



28 November 2017

MEDIA RELEASE

TASMANIAN GREENS CONCERNS ABOUT APPOINTMENT OF JUSTICE GREG GEASON UNFOUNDED

The Tasmanian Bar notes with concern the allegations made by The Tasmanian Greens in Parliament today regarding the process leading to the appointment of Justice Greg Geason to the Supreme Court of Tasmania.

The President of the Tasmanian Bar, Mr Chris Gunson SC, today said:

“I am concerned at recent questions that have been directed to the Premier and Attorney-General, Hon Mr Will Hodgman MHA, by the Tasmanian Greens in Parliament regarding the appointment of Justice Greg Geason as a judge of the Supreme Court of Tasmania. Politicians have a high responsibility to use Parliamentary privilege and question time responsibly, and not to undermine public confidence in the administration of justice, and the Supreme Court, to score political points.

The most recent appointment of a judge of the Supreme Court was conducted in accordance with the Tasmanian Government’s publically available protocol for judicial appointments.

The vacancy on the Supreme Court following the announcement of the retirement of Justice Shan Tennent was publically advertised, and after applications were received a selection panel was convened to shortlist applicants for interview. That panel consisted of the Director of Public Prosecutions, Mr Daryl Coates SC, the then Secretary of the Department of Justice, Mr Simon Overland, and myself.

All applications were assessed against the published selection criteria and those applicants who were considered suitable for appointment were shortlisted to be interviewed by the panel. An application from Mr Geason was among the applications considered by the panel. Mr Geason was considered suitable for appointment, and together with other applicants, was invited to be interviewed.

I was unable to participate in the interview phase, and I was replaced by Associate Professor Terese Henning, a highly respected legal academic at the University of Tasmania.

The Tasmanian Bar

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and the Law Council of Australia)

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Following the interviews, the names of applicants, one of which was Mr Geason, were forwarded to the then Acting Attorney-General, Hon Mr Matthew Groom MHA, with advice that each of them was considered suitable for appointment as a judge of the Supreme Court of Tasmania. No recommendation was made in relation to any of them beyond an assessment that they were suitable for appointment.

Subsequently, the then Acting Attorney-General, Mr Groom, confidentially discussed two applicants with me in my capacity as President of the Tasmanian Bar. I am aware that he did likewise with the Chief Justice and the then President of the Law Society of Tasmania.

Later, I was consulted by the Acting Secretary of the Department of Justice as to whether I was aware of any reason why Mr Geason should not be appointed as a judge of the Supreme Court of Tasmania. The judicial appointment protocol requires the Secretary to conduct a confidential check of the relevant professional bodies for a proposed appointee, once identified. I confirmed that I was not aware of any reason why Mr Geason should not be appointed as a judge of the Supreme Court.

At that time, I was also informed that the Minister for Justice, Hon Ms Elise Archer MHA, had responsibility for the appointment process following the resignation of Mr Groom as Acting Attorney-General. That accords with the *Administrative Arrangements Order 2017*.

It is hardly a secret that Justice Geason is a close friend of the Premier, including the fact that he was his best man at the Premier's wedding many years ago. I have been assured by the Premier that he excluded himself from consideration of the appointment of a judge to the Supreme Court to replace Justice Tennent, and that he did so because of his close friendship with Justice Geason and to avoid any perception of a conflict of interest.

The Tasmanian Government's judicial appointment protocol is designed to prevent nepotism in judicial appointments and to ensure that only people who are suitable for appointment as judicial officers in this State are in fact appointed.

The questions by Ms Cassie O'Conner MHA in Parliament today have the potential to undermine public confidence in the Supreme Court and the administration of the law in Tasmania. It is disappointing that Ms O'Conner, nor anyone else from the Tasmanian Greens, did not see fit to make enquiries of the Bar regarding the process that was followed in relation to Justice Geason's appointment. Ms O'Conner's suggestions in Parliament today are not factually sound.

The independence of the judiciary means that it can not defend itself from political attacks. The Tasmanian Bar will, however, defend the judiciary from political attack regardless of the political persuasion of the attacker. In this instance, the Tasmanian public can be assured that proper process was followed in relation to the appointment of Justice Geason to the Supreme Court."

END.

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ABOUT THE TASMANIAN BAR:

The Tasmanian Bar is an independent referral bar. It is a constituent member of the Australian Bar Association formally admitted as a constituent member of that body on 18 August 1996.

Each member of The Tasmanian Bar is required to practise exclusively as a barrister under the *Legal Profession Act 2007*.

The Tasmanian Bar is incorporated under the *Associations Incorporation Act 1984* and is recognised by the Tasmanian Government as a professional association.