

I acknowledge the traditional owners of this land where we meet today. The Turrabal and Jagara people and pay my respects to Elders past, present and to the emerging community leaders.

I thank the Solicitor-General, Peter Dunning QC, Catherine Heyworth-Smith QC of the Bar Association and Ken Taylor, the President of the Law Society for their kind words, and thank Judicial Officers and the Chief Justice for being here today.

I also thank the Chief Magistrate Judge Rinaudo for his words and for supporting this occasion.

I have decided to have this valedictory to acknowledge the persons who have mentored, assisted, guided and thoroughly supported me throughout my career.

When I was at the Bar I had great assistance from my colleagues especially those on level 8 at the Inns. In particular I wish to thank Michael Amerena -he was my junior pupil master and his help at that time was invaluable. I thank them all for their support. I also want to thank Gillian Coote, Solicitor - she gave and still gives me great support and is now one of my closest friends.

On being appointed to this Bench I have worked with a number of people over the years who have all contributed to the enjoyment that I felt every day in coming to work. First of all the large number of clerks who have made my working life so much better - a few who were with me for years I want to publicly acknowledge - Peter, Gina, Michelle, Leanne and Nick from Gympie, Christine from Maroochydore, Jennifer from Caboolture, Ali in Brisbane and Trish in Southport - all were a great support to me. Deposition clerks are fundamental to the system - the courts quite simply would not run without them. They are professional in their work and are subjected to an enormous amount of stress due to the amount of work we have to jointly get through in a day - they are I believe greatly undervalued in a monetary sense.

Also there are other support staff employed in the Chief's office - Nicola, Trudy, Astrid, Di and Di down at Southport - these people are so good in addressing the various problems that come their way - always pleasant, always hardworking. The Chief is one lucky person to have such good people there supporting him.

I also want to thank the police prosecutors who have appeared before me over the years - some have been very good - I have only had problems with a couple who showed disrespect to the court and they were told of my views at the time. The rest have been very good - working in sometimes very difficult situations.

I also want to thank the very large number of lawyers who have appeared before me -they have been very professional and courteous in their dealings with the court and on the

whole, have made my job easier by coming to the court well prepared with relevant cases at the ready.

The other reason I have decided to have this valedictory is that I wanted to make some comments about the media.

As you would be aware I have been subjected to intense media scrutiny particularly over the past 4 years. The coverage concerned not only my sentencing but also me personally and was in the main untrue. I am not going to bore you with all of the inaccuracies that have been written - we would be here all day - but will mention only two.

The first is an article by Greg Stolz and it concerned an occasion when I was sitting in Court 4 down at Southport. It was a Friday afternoon and was extremely busy. I had refused a person bail (contrary to the perception peddled by the media that I am soft). The defendant then decided to jump the dock and attempted to escape. There was not a journalist in the courtroom. The defendant was caught. When this occurred there was still 5 more people in custody for me to deal with. Because of the attempted escape I knew that the Watchhouse would be extremely busy with police personnel being involved in the escape and dealing with its aftermath. I suggested to the prosecution that the remaining people in custody be brought in to the court in handcuffs. Work continued and I dealt with the remaining matters - some were bailed and some were not. No contact was made with me regarding this matter (that is not surprising as I have endeavored to avoid the media since becoming a magistrate) nor with anybody who could have made contact with me to ascertain exactly what had happened such as the Chief Magistrate. Early the next morning I received messages from friends alerting me to the front page of the Courier Mail. The headline read *"Soft Touch Magistrate lets dangerous prisoner jump from the dock, injuring 3 cops"*. And then in bold letters **Kangaroo Court**. The article said I refused to let him be handcuffed - not true. The article went on to say that *"Furious police say even after the incident Ms Callaghan - who has been criticised for her perceived leniency - rejected police requests for three other prisoners they considered violent to be handcuffed in her court."* Again, not true. Clearly the journalist was told a certain story by someone running an agenda and did not check up on the story given to him or he made it up from small false snippets of information. At the least - very unprofessional. At worst - malicious. When the paper was informed of the correct facts by our Chief Magistrate there was no apology. In fact the headline of the article outlining what in fact occurred was *"Prisoner fled her court but no problem says her boss"*. How are the citizens of this state best served by this nonsense? Journalism of this caliber simply lacks any semblance of integrity and validity, the cornerstones upon which the free press was founded-and built.

The second instance I want to refer to is an article concerning the sentencing of a prisoner down on the Gold Coast - Mr Zak Cree. It is by Kathleen Skene who has the title of Chief

Reporter. Mr Cree had an extensive record and he came before me pleading guilty to a large number of charges committed over a period of 10 days. The maximum of my jurisdiction is 3 years imprisonment and, as most of you would know, the law is that all jail terms are to be served concurrently unless ordered otherwise or required by law to be served cumulatively. I sentenced Mr Cree to a head sentence of 2 years 9 months on the most serious of the offences. He had pleaded guilty to the offences thus saving the State the cost of prosecuting him and saving his victims having to appear in Court. This must be taken into account when setting the parole release date which is generally set at a third of the head sentence on a plea of guilty, which is what I did. Mr Cree had to serve 11 months and as he had already served 6 months he had a further 5 to do. This process was clearly explained in the courtroom.

The Chief Reporter completely misconstrued what had happened. She reported of Mr Cree being sentenced to 42 years imprisonment yet out in 5 months. She also misconstrued the submission by the defence lawyer - stating that he had asked for more than I had actually given. Again this was at the least very unprofessional and at the worst malicious. As she was titled Chief Reporter I can only conclude that the article was intended to mislead. This situation represents a fundamental lack of understanding from the Chief Reporter, a seemingly trustworthy title that one would think would be above the pettiness of tabloid journalism and hyperbole.

Both of these articles, as in the vast majority of the false misleading and malicious articles written about my judgments, were published in newspapers owned by News Limited. When I read Tony Keim's article in the Proctor (Qld Law Society Journal, September 2017) I came to understand that it was the practice of some News Limited newspaper editors to encourage a culture in their paper of not caring if an article was misleading as long as it was in the pursuit of headlines that were believed to be what the public wanted. He wrote about a copy he submitted which basically repeated the facts of the offence as outlined by the Crown Prosecutor. He was told by his editor that "we can't print that as it makes (the defender) look innocent".

I would like to know what these newspapers editors think they are doing to our democracy. These attacks on the various judicial officers who sentence those that come before the courts harms our society when they are not a fair, nor accurate representation of what in fact occurs.

A free and independent media is a very important arm in any democracy as we have seen in other parts of the world, but with that comes journalistic responsibility. It has to report truthfully - it has to inform the citizens of the facts. It's clear to me that these editors simply take the public for fools and I believe this is having an effect. How many young people do you know read newspapers or get their news from online Queensland

newspapers? None that I know. Their grip of influence over the citizens is waning, and recent election results would indicate this. They have to understand this and stop maliciously and falsely reporting what has transpired in our courts. Report the facts without fear or favour. Make editorial comment if it is appropriate but always remember that all of our decisions are subjected to appeal to a higher court. If they do this people might once again start to trust and respect the publication. People want responsible journalism. Our society, our democracy demands responsible journalism.

Furthermore, what seems to have been forgotten in the reporting of sentencing is the consideration that we are encouraged to give as to the prospects of rehabilitation of the offender. This is an important consideration in the sentencing process. The community is much better off if an offender is given a sentence (taking all other factors into account such as previous history, seriousness of the offence, deterrence) that enables them to be involved in some rehabilitative process. It will not work for everyone but it will work for some - I saw this to great effect when I ran the QMerit program in Maroochydore. This was a bail based program that dealt with drug and alcohol offenders and worked with them on their rehabilitation during an extensive period whilst on bail.

Being a magistrate is not an easy job - our courts are relentlessly busy. Most of the people who come before the courts of this State appear in our court. We are required to make many decisions on a daily basis that will affect a person's liberty or property. We can and do make a difference. It is also a very rewarding job because of that.

So where to from here? Clearly we cannot trust all the newspapers to report accurately on what occurs in our court. I think we have to do whatever we can to give the community the opportunity to understand what happens in our court. This has to be through social media - I know little about this but am convinced that this is the future - it is how young people get their information and we have to use it.

Final Thanks

As I have previously said during the past 4 years I have been under intense media scrutiny - not just in the newspapers but also on the radio and television - I have come through this well and that is because of the people who have supported me throughout my life. First of all my parents who are no longer with us. They supported me in everything I have done. Also my siblings Dan, Carmel, Kate and Chris and their partners. Thank you all. For 2 years I had the opportunity of working with Chris down in Southport and that was great - an opportunity not afforded most siblings.

I also could not have coped as well as I did without the support from Ian - from the gift of a punching bag for my 65th birthday to the opened bottle of very nice red ready for when I got home. Without a doubt mine and his history in the trade union movement and the ALP

and the various situations we had to deal with gave us the resilience that enabled me to cope.

I also want to thank my step children, step grandchildren and nieces and nephews - many of whom are here today. These young people had my back when I was trending badly on social media. I thank you all - you are all precious to me.

I also want to thank my very close friends who are with me today - Mary, Kath Anne and Debbie - they were always there for me.

I also want to thank other members of the judiciary - when the media was at its worst I received a very large number of phone calls, emails, cards and letters in support and I thank you - it meant such a lot and reinforced my belief that I was not alone. Queensland is very blessed with a strong independent judiciary.

Last but not least I want to thank my fellow magistrates - I have loved working with you and thank you for your support during the more difficult times. And thank you for the good times. And I thank the Chief and the Deputy Chiefs - you all supported me and made sure you had my back when times were tough. You made sure of my welfare in those difficult times and I thank you.

With that I am out of here - probably to join the campaign to save the ABC.