

Fifth annual Supreme Court Concert

Banco Court, Monday 30 October 2006

Review by François Kunc

'We are sure of our case now' were the first words of the aria which began the fifth annual Supreme Court Concert. Bass Matthew Thomas opened the concert with the count's aria about litigation from Mozart's *Marriage of Figaro* to a capacity audience in the Banco Court on Monday, 30 October 2006 in the presence of Chief Justice Spigelman and Mrs Spigelman.

As it was the fifth such event, it is fair to say that this concert has become a regular fixture on the court's calendar. Organised (and genially compered) by Justice George Palmer, the concert brought together five professional opera singers at the start of their careers and an orchestra of about twenty young musicians. The concert draws on the resources of Pacific Opera, a not for profit company which seeks to bridge the gap between tertiary musical studies and the world of professional opera.

The orchestra was conducted by Heinz Schweers, an economics and law graduate from Sydney University now pursuing a career as a conductor and composer. In a finely judged performance of Mozart's *Divertimento in F* the orchestra proved itself to be a 'court' orchestra in both senses of the word, giving a real sense of the size and sound of an orchestra of the kind Mozart might have heard, as well as having the peculiar distinction of playing in a court room. The Banco Court displayed an excellent acoustic no doubt rarely utilised by its daytime occupants.

In nearly an hour and a half of music, many periods and styles were presented. Opera favourites included two Puccini classics - Mimi's aria from *La Boheme* sung by Catherine Bouchier and *O Mio Bambino Caro* from *Gianni Schicchi*, as well as a stirring rendition of *Eccomi prigionero* by tenor David Corcoran from Verdi's otherwise forgotten opera *Il Corsaro*.

While the overall standard of the evening was very high, for this reviewer there were three particular highlights.

First, mezzo soprano Margaret Plummer gave an outstanding performance of *Una voce poco fa* from Rossini's *Barber of Seville*. The quality of both her vocal and character acting as she sang this fiendishly difficult aria gripped the audience. She is an artist who deserves to be watched in the years ahead as her voice reaches its full maturity.

The second highlight was the participation of Marshall McGuire. Marshall is Australia's foremost harpist and enjoys a major international reputation. In addition to playing as a member of the orchestra, Marshall performed a movement of Handel's *Harp Concerto in B Flat* and three movements of Benjamin Britten's *Harp Suite in C*. He also accompanied soprano Harriet Marshall (a criminal lawyer before she commenced her musical studies) in her fine performance of *O mio bambino caro*.

Finally, there were three examples of work by Justice Palmer himself. Since 'going public' several years ago, his Honour has been recognised as one of Australia's leading composers. Members of the orchestra turned soloists to play the third movement of his effervescent *Wind Quintet*. We also heard the singers and orchestra in two extracts from the Mass "'A Child is Born' which will be released with other Palmer works on a new CD from ABC Classics during 2007.

If this fifth annual concert is anything to go by, the sixth should not be missed. The event provides a wonderful opportunity for the legal profession to support the rising generation of classical performers. The music lovers among us owe Justice Palmer and his collaborators a debt of gratitude.

Verbatim

State of New South Wales v Ibbett [2006] HCATrans 463

Mr Garnsey: Yes, your Honour. The cases that I am about to take your Honours to do consider punitive damages, even though they are noted under the heading of 'Aggravated damages'. The two cases are *May v Western Union* and *Brame v Clark*. They are noted in note 31 on page 93 under paragraph 123. Could I hand your Honour nine copies of *Brame v Clark*. I should preface this with saying this is a 1908 case so - - -

Gummow J: They were better then.

Mr Garnsey: The rationale, we say, is applicable here and now. The precise expression of views is perhaps not what would be considered entirely appropriate in this day and age, if your Honour pleases. Looking at *Brame v Clark*, your Honour, in the second column on page 418 at the top there is the complaint set out which gives the facts:

the defendant . . . did unlawfully and forcibly, wickedly, and maliciously enter upon a certain lot or parcel of land, then in the possession and occupancy as a residence of plaintiff, with the unlawful, malicious, lascivious, and wicked intent and purpose to seduce, debauch, and carnally know one Lovetta Brame, the wife of plaintiff - - -

Gleeson CJ: You mean that would nowadays be expressed more briefly.

Mr Garnsey: I beg your pardon?

Gleeson CJ: It does not matter.