LAW SOCIETY OF NEW SOUTH WALES

OPENING OF LAW TERM DINNER ADDRESS 2026

"The year that was – challenges at every turn"

The Hon A S Bell AC

Chief Justice of New South Wales

5 February 2026

Ilumina, Sydney

1 Mr Attorney, judicial colleagues, distinguished guests, members of the legal profession and academy, ladies and gentlemen. I begin by acknowledging the Gadigal people of the Eora Nation and pay my respects to elders, past and present.

2 Thank you, Mr President, for your generous remarks and congratulations on your election. I greatly look forward to working with you, your executive and the members of the Law Society Council throughout the year.

3 I extend my own welcome to the Attorney General of the Republic of Ireland, the Honourable Rossa Fanning SC. New South Wales has a very long, close and proud association with the Republic of Ireland, including John Hubert Plunkett QC, that revered Solicitor-General and Attorney-General of the first half of the 19th century, and Sir Frederick Darley, our sixth Chief Justice, whose name is preserved through an excellent restaurant called "Darleys" in the Blue Mountains located in his old country house – not a bad way for a Chief Justice to be remembered when all is said and done! Indeed, a book has been published by the late Associate Justice Dr John McLaughlin AM, entitled *The Immigration of Irish Lawyers to Australia in the 19th Century: Causes and Consequences*. It is a great read but has not yet been picked up by Netflix!

4 Mr President, I regard the invitation to deliver this annual address as a singular privilege of my office as well as a valuable opportunity to share with the legal profession my thoughts on the state of the profession, the courts, the rule of law and areas of common interest and concern to us all. The large number of practitioners who attend this dinner each year is itself a sign of the good health of the profession and the strength of the Law Society of New South Wales.

5 2025 seemed, to me at least, to have been a very long year, both geopolitically and domestically. As to the former, the concerns about the rule of law in the United States which I addressed in my speech last year have only increased notwithstanding the efforts of many US federal judges to reinforce its importance. It is telling that many of their decisions are increasingly laced with fundamental observations about the rule of law, basic notions of civics and constitutional history. This fact speaks powerfully for itself.

6 In this year's speech, however, I will focus on some aspects of that very long year – 2025 – from the *domestic* perspective. I must not, however, begin at the beginning of the year but at its horrific end. Our relatively stable and peaceful world here in Sydney was shattered on 14 December 2025 with the massacre at Bondi. That shattering reverberated throughout the country and the massacre may have been even more terrible, if that is conceivable, but for the courage and selfless bravery of Ahmed Al Ahmed, a Syrian-born Muslim man going about his own business but caught up in those terrible events.

7 This is the first public occasion and opportunity that I have had to express my deepest and heartfelt condolences to all affected, directly and indirectly, by the act of unvarnished hatred and evil perpetrated on what was intended to be a joyous and peaceful occasion on an otherwise beautiful Sydney summer evening. To the families of the victims, the surviving victims including the countless who will undoubtedly have been traumatised through their presence and proximity, and to the Jewish community, in particular, I extend my deepest sympathy. I acknowledge Rabbi Dr Benjamin Elton who is in our audience and is a very fine leader of and in our whole community.

8 A Royal Commission has been established in an attempt to make sense not only of the immediate events of that terrible day, but also of the milieu in which antisemitism has grown and been exploited. Antisemitism is, of course, no new phenomenon unique to Australia. Nevertheless, its most recent manifestations have to be understood in the context of our contemporary world, including the world of the dark web, readily accessible communications technology and networks that lend themselves to the propagation of hatred, the facilitation of evil acts and the dissemination of wicked mis- and disinformation. And while the recent tragedy may have involved lone wolves, as has been reported, we learnt in August last year that the spate of antisemitic behaviour which I condemned in the 2025 Opening of Law Term speech had been assessed by the Australian Security Intelligence Organisation as having been directed by the Iranian State. As the Prime Minister, Minister for Foreign Affairs and Minister for Home Affairs said of those events, in a joint statement following ASIO's assessment, "[t]hese were extraordinary and dangerous acts of aggression orchestrated by a foreign nation on Australian soil."[1] They were attempts to undermine social cohesion and sow discord in our community.

9 My much-respected namesake, the Hon Virginia Bell AC SC, has a large and dauntingly complex task ahead of her but the country is fortunate to have a person of such deep experience, empathy, common sense, clarity and coherence of thought and expression to lead the inquiry. I wish both her and the team she has assembled well in their important work.

10 Less than six years before the Bondi massacre, New Zealand suffered a similar social catastrophe as a deranged Australian man conducted mass shootings at two mosques in Christchurch, resulting in no fewer than 51 deaths. In the opening section of his report, Sir William Young KNZM KC, then a sitting New Zealand Supreme Court judge, wrote:[2]

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[1] Prime Minister, Minister for Foreign Affairs and Minister for Home Affairs, "Response to Iranian Attacks" (Media Release, 26 August 2025) available at <https://www.foreignminister.gov.au/minister/penny-wong/media-release/response-iranian-attacks>.

[2] Sir William Young, *Royal Commission of Inquiry into the Terrorist Attack on Christchurch Masjidain on 15 March 2019* (Final Report, 26 November 2020) vol 1, at 16.

> "Social cohesion, inclusion and diversity were not on our original work plan. But, as our inquiry progressed and our engagement with communities deepened, it became clear that these issues also warranted consideration. Social cohesion has many direct benefits to individuals and communities. In contrast, societies that are polarised around political, social, cultural, environmental, economic, ethnic or religious differences will more likely see radicalising ideologies develop and flourish. Efforts to build social cohesion, inclusion and diversity can contribute to preventing or countering extremism. In addition, having a society that is cohesive, inclusive and embraces diversity is a good in itself."

11 Like the New Zealand Royal Commission, one of the themes which our Royal Commission is likely to touch upon is the need for enhanced mutual respect for each other and for different viewpoints including different religious, cultural and political views. The fabric of our society in New South Wales and Australia more generally is woven with many different and diverse cultural, religious and ethnic strands. Such diversity is a fact and strength of our community and indeed of our legal profession here in New South Wales which, as any of you who have attended an admission ceremony in the last decade would realise, is growing at a rate of knots in terms not only of gender but also of ethnic diversity.

12 This is a very good thing and the legal profession can and should strive to foster and represent the example of the social cohesion we need more generally as an antidote to the hatred and hostility at the centre of the two shocking events on either side of the Tasman in the last five years, each of which was directed at different religious and cultural communities.

13 I would venture to suggest, hardly radically, that social cohesion requires meaningful social, human interaction. The retreat by many into their own cocoons driven by the pandemic but continuing after its resolution, allied with algorithm-driven social media with its insidious tendency to create prejudice-reinforcing echo chambers, does not enhance social cohesion nor stimulate genuine societal engagement. That requires meaningful in-person discussion, respectful interaction with each other and a willingness to embrace differences rather than reflexively to repel them.

14 We should follow the example of the late Dame Marie Bashir AD CVO who was farewelled yesterday in a ceremony that emphasised her generosity of spirit,

openness to all people and their beliefs, warmth and optimism. The Rev'd Andrew Sempell spoke powerfully of Dame Marie's grace, interest in the well-being and growth of others without expectation of receiving anything in return, her compassion and humility.

15 Each year at the beginning of the law term, the President of the Court of Appeal and I attend a range of religious services together with other judicial officers from all levels of the New South Wales judiciary. Some in and outside the profession are critical of this practice but we see it as an important way to pay our respects to the different communities comprising people who are not only proud to be lawyers but who are also proud of their particular religious, ethnic and cultural heritages and communities. This year, we have attended or will attend Opening of Law Term Services at the Great Synagogue, the Greek Orthodox Cathedral, the Armenian Apostolic Church, the Lakemba Mosque, St Mary's Cathedral and St James' Church King Street. There is also a service for the Coptic community which I am unable to attend by reason of an unavoidable clash.

16 All these communities are proud and peaceful, and lawyers from within them have taken leadership roles within the profession, thereby contributing to social cohesion which we must all work hard to promote. I invariably come away from such occasions with an enhanced understanding of these communities and their values and concerns. Last night at the Armenian Apostolic Church was no exception where your Law Society Councillor, Alexia Yazdani, gave one of the finest addresses on the subject of community and social cohesion that I have ever heard. It was a privilege to be there.

17 At admission ceremonies, the Court also emphasises to new lawyers the great importance of civility and respect for other practitioners, judicial and tribunal members and those who come before the courts, regularly noting that admission to legal practice is a privilege and not a right, and that admission is contingent upon *continuing* adherence to a lawyer's oath or affirmation sworn

or made on admission to the legal profession.[3] In an important decision last year, a senior practitioner of more than 40 years' standing was removed from the roll for what the Court of Appeal considered, and I quote, "grossly discourteous, coarse, disrespectful, gratuitously offensive, improperly threatening and wholly unprofessional" conduct.[4] The legal profession should and must be a model of courtesy and respect. If those who are engaged in the day-to-day application of the rule of law and the administration of justice are not exemplary in their conduct towards each other, the profession and respect for the rule of law in the broader community are diminished.

18 Returning to my intended focus on 2025, it was a busy year for the Supreme Court, which continues to be the busiest superior court in the country. As many of you know, there has been a very significant increase in the number of Supreme Court bail applications in recent years, from 2,235 in 2022 to 3,124 in 2024 and almost 2900 last year.[5] Judges have been hearing upwards of 7 bail applications a day with double bail hearings a regular occurrence. Three Court of Appeal judges also regularly sat on bails throughout 2025 to deal with the increased load.

19 The burden of bail decisions does not solely lie in the number of applications to be heard by a particular judge, each of which is accompanied by voluminous papers and is dealt with in ex tempore reasons. These must address the four specific "bail concerns" under s 17 of the *Bail Act* while s 18 of the Act requires a judge to consider 22 specified matters in assessing those bail concerns including any conditions that could reasonably be imposed to address any bail concerns. Multiply this by a factor of six to seven per day and you have an appreciation of the load of this work, remembering always that each decision involves the liberty of the subject and the common law presumption of innocence which is referred to in the Preamble to the Act.

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[3] See also the Hon Peter Quinlan, "We're All In This Together: Civility and Institutional Trust", available at <https://www.supremecourt.wa.gov.au/_files/Speeches/2025/AJOASpeech.pdf>; MG Hinton KC, "Civility" (2025) 99 ALJ 830.
[4] *Council of the Law Society of New South Wales v Sideris* [2025] NSWCA 159 at [22].
[5] Supreme Court of New South Wales, *2023 Annual Review* at 39.

20 In May of last year, I issued a *Statement on Bail*[6] because I was increasingly concerned at the simplistic but frequently highly personal criticism in some sections of the press and social media of some judges who had granted bail where the prisoner had subsequently reoffended and, on a number of occasions, with tragic consequences. As I said in that statement:[7]

> "The decision to grant bail to any person charged with a serious offence is not risk free. … The Act necessarily accepts that there will be some risk. Over time, having regard to the significant volume of decisions being made, that risk will, on occasion be realised. On the other hand, there is a risk of doing irreparable harm to individuals ultimately found to be not guilty of any crime by imprisoning them for long periods whilst on remand at what is often a formative time in their life. This assists neither the individual nor the protection of the community. …. [I]t is never possible to guarantee that a careful and conscientious risk assessment, made with the benefit of detailed assistance from the prosecution and the alleged offender and on the basis of the evidence before the Court, will always be vindicated. Nor can there ever be an absolute guarantee that the person granted bail will not offend whilst on bail. Where an offence is committed by a person who is on bail, it is both wrong and unfair to attribute blame for that outcome retrospectively to the judicial officer who granted bail. To do so involves a profound misunderstanding of the nature of the difficult and complex risk assessment which judges are required to make when hearing and determining bail applications."

21 Difficult and complex risk assessments are also required to be made by judges and magistrates in many other areas of the law including in relation to proposed public protests under the *Summary Offences Act 1988* (NSW). One example last year was the decision concerning the Harbour Bridge march.[8] A detailed, closely reasoned and carefully considered judgment was produced overnight by Justice Rigg.

22 Regrettably, very shortly after delivery of the decision, a former Prime Minister posted the following comment which attracted considerable media coverage:[9]

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[6] The Hon A S Bell, "Statement on Bail by Chief Justice of New South Wales" (27 May 2025), available at <https://supremecourt.nsw.gov.au/documents/media/Bail20250527.pdf>.
[7] Ibid at 2.
[8] *Commissioner of Police (NSW Police Force) v Joshua Lees* [2025] NSWSC 858 ('*Lees*').
[9] See, eg, Conor Breslin, "Tony Abbott Says Australia Is on a 'Slippery Slope' after Court Backs Palestine Protest on Harbour Bridge", *Sky News* (online, 2 August 2025), available at <https://www.skynews.com.au/australia-news/politics/tony-abbott-says-australia-is-on-a-slippery-slope-after-court-backs-palestine-protest-on-harbour-bridge/news-story/eef698b7ab7168cea6f2de4e7ba9000d>.

23 This comment was, with respect, misconceived in a number of respects, an assessment which appears to have been shared by the *Rule of Law Institute* in an opinion piece published in *The Australian* newspaper entitled "Judge Doesn't Deserve Criticism for Decision to Allow Sydney Harbour Bridge Protest March".[10]

24 There are four reasons for my criticism of the former Prime Minister's comment.

25 **First**, the judge's decision was **not** one concerning whether "a political protest was justified" as any understanding of the statutory framework and case law set out in the judge's reasons would have made plain to anyone who took the time to read it.

26 **Second**, the judge did **not make** "the decision to close the Sydney Harbour Bridge". The authorities had *already* taken the decision to close the Harbour Bridge in any event, that is to say, irrespective of the judge's decision, a fact twice recorded in the judgment and one which was influential in the ultimate decision.[11]

[10] Chris Merritt, "Judge Doesn't Deserve Criticism for Decision to Allow Sydney Harbour Bridge Protest March", *Rule of Law Institute* (Web Page, 8 August 2025).

[11] At [41], the judge noted the evidence of Acting Assistant Commissioner Johnson who "confirmed that the Harbour Bridge will have to be closed to vehicles for public safety whether the event is authorised or not authorised." At [70], her Honour observed that "[t]he evidence indicates that whether the march is authorised or not authorised the Sydney Harbour Bridge will be closed to vehicles

27 **Third**, responsibility for the decision the subject of the criticism was one expressly given **to the Court** by the legislature; it was not an unauthorised assumption of jurisdiction by "an unelected judge", as the post might have suggested.

28 **Fourth**, her Honour's decision was **not** a "political" judgment but involved the careful weighing of the common law and constitutionally protected right to free speech and public assembly[12] with considerations such as public safety and disruption in circumstances where, as I have said, the evidence was that the bridge was going to be closed by the authorities in any event.

29 Just as her Honour's decision was not a "political" decision, so too, the decision by the Court of Appeal over which I presided later in the year to prevent a march to and assembly at the Opera House forecourt was not a "political decision" but involved a similar weighing exercise and risk assessment.[13]

30 While judicial decisions on subjects such as bail and public assemblies should not be free from scrutiny or criticism where justified, social cohesion to which I have already referred is not enhanced when judicial decisions are attacked on bases and in terms that betray an ignorance of the statutory framework for the decision and, in very many cases, an ignorance of the judge's reasoning process and of the evidence before the Court by reference to which the decision was made.

31 Such attacks, often dashed "off the cuff", are a form of misinformation that undermines trust in and respect for the judiciary and the rule of law. They corrosively suggest or imply that the community cannot have confidence that the judiciary is independent and impartial and that judges are not conscientiously and in good faith endeavouring to do their jobs consistent with

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on Sunday, as will roads otherwise surrounding the proposed route. Had there been evidence suggesting that public safety will be enhanced by a prohibition order that would also have been an important factor in my consideration; but there is no such evidence."

[12] *Clubb v Edwards, Preston v Avery* (2019) 267 CLR 171; [2019] HCA 11 at [164]; *Tey v New South Wales; Altakrity v New South Wales* [2023] NSWSC 266 at [83]; *Lees v New South Wales* [2025] NSWSC 1209 at [126].

[13] See *Commissioner of Police (NSW Police Force) v Naser* [2025] NSWCA 224.

their judicial oaths. That is regrettable to say the least. Some might call it irresponsible.

32 I should note in this context that two judges of the Supreme Court who have been the subject of highly personalised and misconceived criticism in some sections of the media for particular decisions have received death threats in the last 18 months. This is obviously of grave concern. Similar patterns of toxic abuse directed at sitting judges have been experienced in England and Wales. Again, respect is called for and part of that respect involves people who would exercise their right to criticise judicial decisions ensuring that they understand the evidence and legal context before they dash off misconceived criticism.

33 On a more positive note, and returning to the work of the Supreme Court, in November of last year, I reported to the profession on the substantial work that has been done to improve the processing of probate and letters of administration applications.[14] This included the good news that the processing time for new probate applications had reduced very significantly from the expiration of the notice period, meaning that, where no requisitions need to be raised, probate should be granted in less than three weeks from filing. This week, for example, the Registry is assessing applications for probate and letters of administration as well as answers to requisitions for routine matters and complex answers to requisitions which had been filed between 17 and 23 January of this year.

34 2025 also saw the introduction of Practice Note Gen 23 on the Use of Generative AI[15] and that topic was the subject of no fewer than five addresses I gave last year.[16] The problem of hallucinations generated by AI remains

[14] The Hon A S Bell, "Statement in Relation to Probate Applications and Court-annexed Mediation" (19 November 2025), available at <https://supremecourt.nsw.gov.au/documents/media/Probate-20251118.pdf>.
[15] The Hon A S Bell, "Generative AI Practice Note and Judicial Guidelines" (21 November 2024), available at <https://supremecourt.nsw.gov.au/documents/Practice-and-Procedure/Practice-Notes/general/current/PN_Generative_AI_21112024.pdf>.
[16] The Hon A S Bell , "Present and Future Challenges to the Rule of Law and for the Legal Profession" (Opening of Law Term Dinner Address, Law Society of New South Wales, 6 February 2025); the Hon A S Bell, "Change at the Bar and the Great Challenge of Gen AI" (Speech, Australian Bar Association, 29 August 2025); the Hon A S Bell, "Fabrication and Delegation: AI in International Arbitration" (Speech, International Arbitration Conference, 13 October 2025); the Hon A S Bell, "Remarks on the Launch of

serious and pervasive. That was seen to powerful and professionally embarrassing effect in the Deloitte Report commissioned by the Department of Employment and Workplace Relations and which was exposed as containing fabricated references to non-existent reference works as well as a fabricated quotation attributed to a Federal Court judge. Of perhaps even greater seriousness was a high-profile decision in Scotland in the Sandie Peggie case where the 312 page judgment included a number of fabricated or non-existent references, or purported quotations that did not in fact appear in decisions cited. The judgment has evidently gone on appeal.

35 Australia has the third-highest number of instances on the Charlotin AI Hallucinations Database[17] of reported fabricated or non-existent references, citations and quotations in court and tribunal decisions. As at the time of preparing this speech, some 55 cases had been identified in Australia. The need for both disclosure of use and careful verification – important elements in aspects of the Practice Note where the use of Gen AI is permitted – remains paramount.

36 At a more existential level and consistent with a number of my own observations on the topic, Chief Justice Gageler warned late last year that "the pace of development of AI is outstripping human capacity to assess and perhaps even to comprehend its potential risks and rewards" and expressed the view that:[18]

> "[i]ncreasing examples of AI being found to be used inappropriately by litigants in person[19] and legal practitioners[20] suggest … that we have entered an unsustainable phase in the prevalence of the use of AI in litigation in which members of the Australian Judicature are acting as human filters and human adjudicators of competing machine-generated or machine-enhanced arguments."

M Zou, C Poncibò, Martin Ebers and Ryan Calo (eds), *The Cambridge Handbook of Generative AI and the Law*, Cambridge, 2025" (Speech, 28 October 2025); the Hon A S Bell, "Foreword" (2025) 48(4) *UNSW Law Journal* 1112.

[17] Damien Charlotin, "AI Hallucination Cases" (Web Page, 2025), available at <https://www.damiencharlotin.com/hallucinations/>.

[18] The Hon Stephen Gageler, "The State of the Australian Judicature in 2025" (Speech, 21 November 2025), available at <https://www.hcourt.gov.au/sites/default/files/speeches/2025-11/Gageler%282025%29StateoftheJudicatureAustLegalConvention.pdf>.

[19] See, eg, *May v Costaras* [2025] NSWCA 178 at [2]–[17].

[20] See, eg, *Director of Public Prosecutions v GR* [2025] VSC 490.

37 Those who think deeply and with anxiety about the rise of Gen AI in the practice of the law or, at the very least, in the work of the courts, would benefit from reading the 2025 Murdoch Oration[21] in which Sir Jonathan Mills AC, the Australian composer and famed former director of the Edinburgh Festival, observed:[22]

> "Artistic intelligence – unlike artificial intelligence – is born not of scale nor speed, but of synthesis. It brings together thought and feeling, memory and vision, discipline and intuition. It speaks to, and from, our whole being. It is as much about what cannot be said as what is said. For this reason alone, art is not a luxury, but a necessity – a condition of aliveness, and reciprocal evidence of our sensory engagement with the world."

38 There are parallels in this insight with the human qualities required of a judge and a good lawyer. With over-use and over-reliance on Gen AI, Sir Jonathan warned of the "genuine danger of cognitive flatness, of sensory dullness to the point of monotony, becoming ubiquitous." I share those concerns for the legal profession.

39 Moving from the conceptual to the practical, in late 2025, consistent with my undertaking to review the Gen AI Practice Note after its first year of operation, I called for submissions as to its operation. A range of diverse, thoughtful and some very useful suggestions has been received, and I take this opportunity to thank those who took up this invitation to express a view. While I expect that the Practice Note will remain broadly unchanged, an updated Practice Note is likely to be published next month.

40 Those present at this dinner last year may recall that I made some remarks about Practical Legal Training (**PLT**) and the College of Law. That may be something of an understatement! While those remarks were principally focussed on cost, I also foreshadowed a detailed examination of the quality of the current version of PLT and its fitness for purpose. A great deal has already been achieved thanks to the indefatigable efforts and outstanding leadership of Justice Tony Payne, the presiding member of the Legal Profession Admission

[21] Published in *The Australian* on 24 September 2025: Sir Jonathan Mills AC, "In an Unfolding AI Future, the Human Heart Still Matters", *The Australian* (online, 24 September 2025).
[22] Ibid.

Board, principally assisted by Justice Jeremy Kirk, Emeritus Professor Michael Quinlan and Law Society Council member Wen Ts'ai Lim – but the work of many other members of the PLT Working Group including Councillors and Regional Presidents should also be acknowledged.

41 The work that was undertaken last year following an extensive and well supported survey of the profession included:

- an update to the profession in April[23] coupled with a detailed survey report;[24]
- the creation of a series of focus groups;
- extensive further consultation by the LPAB including of almost all law schools and PLT providers operating in New South Wales;
- a further update to the profession in a keynote address to the Specialist Accreditation Conference in August;[25]
- a 179-page *Discussion Paper on PLT Reform* issued on 30 September;[26]
- further consultation and receipt of submissions;
- a "town-hall" style consultation in the Banco Court on 5 November 2025;
- the development of a core competency document mapping out the core skills that should be taught in the proposed shorter and bespoke pre-admission PLT course; and
- the development of pilot modules for post-admission PLT in family law under the leadership of former Law Society President Brett McGrath.

[23] The Hon A S Bell, "Review of Practical Legal Training in New South Wales" (14 April 2025), available at <https://lpab.nsw.gov.au/documents/rules/LPAB_PLT_letter_CJ_2025.pdf>.
[24] Urbis, *The Legal Profession's Experience of Practical Legal Training* (9 April 2025), available at <https://lpab.nsw.gov.au/documents/news-archive/LPAB_Urbis_Experience_of_Practical_Legal_Training_Research_Report_Final.pdf>.
[25] The Hon A S Bell, "An Update to the Profession on the Review and Reform of Practical Legal Training" (Speech, Law Society of New South Wales Specialist Accreditation Conference, 28 August 2025), available at <https://supremecourt.nsw.gov.au/documents/Publications/Speeches/2025-speeches/bellcj/BellCJ-20250828.pdf>.
[26] Legal Profession Admission Board, *Discussion Paper on PLT Reform* (30 September 2025), available at <https://lpab.nsw.gov.au/documents/policy-documents/PLT_Discussion_Paper.pdf>.

42 Work and further consultations continued throughout December and January 2026 which will lead to a Second Discussion Paper on PLT Reform being released in the next fortnight.

43 Some important reform has already taken place. The LPAB has required a trebling from one to three weeks of the in-person component of all PLT conducted in New South Wales and also made it clear that only 15 (and not 75) days of pre-admission work experience (often unpaid) must be undertaken.

44 These reforms presage elements of the broader proposed restructuring of PLT in New South Wales foreshadowed in the first Discussion Paper and in my speech to the Specialist Accreditation Conference. There are three areas where we want to see meaningful change. First, in the way law is taught at University, emphasising the teaching of foundational practical legal skills. Secondly, the first significant changes in almost 50 years are proposed to existing PLT courses to make those courses fit for the 21st century and to focus upon the skills required of a graduate lawyer in 2026 and beyond. Thirdly, practical training should not stop upon admission. In the early years of a new lawyer's career, high quality practical training in which the new lawyer *actively* participates will be required, rather than just the existing, passive, CPD requirement.

45 Justice Payne and I regard meaningful change in practical legal training for new lawyers as critical to the continued vitality of the profession.

46 The LPAB has worked productively with the College of Law throughout the year which has led to a number of positive developments within the College's existing programs and offerings. I am also pleased to report on the costs front that the College has introduced unlimited half-bursaries to those young lawyers undertaking PLT in association with the Director of Public Prosecutions, Legal Aid and Community Legal Centres. In practical terms, this represents an almost $8,000 reduction per young lawyer going into the public sector of the profession for the costs of undertaking PLT as compared with the position at the end of 2024. The College of Law has also undertaken or is in the course of

undertaking a number of initiatives with Legal Aid NSW and Community Legal Centres throughout the country and has made significant three year financial commitments to AustLII, Law Asia and Ngalaya, a registered charity and the peak body run by and for First Nations lawyers and law students across Aboriginal lands in New South Wales and the Australian Capital Territory.

47 I am grateful to the College for these initiatives and the productive way it has worked with the LPAB in the course of 2025. I have nevertheless recently raised with the Chair and Chief Executive the scope and need for further significant fee relief given the fact that the College's last Annual Report recorded retained earnings as at 30 June 2025 of over $198 million with a net surplus for the 2025 financial year of over $19 million.[27] It is not difficult to "do the maths" in respect of such a surplus for the approximately 5,000 law students nationwide undertaking their PLT at the College of Law. Nonetheless, as I say, we are making progress.

48 The end of this month will mark the fourth anniversary of my appointment as Chief Justice, an office I am honoured to hold. It has been a period of significant transition. In that period, we will have had some 25 new judges appointed to the Supreme Court, close to half of its cohort. Six long-serving Common Law Division judges have or will have retired between December last year and April this year and so it is a time of great change which has injected new energy into the Court, and the same may be said of the District Court, the efficient management of which will be enhanced following the appointment of two deputies to assist Chief Judge Huggett.

49 We have also recently seen the re-opening of the Downing Centre, the closure of which for the second half of last year due to flooding and the associated destruction of electrical circuits put immense pressure on the administration of criminal justice, in particular, in both the District and Local Courts. The judges of those courts should be acknowledged for the efforts they went to in order to

[27] College of Law, *2025 Annual Report* (30 January 2026) at 49–50, available at <https://acncpubfilesprodstorage.blob.core.windows.net/public/faa95fbf-38af-e811-a95e-000d3ad24c60-f53f7933-fe5a-4664-98d6-f1019d26afb0-Financial%20Report-e89c08ab-a8fd-f011-8406-7ced8d33fe37-Annual_Report_2025_FINAL.pdf>.

continue their work in unsatisfactory and often makeshift conditions with a view to minimising disruption and delay in the administration of justice.

50 There is a pressing need for the State to invest in new and additional court and tribunal facilities to cope with the vast and ever increasing amounts of civil and criminal work with which the State's courts and NCAT have to deal, a matter I have raised with both the Attorney and Secretary of the Department who are alive to this necessity. A sufficient number of courts and judges is just as necessary a part of civic infrastructure as schools, hospitals and transport.

51 The neglect in England and Wales of funding and proper maintenance of the courts and broader justice system over many years has led to a crisis which prompted a somewhat striking recommendation in late 2025 to abolish jury trials for all but the most serious of offences in an attempt to save money. Once fundamental elements of the justice system are compromised for economic reasons, one should become very concerned. We cannot afford to go down that path or find ourselves in that position.

52 On that cheery note, I wish you all well for 2026 and strongly encourage you to take pride in our profession and engage with younger lawyers with a view to instilling in them not only strong professional and ethical values but also the importance of them assuming leadership roles in their communities.

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