

The Hon Justice Geoffrey Nettle

Geoffrey Nettle QC was sworn-in as a judge of the High Court of Australia on 3 February 2015.

His Honour was born in Cottesloe (WA) but grew up in Victoria where he studied at Bennettswood State School in Burwood, Victoria, before attending Wesley College in Melbourne. His Honour completed an Economics degree at the Australian National University, then worked for a year at Treasury before undertaking a law degree at Melbourne University from where his Honour graduated in 1975 with First Class Honours. His Honour then read for the BCL at Oxford where he was taught evidence by Rupert Cross, conflict of laws by JHC Morris and restitution by Peter Birk and graduated with a First in 1976.

Returning from Oxford, his Honour's professional career began as an articled clerk of the firm then known as Mallesons. Within five years he became a partner of the firm. He was called to the bar in 1982. His Honour read with Hartley Hansen, QC, later Justice Hansen of the Supreme Court and the Court of Appeal of Victoria, and with Justice Hayne.

As a junior barrister, his Honour had a reputation for being a prodigious and efficient worker, quickly developing a reputation as a hard-working and able advocate. His Honour was involved in what has frequently been described as the 'arduous' 1991 *Bank of Melbourne* trial in the Victorian Supreme Court, for the bank, as a junior to Hayne QC, in which his Honour's reputation as a formidable trial lawyer and cross examiner were cemented. His Honour took silk in 1992.

The Commonwealth attorney-general, Senator the Hon George Brandis QC, noted his Honour's talent for recalling leading cases from almost any field of law from memory. The attorney continued:

As an appellate advocate, the depth of your Honour's knowledge of the law and your firm grasp of legal principle was evident. When you appeared at first instance, you were both a feared and an admired cross-examiner. Your Honour is known for wearing your erudition modestly, and not seeking personal acclaim for your work.

At the bar, you were enormously supportive of colleagues, in particular junior colleagues, with a leadership style that inspired junior barristers to excellence. That commitment to the professional wellbeing of your colleagues was evident in the enthusiastic reaction of so many of them to your appointment to this Court.

Your Honour is an exemplar of the highest levels of integrity and the ethical standards of the bar. Between 1989 and 2002, your Honour demonstrated a commitment to public service as a part-time member of the Victorian Civil and Administrative Tribunal and its predecessor, balancing that work with the demanding practice you then conducted.



In July 2002, his Honour was appointed as a judge of the Supreme Court of Victoria and in 2004 he was appointed to the Court of Appeal of the Supreme Court of Victoria.

Outside the law his Honour enjoys sailing and still sails the Jubilee class sailing boat he bought many years ago and still owns the 1946 Mark IV Jaguar that he bought whilst at university, and lovingly restored. His Honour has three children.

The attorney concluded that his Honour is regarded by bench and bar alike as one of Australia's finest jurists.

His Honour observed that the magnitude of the court's development of Australian law over the last 40 years and the court's fluidity of approach and depth of understanding in that time represents standards that are 'phenomenal' and 'inspiring'. His Honour stated, in light of that history, that 'to say that I am excited about beginning on the task to which I have been sworn this morning would be a very considerable understatement.

His Honour concluded:

At the same time I remain acutely conscious that this Court is both the custodian of the Constitution and the final arbiter of the Australian common law. There is no court above it to detect and correct one's errors. The role which I take up today thus entails extraordinary responsibilities and it is impossible not to be aware of the heavy burden of trust which that means is now placed in me.

His Honour Judge Alexander Street SC

Alexander Street SC was welcomed on 19 February 2015 having been sworn-in as a judge of the Federal Magistrates Court on 1 January 2015.

His Honour attended Cranbrook School in Bellevue Hill before studying law at UTS from where he graduated with a Bachelor of Laws in 1982. His Honour largely attended evening classes and by day was employed at Ebsworth & Ebsworth in the firm's leading maritime practice. Upon admission to the Supreme Court of New South Wales in 1982 his Honour took the bold step of immediately commencing practice as a barrister.

His Honour soon earned a reputation as a fiercely intelligent and highly articulate advocate. In 1987 his Honour appeared in the last appeal from an Australian court to the Privy Council, following which he exercised his lifelong passion for rowing in the Diamond Sculls at Henley. His Honour's High Court appearances notably included *Street v The Queensland Bar Association* (1989) 168 CLR 461 and *Lane v Morrison* (2009) 239 CLR 230.

In *Street* the validity of a rule, which made it difficult for interstate barristers to practise in Queensland, was challenged. The judgment developed constitutional law on the scope and meaning of s 117 of the Commonwealth Constitution providing for non-discrimination as between residents of different states and gave the practical legacy before mutual recognition was achieved of facilitating lawyers from one state to practising in another.

In *Lane v Morrison*, the law with respect to Chapter III of the Constitution and the exercise of commonwealth judicial power was developed and the Australian Military Court invalidated.

His Honour also developed a reputation and affinity for areas as

diverse as equity, commercial, maritime and admiralty law. His Honour was appointed senior counsel in 1997.

Beyond the bar his Honour has given distinguished service in the Royal Australian Navy's legal reserve since 1987. In 2004 he was commissioned a commander, and in 2013 was appointed a commander of a Sydney naval legal panel.

His Honour also served on the Bar Council of New South Wales Bar Association for 15 years, including two tours of duty on the Executive of the association as treasurer, has had editorial responsibilities with the *Australian Bar Review* and has been a part time hearing commissioner with the Human Rights and Equal Opportunity Commission.

The Honourable Bronwyn Bishop, speaker of the House of Representatives representing the Australian Government (on behalf of Attorney-General Brandis) noted that:

all present are aware that the Street family is one of extraordinary legal pedigree. Your Honour's elevation to judicial office see you following in the footsteps of your father, the Honourable Sir Laurence Street, your grandfather, the Honourable Sir Kenneth Street, and your great grandfather, the Honourable Sir Philip Street. All of whom served as chief justices of the Supreme Court of New South Wales. Far from being a birthright judicial appointment reflects mastery of the law. Your Honour's appointment to the Federal Circuit Court is a fitting recognition of the legal aptitude that you have demonstrated over the course of your distinguished career.

His Honour Judge Ian Newbrun

Judge Ian Newbrun was sworn-in as a judge of the Federal Circuit Court on Wednesday, 11 March 2015. Noel Hutley SC spoke on behalf of the bar.

His Honour graduated from the University of Sydney with a Bachelor of Laws in 1979, and went on to attain a Master of Laws from the London School of Economics in 1981. He was admitted as a solicitor of the Supreme Court of New South Wales in July 1982, then called to the New South Wales Bar three years later. He built up a successful practice, initially with a common law emphasis, but increasingly in Family Provision Act, insurance, administrative law matters.

Since 2010 his Honour was a mediator and an arbitrator in the Supreme, District and Local courts. Between 2005 and 2013 he was on the panel for the Refugee Review Tribunal Legal Advice Scheme. In 2012 his Honour was appointed deputy chair of the

NSW Health Tribunal, which was consolidated into the New South Wales Civil and Administrative Tribunal in 2014, and your Honour became a principal member in the Occupational Division, Health Practitioner List. In the federal sphere, he was the NSW chair of the Federal Medicare Participation Review Committee from 2005 to the date of his appointment.

His Honour is also an experienced referee, at one stage reaching the level of Sydney Grade Rugby.

His Honour Judge Justin Smith

Justin Smith was welcomed as a judge of the Federal Magistrates Court on 19 February 2015, having been appointed on 1 January 2015.

His Honour was born in Port Moresby in Papua New Guinea and raised there until the age of six. Thereafter his Honour lived in various parts of Australia with his father's work as in-house counsel and lecturer in law, in due course settling in Sydney.

At high school his Honour showed a flair for debating and competed in representative teams for St Aloysius, at Milsons Point. His Honour graduated from the University of Sydney with a Bachelor of Arts and a Bachelor of Laws in 1991. Giving away a budding career as a lead singer in a rock band, his Honour worked at Pryor Tzannes & Wallis and Dunhill Madden Butler, and generously volunteered at the Redfern Legal Centre.

His Honour commenced practice at the bar in March 1997, reading with Mark Dempsey and Jonathan Simpkins and found his niche in chambers on 7 Wentworth.

His Honour established his reputation as a leading junior in administrative law, especially in relation to migration matters. However, his practice was much broader, including a mixture of significant equity cases. As a junior, his Honour appeared in a number of significant cases in the High Court in migration.

His Honour worked with leading silks in his field whilst a junior. In the years prior to taking silk his Honour appeared regularly at the appellate level. That practice was combined with his Honour's extensive trial practice.

His Honour contributed generously to pro bono work. In 2002 his Honour appeared for the applicant in the High Court matter of *NABD of 2002 v Minister for Immigration and Multicultural and Indigenous Affairs* (2005) 216 ALR 1; (2005) 79 ALJR 1142. The case remains an important contribution to the jurisprudence on what constitutes a well-founded fear of persecution on the grounds of religion.

It was noted by Mr Hutley SC, who spoke on behalf of the NSW Bar, that among his Honour's many attributes is his 'ease on the tabla which, as we all know, is a set of two hand drums used in North Indian music of ancient origin or belting out Acca Dacca classics on what I imagine is a well-worn and treasured Stratocaster'. The Hon Bronwyn Bishop MP, speaker of the House of Representatives on behalf of the Australian Government, had earlier pointed to his Honour's love of travel and cooking and brown belt in karate, complementing his jurisprudential knowledge and advocacy skills.

His Honour Judge Andrew Scotting

Judge Andrew Scotting was sworn-in as a judge of the District Court and the Dust Diseases Tribunal on 17 February 2015. President Jane Needham SC spoke on behalf of the bar.

His Honour was born in Bankstown and was educated at St Gregory's College, Campbelltown and John Therry Catholic High School, Rosemeadow. He attended the University of Sydney and graduated with a Bachelor of Arts, majoring in Economics and Law. He worked full time as a legal clerk at Marsdens Solicitors in Ingleburn, before commencing his Bachelor of Laws at the University of New South Wales. He was admitted as a solicitor of the Supreme Court in February 1992.

After a brief time doing personal injury and commercial litigation for Marsdens in their Campbelltown office, his Honour moved to the firm of Baker Ryrie Rickards Titmarsh in Parramatta in January 1993 and then to the bar in September 1996. He read with Anthony Black and Colin Heazlewood and took a room on 8th Floor Garfield Barwick Chambers.

By 2003 his Honour moved to 13th Floor St James Hall Chambers, where he remained until his appointment was

announced. His Honour had a diverse practice, encompassing succession, common law, commercial, equity, professional negligence, administrative and criminal law. He appeared frequently in the Supreme Court, the Court of Appeal and the Dust Diseases Tribunal.

Among his many notable cases were *Kelly v Jowett* (a Court of Appeal decision on personal costs orders) and *Northern Residential Pty Ltd v Newcastle City Council* (another success in the Court of Appeal, relating to provisions of the Environmental Planning and Assessment Act).

President Jane Needham SC thanked his Honour for his contributions to the bar.

Your Honour has contributed to the life of the bar by your service on the Bar Association's Health and Wellbeing Committee, and on Professional Conduct Committee No.1. Your Honour also shared your time with a number

of readers, some of whom are here today. One of them, Simon Chapple, speaks highly of your generosity of time. These are important and time consuming duties, and I thank you for your time and dedication.

However, your chief contribution as a member of the Association is your Honour's pivotal achievements on the Bar Hockey Team, whether that be on the field, as an

organiser, or as an occasional correspondent for the sports pages of *Bar News*. I'm sure your Honour was also on the front foot when it came to hockey social functions. Your Honour has also served as a member of the Sydney Hockey Association Judiciary Panel and the NSW Hockey Association Member Protection Tribunal.

Local Court of New South Wales

Michael Crompton and Gary Wilson were sworn-in as magistrates of the NSW Local Court on 23 February 2015. Jeffrey Phillips SC spoke on behalf of the bar.

Magistrate Gary Wilson

His Honour completed a Diploma of Law from the Solicitors Admissions Board in 1982 and was admitted as a solicitor of the Supreme Court of New South Wales in July the following year. His Honour began work as a solicitor at Glover & Glover Lawyers before moving to Minter Ellison in 1997.

His Honour began practising at the New South Wales Bar on 2 April 2001. He read with Michael Inglis in State Chambers, before taking a room in Denman Chambers in 2006, where he stayed until the time of his appointment. He built up a thriving, diverse practice in professional negligence, insurance, motor accidents, employment and criminal law. He appeared before a broad range of courts and tribunals – from the Local Court to the Court of Appeal.

For five years his Honour was on the roster of the Duty Barrister Scheme (in the Downing Centre) and the Bar Association's Legal Assistance Referral Scheme.

His Honour is also an accomplished yachtsman, having competed in three Sydney to Hobart races. He is also an avid skier and was a member of the Thredbo Ski Patrol for 18 years.

Magistrate Michael Crompton

His Honour studied Arts at the University of Queensland. He went on to study law at Queensland University of Technology, from which he graduated in 2000. As a student, he was an associate to his Honour Judge Neil McLauchlan QC of the Queensland District Court.

In August 2000 he began work as a solicitor with Legal Aid Queensland, working as a youth advocate who represented juveniles charged with serious criminal offences. During this time he appeared as duty lawyer in the District Court, the Children's Court and regional Magistrates courts. Following a year spent as a legal officer at the Queensland DPP, he travelled to London, where he was admitted as a solicitor in the High Court of England and Wales. From 2002 to 2004 he worked for the firm of Reynolds Porter Chamberlain managing Hague Convention child abduction cases, domestic and international adoption proceedings and guardianship matters.

Upon his return to Australia in 2005 he came to Sydney and worked as a legal officer and advocate at the Commonwealth DPP and the NSW Crown Solicitor's Office. He acquired extensive experience in a wide range of complex federal criminal matters involving, among other things, people smuggling, sex tourism, terrorism and other offences against the Customs Act, the Migration Act and the Criminal Code.

In October 2010 his Honour was appointed as a registrar of the Supreme Court of NSW, where he remained until his appointment to the Local Court. By his Honour's own tally, he was responsible for managing more than 470 Court of Criminal Appeal hearings and in excess of 4,000 Supreme Court bail applications per year.