

**Speech delivered at the swearing-in of**

**Michael John King SC**

**As a judge of the District Court**

**17 June 2008**

“All persons having business before this court draw nigh and you shall be heard. God save the queen,” he said, but I say ‘God save the king!’

On behalf of the barristers of this State I congratulate your Honour on your appointment.

Your Honour has a reputation as a thorough and skilful trial advocate. Your experience in this jurisdiction is extensive. The change in role will be a smooth one.

It is perhaps fitting that your Honour is sworn in in 2007 - the year of Kevin '07. In the style of the Prime Minister your Honour's favourite sport is to make sure you are prepared for work on Monday morning. Indeed, in a recent terrorism case where your Honour had to undergo one of those irksome security checks both you and at least

one, if not all, your referees, found yourselves stumped by the question: What are your other interests?

However, I am assured that this was not always so. At Cranbrook School you apparently excelled at sports such as rowing, athletics and football. On the other hand, this success was not replicated in the school choir, which sadly had to let your Honour go. Perhaps it was that sorry experience that influenced your Honour, albeit insidiously, to concentrate so hard on work.

Your Honour was born in Newcastle where there is a street named after you but soon gravitated to Sydney where you gave your name to yet another thoroughfare.

Your Honour matriculated to the University of Sydney, where you attained a bachelor of arts in 1972 followed by a bachelor of laws in 1976 after attending too many lectures at that awful building on the street that bears your name.

Presumably it was at university that you, like some (but unfortunately not all) young men, acquired some decent cooking skills. I am informed that on a rafting trip down the Katherine River

many years later you cooked up a mean goanna in a billy, with sufficient flair to impress those culinary connoisseurs, Ian Barker QC and Tom Pauling QC, now the administrator of the Northern Territory.

The mid-1970s was still a radical era on campus. In what must have been a provocation to the Trotskyists of Manning House, your Honour owned a Mazda coupe. Still, your Honour skillfully avoided censure for bourgeois tastes or a false class-consciousness.

‘Actually, we really didn’t mind that he had a car’, said one of your fellow students, now a colleague at the Bar, ‘as long as he gave us a lift’.

I need not remind your Honour that the 1970s is infamous for being the “decade that style forgot”. Many of us in this courtroom may wince as we remember our own offences against good taste.

However, even by the standards of those radical times, your Honour stood out from the crowd. You had a penchant for wearing frilly shirts. But it was one thing to wear a frilly shirt with a dinner suit. It was quite another to wear it to the university chess club. Like Cosmo Kramer, though, your Honour was obviously convinced that the

puffy shirt was the “big new look in men’s’ fashions”, which Kramer dubbed “the pirate”.

Perhaps your Honour’s sense of ‘pirate-chic’ was in some way connected with your enthusiasm for Patrick O’Brien and CS Forrester boys own adventure novels, such as *Horatio Hornblower* and *Master and Commander*.

By the second half of the 70s, your Honour had sensibly swapped the frilly shirt for the frilly jabot – perhaps a natural transition. You were called to the bar in September 1976 and began to build your practice from a room on the 9th Floor of Frederick Jordan Chambers at a time when Greg James, Malcolm Rammage and Jane Matthews were in chambers.

It was there that you read with Jeffrey Miles, who was later elevated to chief judge of the Supreme Court of the ACT.

It was also there you were joined by Ian Barker. When Barker decided to flee from Darwin he stayed with your Honour in your Honour’s inner city house. To be more precise he stayed in the attic. He compared himself to Bertha Rochester, locked in the attic of

Thornfield Manor in *Jane Eyre*, a woman described by her husband as “one whose excesses had prematurely developed the germs of insanity” (Ch 27 p 309).

Perhaps your Honour saw the similarity in Barker.

But I digress.

Unfortunately for Frederick Jordan Chambers your Honour joined the exodus to Forbes when those chambers were established in 1989.

Throughout the course of your career at the Bar, your Honour has worked principally in the criminal jurisdiction, both prosecuting and defending. Some notable cases include one of Roger Rogerson’s – whether it was for or against I have been unable yet to establish - and representing a man known as ‘Chewie’ in the Milperra Bikie Massacre case.

On one such occasion your Honour’s mobile phone rang in court. No prizes for guessing the tune. Yes, it was Mission Impossible. No doubt a reflection on the task ahead.

From the late 1990s your Honour was briefed by the Commonwealth DPP to appear in a series of complex, large-scale drug importation cases. The largest of these concerned the importation of 500kg of cocaine, took more than 7 months and involved 7 accused.

In this sort of work your Honour displayed an encyclopedic knowledge of the details of your cases, which was not easy. You acquired a reputation as a fastidious and relentless cross-examiner. No small indiscretion would escape your Honour's attention. Many a defence barrister had to agonize over whether to call his or her client knowing you were prosecuting. Many will be grateful you decided to accept an appointment.

Another defining feature of your Honour's practice over a long period of time has been your regular appearance as counsel-assisting commissions of inquiry or for affected witnesses. One of them, I think the first, was before Adrian Roden, whom I note is present today beside Greg James. These include the ICAC inquiries into the unauthorized release of confidential information, the Public Employment Office, the Department of Corrective Services, the tactfully named inquiry in respect of 'Relationships between certain

Strathfield councillors and developers' and the Wood Royal Commission where you appeared for about 100 witnesses.

In 2006 in recognition of your advocacy and leadership skills your Honour was appointed senior counsel.

Your Honour's advice was readily sought and freely given. You have been described as a tireless, diligent worker, who was always available to be called upon to assist young counsel.

Yet, my emphasis on criminal law should not distract too much from a great many important and diverse cases in which your Honour has appeared. For example your Honour has appeared for anti-logging protestors and political economy students convicted by the Proctorial Board of the University of Sydney.

Despite what I said earlier about your Honour's single minded approach to work, your Honour is devoted to your family and to two generations of rough collie dogs, each of which has exhibited the most compliant and saintly disposition that some have been given cause to wonder what your Honour had done to them.

Finally, it would be remiss of me not to inform the court - and perhaps the chief judge in particular – that your Honour is a frustrated handyman and home decorator. My use of the term ‘frustrated’, you will understand, is not an indictment of your Honour’s temperament. Rather, it is an indication that some projects may be interrupted or take longer than anticipated to complete.

One of your Honour’s favourite haunts is Bunning’s Warehouse. The occasional clearance sale on sanding machines, angle grinders and other ‘boys toys’ make you almost squeal with delight. Indeed, I think I have found the perfect job for your Honour. Presiding over the Court’s construction list.

Once again the Bar congratulates your Honour on your appointment to this Court and we wish you well on this new voyage.

By the way, I trust, ladies and gentlemen, that you have ruled out a couple of days in your diaries to hear from his Honour. Don’t worry if you don’t catch everything. A transcript will definitely be available.