



CHAMBERS OF THE CHIEF JUSTICE
SUPREME COURT
BRISBANE

13 July 1999

Our Ref: 1:44

Mr Alan Randle
Secretary
Australian Justice and Reform Inc.
PO Box 90
CLAYFIELD QLD 4011

Dear Mr Randle

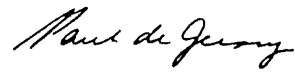
I have had an opportunity to consider your representations to me contained in your letter of 23 June 1999. Any delay in my response is referable to the intervening Supreme Court vacation and my absence on official duties overseas, as explained in my Secretary's letter of 24 June.

Justice Callinan's appointment as a Justice of the High Court of Australia means that he is not practising as a barrister at the Supreme Court of Queensland. I am aware that the possibility of proceedings questioning his continuing as a Justice of the High Court has been raised, and not, at least to this stage, pursued. He is a serving Justice, and while that remains the position, his practising as a barrister is of course out of the question. In these circumstances I do not consider it appropriate that I instigate proceedings with respect to the issue of his fitness to remain on the roll of barristers of this Court.

In addition, even were his practising as a barrister not excluded by his judicial standing, it would be inappropriate to launch such an inquiry on the basis of an expression of view adverse to Justice Callinan by a judge in proceedings to which, as I understand the matter, Justice Callinan was not a party, and in which in his capacity as a witness, he was not represented or to be seen as answering any charges brought against him. I note also that the appeal court described the relevant findings as "unnecessary" and at least left open the possibility that they were made unfairly. Further, I am not to be taken as agreeing with your expression of any possibility that Justice Callinan committed perjury in the proceedings in the Federal Court.

While this Court takes seriously its commitment to monitoring the appropriateness of its holding out practitioners as fit to practice, the circumstances to which I have referred above render, in this case, wholly inappropriate any such inquiry as you encourage me to initiate.

Yours sincerely,

A handwritten signature in cursive script, reading "Paul de Jersey".

The Hon. P. de Jersey
Chief Justice