great deal to me. I am particularly honoured by the presence of judges and former judges before whom I have appeared over the many years and other distinguished guests. Like Justice Tottle who was recently appointed, my appointment follows the retirements of the Honourable John McKechnie QC and the Honourable Eric Heenan QC and I am honoured that they are present here today.

Chief Justice, thank you for your warm welcome to the Court. I am very grateful also for the welcome and assistance that I have received from other judges of the Court and from court staff over the last two weeks as I have begun the transition to my new place of employment. Mr Donaldson, Ms Needham and Mr Quinlan, thank you for your very kind words.

Mr Donaldson, I am grateful to the government for the trust that it has placed in me. It is a great honour and I will work diligently to justify the trust that the government has placed in me in the years to come. I will reserve my judgment on your submission about my talents, particularly in respect of filmmaking, but I must say you make a very compelling argument about the a cappella singing, although I should point out that on that occasion there were in fact, I think, four accused who were guilty.

Ms Needham, I have been very proud to be a member of the Law Society from the very outset. I have enjoyed the membership and I intend to continue my association with the Law Society as a judicial member. Its continuing professional development seminars and advocacy training courses, especially for young practitioners, make a significant contribution to the maintenance of proper standards in the legal community.

Mr Quinlan, I regret that as a government lawyer I was not able to be a member of the Bar Association, but I have many friends who are there and I have come to know more during the time that I have been on the Legal Practice Board. I have enjoyed excellent relations with my colleagues at the independent bar, particularly those who practice criminal law. The fact that I do have good relations with them may explain why I have been kindly spared any suggestion that my appointment was intended to substantially reduce the length of homicide trials in this Court.

On a statistical analysis, the odds may have seemed against this appointment. In the first place, the quota of judges who are keen Dockers supporters appeared to be well and truly filled, certainly by the time of the appointment of Justice Mitchell, an original member of the anchor crew, no less. Secondly, upon Justice Martino joining Justice Mazza on this bench, it seemed the quota of judges of Italian heritage might also be exhausted.

However, to the best of my knowledge, and I think this has been suggested already, no judge has previously been appointed who played the piano accordion. Now, for those who may be thinking, "That was by design", let me say that putting up with quips of that kind for most of my accordion playing life helped build resilience and prepared me for appearances in the Court of Appeal which, of course, I will be doing my best to avoid in future.

I am indebted to many people who have contributed to my life and my career, helping to pave the way to this achievement. I have thanked many of them personally and at other gatherings, but I do want to take the opportunity to acknowledge some of the leading cast today.

First and foremost, I want to thank my beautiful wife, Julie, my friend and the love of my life for 35 years, for her patience and loving support throughout my career. We met in high school and yes, Mr Quinlan, part of the reason I decided to pursue law as a career rather than my other passion in filmmaking was that Julie chose to do an arts degree at the University of WA. It appears to have been a good choice.

I will always be grateful to my parents for the start they gave me in life. Although they met here, they were the quintessential Sicilian migrants who worked hard and made sacrifices so their children could have better opportunities. The work ethic and respect for others that they passed on are attributes that have served me well in my legal career so far, and that I hope to bring to my new role.

It gives me a great sense of fulfilment that my mother is able to be here and enjoy this achievement with me. I wish that my father could have been here. He was at the small ceremony at this Court when I was appointed Senior Counsel some 10 years ago, and he was touched by the kindness and the down to earth nature of the judges who took time to speak with him on that occasion. I hope to emulate those judicial qualities.

I thank also Julie's parents who have treated me as a son, and all my family for helping me to stay grounded. The jury box was easily filled. The extended family would constitute a jury panel for a 10 week trial.

I want to acknowledge the teachers who contributed to my education. I think teachers are not often enough credited for the influence that they have on peoples' lives, especially the teachers I had at South Fremantle Senior High School, where they encouraged an appetite for intellectual challenges and a pursuit of social justice.

It was a good grounding for the legal studies that followed and the commencement of my legal career at what was then the Crown Solicitor's Office, about which you have heard, and for that I have to thank the late Clyde LeBer Langoulant. I was sad to hear recently that he had passed away. He was then the Crown solicitor, and his deputy, Peter Panegyres, who has already been mentioned. Another accordion player, I should say. Peter is abroad at the moment and has sent his apologies.

Crown Law, as it was known, was filled with extraordinary talent including some of the most formidable advocates in the state at that time. It produced many judges of this Court and also the District Court, and it nurtured some wonderful legal careers for others.

The influences on my career were many, but I want to acknowledge three mentors in particular who helped shape me as a Crown lawyer. They are the Honourable Michael Murray QC, the Honourable John McKechnie QC, who gave me the opportunity to join at the office of the DPP when it was formed, much to the disappointment of Mr Panegyres, and Her Honour Shauna Deane QC, with whom I worked on what was then, in the early nineties, the longest running criminal trial the state had seen.

The kind tributes that I have received from colleagues at the DPP upon my appointment suggest that perhaps I have been able to pass on at least some of the learning I acquired, and I am pleased if that is the case. It has been a privilege and a pleasure to work with those colleagues and the support staff at the DPP for the last 23 years, and I thank all of them for their contributions.

One never stops learning, and I can say honestly that my life has been enriched both professionally and personally by the juniors, the instructors, my fellow senior colleagues and everybody else with whom I have worked at the DPP.

I will miss the collegiality and the camaraderie of what was a second home for me. I hope that my appointment will encourage the view that a career in government service can be deeply satisfying and rewarding. I want to thank in particular my executive assistant, Margaret Fairey, and the Director's legal administrator, Yanina Boschini, both of whom have provided loyal and much valued assistance over the years, always with good cheer.

I also thank the Director, Joe McGrath SC, for his friendship over the last five years and for his support of my role as Deputy Director. He leads an office which, in my view, is occupied by conscientious and highly skilled lawyers and support staff who are dedicated to providing the state with a fair and just prosecution service, even when resources are somewhat stretched and the workload is increasing.

I have the greatest respect for lawyers on both sides of the fence in the criminal justice system. By its very nature, dealing with the frailties and, at times, the worst excesses of human behaviour and dealing with the liberty of the accused, it is a particularly stressful area of law in which to practise. But because of its nature, it is important that lawyers of the highest calibre are encouraged to practise in criminal law and that Prosecution Offices and Legal Aid services are adequately resourced.

The stresses that come with the job are tempered, in part by the collegiality that has been mentioned. For prosecutors, that collegiality extends across borders by the Australian Association of Crown Prosecutors and the International Association of Prosecutors that have been mentioned, and I would like to acknowledge the encouragement and support that I have received for many years from Mark Tedeschi QC, who's the President of the AACP, and Sal Vasta, who is now his Honour Federal Circuit Judge Vasta, who has served on the executive of the IAP.

I believe I will find a sense of collegiality among my colleagues on this bench. The Chief Justice has assured me of that. Most of whom I have appeared before in the past, some of whom I have worked with. One or two of whom, they may not remember, even tutored me when I was at university. They were very young back then.

The DPP Revue has been mentioned. It is a feature of the DPP social calendar that has been very dear to me. It has brought much entertainment to colleagues both within and outside the Office, and indeed to judges who, on occasions, have attended. I was rather persuasive in being

able to get people on stage or on film in the past. I expect I will need to approach with some delicacy the idea of a Supreme Court Revue.

I would like to conclude with a favourite quote of mine from Francis Bacon:

Imagination was given to man to compensate him for what he is not; a sense of humour to console him for what he is.

I don't know that I ever imagined being here. I do know there remains scope for the imagination while I dream of becoming an accomplished accordionist, but for now I intend to fulfil my judicial responsibilities conscientiously and to the best of my ability. And in doing so, I hope to maintain a sense of humour. Thank you all for coming.

MARTIN CJ: Thank you, Justice Fiannaca. That completes this morning's ceremony. The Court will now adjourn.

AT 9.55 AM THE MATTER WAS ADJOURNED ACCORDINGLY

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