Opening of the Legal Year - 2026

The Honourable Justice Peter Quinlan

Chief Justice of Western Australia

5 February 2026

The Court sits this morning to mark the Opening of the Legal Year for 2026.

We do so overlooking the Derbal Yerrigan, on the traditional lands of the Whadjuk people of the Noongar nation, to whose elders past and present we pay our respects, and whose traditional laws and customs pre-existed the legal tradition administered by this Court by thousands of years.

We extend a warm welcome to all members of the judiciary and the legal profession present in court today and attending remotely throughout the State, including our judicial brothers and sisters from the Federal Court of Australia, the Family Court of Western Australia, the District Court of Western Australia, the Children's Court of Western Australia, the Magistrates Court of Western Australia and the Coroner's Court of Western Australia. We also welcome all members of the practising profession and members of the public, attending in person or by livestream.

We particularly welcome the Hon Dr Tony Buti MLA, Attorney General for Western Australia, Ms Judy McLean, President of the Law Society of WA and Ms Julie Taylor SC, President of the WA Bar Association, who will shortly address the Court.

The decision to reintroduce a ceremonial sitting of the Court to mark the Opening of the Legal Year is one born both of fidelity to the traditions of the past, and, perhaps more urgently, to address the challenge of our present age.

As a reflection of the traditions of the past, the Opening of the Legal Year has its origins in a religious custom in England and Wales, of judges gathering to pray

for guidance at the beginning of the legal year, an origin that is still reflected in many other jurisdictions where religious services are held across an increasing variety of faith traditions. In keeping with the pluralistic nature of our community and indeed of the Court itself, that religious tradition does not continue in this State. Nevertheless, the Opening of the Legal Year remains a time for deep reflection by the courts, the legal profession and all who are charged with the administration of justice, on the year past and on the year ahead.

Which brings me to the challenge of our present age. No doubt people of every age have bemoaned the loss of civic culture in their own time. Cicero's lament, *O tempora! O mores!* echoes time and again throughout recorded history.

And yet our own time does seem to present truly unique challenges. Fuelled by an online social world that thrives on rancour and vitriol, our community is becoming increasingly polarised and our culture, hyper-partisan. And for those at the extreme ends of that culture, no shock or outrage seems enough to bring the protagonists to their senses.

At such a time, the courts and the legal profession have a vital role to play. Adherence to the rule of law not only provides the bedrock of stability for our society as a whole, the commitment of the courts and broader profession to the values inherent in the rule of law can provide a model for the culture at large. Chief amongst those values are reason, honesty and civility.

The courts and the profession must deal with the most contentious and traumatic issues that face our community, where passions understandably run high and the cry for justice is spirited and heartfelt. And yet we must address those issues, at all times, with reason, honesty and civility, together with the independence and impartiality which must not only be the hallmark of the judiciary, but the legal

profession as a whole.

Every court, every public legal office, every law firm and every barrister's chambers must be a place where members of the community can expect equality of treatment, no matter their gender, their race or ethnicity, their religion or creed, their ability or disability, their economic status or their personal histories.

To achieve this, we must have leaders and exemplars, those in our professions that exhibit the values of excellence, independence and integrity. To that end, the Court acknowledges today the recent appointment of Senior Counsel for the State of Western Australia, from among the profession, both public and private, and who are all seated at the bar table: Mr Michael Rynne SC, Mr Steven Wong SC, Mr Wayne Zappia SC, Mr Adam Sharpe SC, Ms Gemma Beggs SC, Ms Heather Millar SC, Ms Cobey Taggart SC, Mr Beau Sertorio SC and Mr Alex Mossop SC.

Appointment as Senior Counsel is based on eminence in the practice of law, especially in advocacy, unquestioned integrity, availability and independence. By their appointment, Senior Counsel provide not only an example of these values, but undertake to actively promote and instil those values in the profession as a whole. Mr Rynne, Mr Wong, Mr Zappia, Mr Sharpe, Ms Beggs, Ms Millar, Ms Taggart, Mr Sertorio and Mr Mossop, the Court congratulates you on your appointment and looks forward to your continued contribution to the administration of justice in this State.

We also take the opportunity to acknowledge and thank all those within the courts and the profession for their contribution to the administration of justice.

In the courts, that contribution is by no means limited to the judges, magistrates and other judicial officers of the various courts in the State. Indeed, it will often

be the staff of the court, both registry staff and personal staff, that members of the public will have their primary, if not their only, contact. The commitment of those staff to the administration of justice, will often provide the measure of the confidence that the public has in the efficient and impartial administration of justice.

In this Court, for example, by far and away the greatest number of lodgments in the Court are applications for probate, half of which are made by members of the public without any legal assistance. Last year 9,670 applications for probate or letters of administration were finalised in this Court, 91.3% of which were finalised within 6 weeks of lodgment and, even more remarkably, 70% of which were completed in less than a week. That remarkable achievement, in providing rapid service to members of the public at what is often a very difficult time of their lives, is due entirely to the registry staff and the registrars of the Court.

In the case of the registrars, that achievement was on top of an additional 1,154 civil hearings, including 444 mediation conferences, almost nine a week for every week of the year.

To be fair, we must also acknowledge that the judges and master have been working too, this past year.

In 2025, judges of the General Division of the Supreme Court sat in 54 civil trials, over 198 sitting days, in addition to conducting 1,780 other civil hearings, representing an increase in judges' civil hearings of 20.9% over the previous year. The civil finalisation rate for the year as a whole was 92.5%, being 2,375 finalisations compared to lodgments of 2,567.

In the criminal jurisdiction of the General Division of the Court, the judges

finalised matters for 57 accused persons, including sitting in 19 trials, over a total of 206 sitting days, a 16% increase on the previous year. This saw both the cases on hand and the backlog in indictments decrease over the year, although the median time to trial continues to fluctuate each month and at the end of the year sat at 49 weeks. The overwhelming majority of indictments in the Supreme Court were for homicide. In 2025, for example, 41 of the 52 charges brought in the Court were charges for offences of homicide.

The other principal work of the General Division in the criminal jurisdiction is in single judge appeals and applications under the *High Risk Serious Offenders Act*. Lodgments for single judge appeals increased slightly from 92 in 2024 to 96 in 2025. With 66 finalisations in 2025, this has seen an increase in cases on hand, which currently sits at 84.

Applications under the *High Risk Serious Offenders Act* occupy a significant proportion of the Court's judicial resources. Approximately 20 new applications for restriction orders under that Act are lodged with the Court each year. During 2025, the Court determined 22 preliminary hearings and 17 restriction order applications, resulting in four continuing detention orders and 13 supervision orders.

Once commenced in the Court, however, almost all matters under the *High Risk Serious Offenders Act* remain active for many years, as the Court is required to periodically review continuing detention orders and to deal with any alleged contraventions of supervision orders. For example, there are currently 92 persons for whom supervision orders have been made, who are either being supervised in the community or are in detention as a result of contravention proceedings. A further 55 matters are pending in the Court, either as restriction order applications or applications for periodic review, all of which must be given priority in the

Court's listing protocol. A number of the matters under the Act have been active in the Court for 20 years. With each passing year those numbers will continue to grow and to consume an increasing proportion of the Court's resources. In 2016, for example, the total number of hearings conducted under the predecessor to the *High Risk Serious Offenders Act* was 46. In 2025, that number had risen to 319.

In the Court of Appeal, 257 appeals were finalised, consisting of 160 criminal appeals and 97 civil appeals. Of the criminal appeals, 118 were finalised by judgment of the court, and of the civil appeals 61 were finalised by judgment of the court. Both civil and criminal lodgments in the Court of Appeal increased from 2024 to 2025: civil appeals from 68 lodgments to 88 lodgments and criminal appeals from 146 lodgments to 155 lodgments.

The median time to finalise civil appeals by final judgment in 2025 was 40.5 weeks, with 86% of all appeals being completed within the timeliness standard of 78 weeks. In relation to criminal appeals the median time to finalisation by judgment was 50 weeks, with 39% of all appeals being completed within the more ambitious timeliness standard of 32 weeks.

This brief review of the work of the Court in the past year should provide some picture of the commitment of all of those persons concerned in the administration of justice in this State: judicial officers, court staff and the legal profession; a commitment that is found in all of the courts in the State, of course, at even greater volumes. It reflects a commitment to the provision of justice in a sometimes challenging environment, including well-known constraints on accommodation and other infrastructure, in particular the urgent need for investment in information technology, without which a modern justice system simply cannot operate.

Of course, the courts and the profession can never be complacent. We can always do better and we should always be looking for new ways to ensure that justice is delivered in a way that is timely and accessible to the public at large. The impact of delay and cost on all users of the justice system must not be underestimated and must be continuously addressed.

To that end, over the coming year, the Supreme Court will conduct a wide ranging review of all of its civil practice, from the commencement of proceedings, to more effective and timely case management. A reference group chaired by Principal Registrar Griffin will soon be established, including members of the judiciary, and members of the profession, to conduct a thorough review and identify practical measures for improvement. No ideas should be off the table.

In addition, it is proposed, in the first half of the year to conduct a review of the consultation process for appointment of Senior Counsel in this State. While the existing process has served the profession and the community well, it is important to identify any potential changes to that process that can improve its reliability, transparency and accountability. It is proposed to complete that review prior to the date for applications for Senior Counsel in August.

No doubt there are other initiatives by which the courts and the profession can work together to ensure that the public may justifiably have confidence in the administration of justice in this State.

But I have detained you all too long already. Yes Mr Attorney.