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TRANSCRIPT OF PROCEEDINGS

O/N 126002

FEDERAL COURT OF AUSTRALIA

CEREMONIAL SITTING OF THE FULL COURT

FOR THE SWEARING IN AND WELCOME OF

THE HONOURABLE JUSTICE KATZMANN

THE HONOURABLE MICHAEL BLACK, AC, CHIEF JUSTICE
THE HONOURABLE JUSTICE MOORE
THE HONOURABLE JUSTICE LINDGREN
THE HONOURABLE JUSTICE EMMETT
THE HONOURABLE JUSTICE STONE
THE HONOURABLE JUSTICE JACOBSON
THE HONOURABLE JUSTICE EDMONDS
THE HONOURABLE JUSTICE GRAHAM
THE HONOURABLE JUSTICE COWDROY OAM
THE HONOURABLE JUSTICE BUCHANAN
THE HONOURABLE JUSTICE FLICK
THE HONOURABLE JUSTICE PERRAM
THE HONOURABLE JUSTICE JAGOT
THE HONOURABLE JUSTICE FOSTER
THE HONOURABLE JUSTICE NICHOLAS
THE HONOURABLE JUSTICE YATES
THE HONOURABLE JUSTICE KATZMANN

SYDNEY

4.30 PM, TUESDAY, 2 FEBRUARY 2010

KATZMANN J: Chief Justice, I have the honour to announce that I have received a commission from Her Excellency The Governor General appointing me a Judge of the Federal Court of Australia. I now present my commission.

BLACK CJ: Mr District Registrar, would you please read aloud the commission.

DISTRICT REGISTRAR:

Commission of appointment of a Judge of the Federal Court of Australia, I Quentin Bryce, Governor-General of the Commonwealth of Australia acting with the advice of the Federal Executive Council and under section 72 of the Constitution and subsection 6(1) of the Federal Court of Australia Act 1976, appoint Anna Judith Katzmann of senior counsel, learned in the law to be a Judge of the Federal Court of Australia beginning on 1 February 2010 until she attains the age of 70 years, with precedence next after the Honourable Julie Anne Dodds-Streeton whose appointment takes effect on the same day. Signed and Sealed with the Great Seal of Australia on 22 October 2009. Quentin Bryce, Governor-General by Her Excellency's command – Robert McClelland, Attorney-General.

BLACK CJ: Justice Katzmann, I now invite you to take the affirmation of office.

KATZMANN J: I, Anna Judith Katzmann, do solemnly and sincerely promise and declare that I will bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law, that I will well and truly serve her in the office of a Judge of the Federal Court of Australia and that I will do right to all manner of people according to the law without fear or favour, affection or ill-will.

BLACK CJ: I now invite you to subscribe the form of affirmation that you've taken. Mr District Registrar, would you please take the commission and the subscribed affirmation of office and place them and keep them in the records of the Court. Justice Katzmann, I now extend to you on my own behalf and on behalf of all the members of our Court throughout this country a very warm welcome.

KATZMANN J: Thank you very much, Chief Justice.

BLACK CJ: Mr Govey, do you move?

MR GOVEY: I do, Chief Justice. Lest may I acknowledge the traditional owners of the land we meet on and pay my respects to their elders both past and present. It is a great personal honour to be at this special sitting of the Federal Court of Australia to welcome the Honourable Justice Anna Katzmann to the bench. The Attorney-General, the Honourable Robert McClelland MP, regrets his inability to be present today and has asked me to convey his warmest congratulations to your Honour. Your Honour's appointment is a well-deserved recognition of the skills, talent and ability which your Honour has forged over many years in the legal profession.

Your Honour has an enviable record of expertise across a range of areas, including administrative law, common law, criminal law and industrial law, all of which will make a significant contribution to the rich diversity of the Federal Court.

Your Honour has enjoyed a particular reputation while present at the New South Wales Bar for delivering excellent speeches to welcome new judges. I can only hope that the welcoming speeches here today come close to measuring up to the very high standard set by your Honour. I am sure your Honour's late parents, Freda and Paul, who emigrated from England following World War II, would have been very proud of the recognition given to your Honour's achievements.

It is pleasing to see your Honour's family present at this special occasion; your husband John, your brothers Alan and Michael and sister-in-law Michaela. Here too are your brother-in-law George and his wife Tania and your nieces Alana, Carly and Sara.

Your Honour was born in Sydney in 1955. You attended Clovelly Primary School where I understand your mother taught music for many years. I believe your mother was a very influential role model, described as inspiring and principled and deeply committed to justice. It is unsurprising that your Honour would grow up with a strong belief in justice and a passion for music.

Your Honour's passion for music crosses a wide spectrum, embracing folk, jazz, choral and particularly opera. I am reliably informed that your Honour has a lovely alto voice, that you sing in the Bar choir and that you are proficient at playing the viola and the violin. If I may say, this is a range of musical skills almost as diverse as the judicial talent and skills which your Honour brings to this Court.

Your Honour spent the last two years of primary school at Woollahra Demonstration School and then attended Sydney Girls' High School where as elected captain your Honour displayed an early aptitude for debating and public speaking.

At school and for a long time afterward your Honour played hockey, a game in which you were reputed to be an intimidating goalkeeper. Your Honour played for the Sydney Girls' High School team and later for Gordon. For many years your Honour also involved yourself in the highly competitive annual barristers versus solicitors game. In more recent times, I am told, your Honour has applied yourself to new forms of exercise in place of hockey. I believe your Honour has become very proficient in kickboxing. One can only imagine the limitless possibilities offered to you as a goalkeeper on the hockey field had your Honour acquired these kickboxing skills at an earlier time.

In 1979, your Honour graduated from the University of New South Wales with a Bachelor of Arts with Honours and a Bachelor of Laws, beginning your practice at the New South Wales Bar in the following year. During your time at the Bar, your Honour was able to undertake a diverse range of additional roles, including

lecturer in law at the then New South Wales Institute of Technology, Chair of the Mental Health Tribunal of Cumberland Hospital, Acting Commissioner of the New South Wales Independent Commission Against Corruption, Arbitrator with the Supreme Court of New South Wales and mediator and contributions assessor within the Dust Diseases Tribunal of New South Wales.

In the courtroom, your Honour is known to be both tenacious in cross-examination when required but courteous to the bench and lawyers on both sides. Your colleagues describe you as having a most competent and formidable mind. Your Honour was appointed senior counsel in 1997 and in 2007 you were appointed president of the New South Wales Bar Association. I suspect your Honour found added fulfilment in this role having already served on the Bar Council as Secretary, Treasurer, Junior Vice President and then Senior Vice President.

Your Honour is known by your colleagues as a thorough professional with a wonderful sense of humour, very generous with your time and a hard worker who pursued with energy and determination everything to which you turn your hand and mind. You have not only been a very successful barrister but a strong advocate of human rights, in particular, women's and indigenous rights.

You were founding director of the Women's Legal Resources Centre and an executive member of the Women's Lawyers Association. Your Honour was also trustee of the New South Wales Bar Association's Indigenous Barristers' Trust and is currently a trustee of the Jessie Street Trust.

Your Honour's commitment to the mental health needs of those within the legal profession is also well known. More recently this commitment was confirmed with your appointment as a director of the Tristan Jepson Memorial Foundation. Those who know your Honour are in no doubt about your ability to apply yourself as a Judge of this Court, with the same intellect, passion, determination, capacity for hard work, flair and humour, for which your Honour is so much admired.

Your Honour, on behalf of the Government and the Australian people, I extend to you congratulations on your appointment and welcome you to the bench of the Federal Court of Australia. May it please the Court.

BLACK CJ: Thank you, Mr Govey. Mr Catanzariti, do you move?

MR J. CATANZARITI: May it please the Court. On behalf of the Law Council of Australia, it gives me great pleasure to welcome your Honour's appointment to the Federal Court of Australia. The Law Council is the nation's peak legal representative body. Its membership comprises the country's law societies and bar associations, as well as the large law firm group. Overall, the Law Council speaks on behalf of about 60,000 practitioners Australia wide.

The new President of the Law Council, Glen Ferguson, regrets that he is unable to be here but he sends his personal congratulations and best wishes. Your Honour held

the position of president of the New South Wales Bar Association at the same time as I was president of the Law Society of New South Wales. Clearly, one of us was such a great president that they have been plucked from the practice of law and elevated to a higher calling. As for the other president, seriously, though you were an outstanding leader of the Bar Association and like everyone else in this room, I am certain you are well equipped with the skills and experience to deal with the challenges that you face on this new journey.

Throughout your career your Honour has always demonstrated an incredible desire of hard work and you have committed yourself to many extracurricular activities. These include being the founding director of the Women's Legal Centre and co-author of the successful submissions for Government funding. The Law Council of Australia has been fortunate enough to benefit from your Honour's drive and expertise. Your Honour had regular dealings with the Law Council during your time as President of the New South Wales Bar Association. Your Honour was also Director of the Law Council from September 2007 to December 2009, attending regular board meetings and making a significant contribution.

You were especially outspoken on a charter of rights for Australia and vehemently supported the Law Council's position on this issue. Your Honour, like the Law Council, is also a passionate campaigner for equal opportunities for women in the legal profession. Females now make up about 60 per cent of law graduates. As the father of three girls, I along with many other practitioners, applaud your Honour's commitment for this issue. The challenge remains to keep women in the profession.

Your Honour was also instrumental in coordinating the joint Law Council, New South Wales Bar Association, Federal Criminal Law Conference which was very successfully held in Sydney last September. That conference was organised partly to provide input to the Federal Government Justice Forum, held by the Government in Canberra. Your Honour represented the New South Wales Bar at that forum, which brought together key stakeholders to contribute to the Government's Federal Criminal Law Reform agenda.

According to colleagues I have spoken to, your Honour was always a fiercely committed and formidable advocate. Judge Burke once ordered his Tipstaff to eject your Honour from his Court because you would not remain silent, and Judge Moroney once interrupted your Honour in full steam with the comment, "Ms Katzmann, I love it when you talk law to me." These traits were noticed at a young age. Patrick White refers to your Honour as a schoolgirl addressing a meeting at the town hall, opposing the demolition of Sydney Girls' High to build an Olympic stadium, I think. Despite your youth, White described your Honour as being completely "nerveless".

Your Honour has since assured us that despite White's magisterial descriptive powers, this was a most inappropriate description. However, I take it that you were nonetheless persuasive as ever. Colleagues also describe personal qualities which have made your Honour successful in just about everything you have embarked

upon; qualities which will, no doubt, hold you in good stead as you embark on the new and very challenging chapter of your legal career.

According to those who know you well, you have always given clients confidence in their cases and themselves and you were caring and attentive to each one. Judges have found your Honour helpful because of your meticulous preparation and thorough preparation made the tasks easier, and opponents were always jealous of the way you set your sails so that even in light winds you outstripped them.

This was largely due to that work ethic I referred to earlier, just as those who worked alongside you; before briefing your Honour in any case, had to be prepared to work just as hard as you. Many people declined that challenge. Even the most obscure point was researched and eliminated or developed in a very thorough and challenging way. As one close colleague mentioned, “It was frankly infuriating at times but that was her way”.

Your Honour’s chronologies are legend. You had a trademarked version which you would email to others who were briefing the case. Let me say that anyone appearing before your Honour better have a good chronology in the Anna Katzmann at “three column” style with appropriate font and spacing.

Diet and exercise have been a constant through your career. You were always coming from the gym or going to the gym and there were various dietary regimes: no bread, lots of bread; only nuts, no nuts. Friends don’t think your Honour ever ordered off the menu. Everything had to be modified slightly. The vast majority of your Honour’s practice has been in the New South Wales Supreme Court, and perhaps it was from that Court that you expected the call-up for the bench to come. However, it is wonderful to see that your Honour’s new office is on the higher floors where the view is, no doubt, significantly better.

Let me finish by saying that a Welcome to Court is an important occasion of enormous significance. The esteem in which you are regarded by your peers is demonstrated by the number of colleagues and friends who are here today. The Law Council welcomes your Honour’s appointment to the Federal Court. We are sure you will excel in your new role and wish a long and distinguished career. May it please the Court.

BLACK CJ: Thank you, Mr Catanzariti. Mr Bathurst, do you move?

MR T. BATHURST QC: May it please the Court. It gives me great pleasure to congratulate your Honour on behalf of all members of the Bar in Australia on your appointment. As has been said, your Honour left Sydney High School as school captain in 1972 and studied law and then was called to the Bar in 1979. Your Honour at that stage was the ripe old age of 24.

That demonstrated the fearlessness you showed throughout your career, particularly when it’s remembered that at that time there was about a thousand members of the

Bar of which only 41 were women. Fortunately, the ratio has changed at the present time although not as much as most of us would have hoped.

Throughout your career at the Bar, your Honour demonstrated the qualities of integrity, courage and depth of legal knowledge which are the characteristic of all outstanding barristers. Your Honour rapidly established a thriving practice and was justly appointed senior counsel in 1997. Your Honour practised primarily in the common law area, but did a great deal of industrial law and administrative law; two of the growth areas, of course, in this Court.

Unlike many other members of the Bar whose interests do not extend beyond their next brief or perhaps the next cheque, your Honour's extracurricular activities were both extensive and varied. Your Honour throughout your career was a tireless supporter of equal opportunity for male and female barristers. You were voted Woman Lawyer of the Year in 2002, and it was only because a person could only receive that award once that you did not establish a "Federer" or perhaps I should say "Serena Williams" like record in receiving it in all the years subsequent to that.

Your Honour, in addition, gave your time and skill to many activities not directly connected with the profession. You were a founding member of the Women's' Legal Centre, a member of the Mental Health Review Tribunal for Cumberland Hospital, a council member of the Academy of Forensic Science, and from 1997 to 1999, a part-time legal aid commissioner.

Yesterday the Chief Justice of Australia urged the newly appointed Silks to actively contribute to the community. What you have done is an example to them and indeed to all of us. All these activities would seem to suggest that your Honour had little time for fun. Nothing could be further from the truth. Your Honour loved to travel, particularly to Italy where you and your husband, John, have an apartment.

I am told that your Honour is and remains an accomplished hockey player and an enthusiastic kickboxer. I have never seen your Honour indulge in the latter pastime, which is surprising because the temptation in some Bar Council meetings must have been absolutely overwhelming. Another of your major passions was music and drama. You have been an enthusiastic member of the Bar Choral Society, something I am sure will continue, notwithstanding your appointment.

I am told that early in your life your only ambition was to be on the stage. Your motivation to come into the Bar apparently was that you could both perform and make a living at the same time. Regrettably, up to the last two years of your career, opportunities to give a full scale performance were few and far between. That all changed in the last two years. As president of the Bar Association, your Honour had ample opportunity to ventilate your acting talents at the numerous swearing-ins of Federal Court judges, State Supreme Court judges, and District Court judges, as well as numerous other addresses you were called to make during that period. I know the judges enjoyed them and I am sure your Honour did too.

You set a standard of oratory which will be difficult for your successors to match, much less exceed. It was appropriate that your last brief was to prosecute Galileo in a mock trial of the University of New South Wales. Your Honour was on the Bar Council continuously from 1994 and served as president for the last two years. As a member of the council, and particularly as president, your Honour worked tirelessly in support of the rule of law, human rights and the welfare of the members of the association.

Your Honour will be particularly remembered for your tireless efficacy in support of a charter of human rights, the efforts you made to advance the position of women at the Bar and perhaps most significantly the way you caused the Bar to confront the reality of depression amongst its members and for putting in place facilities to assist members who had the misfortune of suffering such illness to be treated and otherwise assisted.

There are many practitioners who would not be able to carry on practice in the way they are doing so, but for your Honour's efforts in this area. The attendance here today is ample testimony to the esteem in which you are held. Your Honour, the Court is fortunate that a person of your capacity, energy and ability is joining it. On behalf of all members of the Bars in Australia, we wish you every happiness and success in your new career. May it please the Court.

BLACK CJ: Thank you, Mr Bathurst. Mrs Macken, do you move?

MRS MACKEN: May it please the Court. In Australia throughout the 1960s the OC is something to which one aspired for it was only the talented special few such as your Honour who were selected to complete primary years 5 and 6 at the OC Opportunity Class at Woollahra Demonstration School, an experience that produced many eminent members of society. Likewise the learning and leadership skills your Honour attained in the OC no doubt helped prepare you for the heady heights of high school captain and paved your way for a career in law which has today culminated in your elevation to the Federal Court bench. Your Honour, on behalf of the solicitors of New South Wales, I'm delighted to congratulate you on your appointment to the bench and to wish you a rewarding and fulfilling career.

Judicial appointees are required to demonstrate the characteristics and qualities of intelligence, integrity, experience, impartiality, patience, wisdom, courage, compassion, insight and a strong commitment to social justice. It is generally accepted that early life experiences play a vital role in determining adult behaviour in conjunction with the social and economic environment in which a child is raised.

So what are the determinants that have led your Honour to today's distinguished appointment? Your father, Paul, was an electrician. Your mother, Freda, was a primary school teacher. They met in a choir in London and subsequently settled in Australia. Brother Michael's field is engineering and he has joined us today all the way from the USA and brother Alan is in logistics, so none of you followed in your parents' profession.

However, your Honour certainly inherited Freda's political activism and great interest in music, particularly choral music. You regularly exercise your vocal chords in the Bar choir. Your Honour played viola in the school orchestra and also the violin I'm told. In your early teens you were often seen busily writing down words to songs when they came on the radio with a particular favourite being Jean from the 1969 Prime of Ms Jean Brodie.

This transcribing practice augers well for your Honour's future judgment writing but so far little clue to your Honour's chosen field. Perhaps it was the ferocious goalie yelling on the hockey field that made people sit up and take notice. In fact, it was only in the last decade that your Honour finally hung up your hockey pads. Or the tongue lashings as a member of the Sydney Girls' High debating team that cowered the likes of fellow OC Malcolm Turnbull at Boys Grammar.

It might have been the experience as a member of the local drama club, Phoebus, adopting your best judicial voice to play the role of Lady Bracknell in Oscar Wilde's *The Importance of Being Earnest*, or joining your mother Freda, close friend Vivienne and her mother Stella in political protest from the defence of public schools to the Springboks visit and the Vietnam War. Stella is here today to raise the flag for your Honour, no political placards in sight.

Social justice was high on your Honour's agenda from an early age and demonstrated in your school captain's message to your peers where you rallied students to contribute generously to others less fortunate than themselves and in the poem submitted to *The Chronicle*, the school magazine, in French, German and English. While other students were writing about flights to the moon, swings and gardens, your Honour's topics focussed on human rights and social justice issues.

Your school principal at that time, Helena Mary Moore now in her 90s said your Honour took on the school captaincy and proved to be an integrating influence at a very socially challenging time when attitudes and values were changing. Your Honour's name features on the school's honour board for outstanding intellectual contribution and in 2007 you returned as guest speaker for their school presentation day.

Your Honour, your reputation from both professional colleagues and friends is of a hard working, dedicated and courageous crusader who was always well prepared; a great mentor of junior lawyers and who always puts her heart and soul into everything she undertakes. Today we salute you. As Diane Burgess the archivist at Sydney Girls' High has noted, all Sydney Girls' High girls are considered to be distinguished, some more than others. In her Honour's case and in the nicest possible way, Anna is a distinguished old girl indeed. Today it is my honour on behalf of the solicitors of New South Wales to wish your Honour every success in your new role. As the Court pleases.

BLACK CJ: Thank you, Mrs Macken. Justice Katzmann, do you wish to reply?

KATZMANN J: It is a great privilege to have been selected to become a Judge and especially a Judge of this Court. I thank those responsible for the trust they have placed in me and the honour they have bestowed upon me.

Some years ago the Italian Prime Minister, Silvio Berlusconi reportedly told two British journalists from the Spectator magazine that to be a judge, and I quote, “You need to be mentally disturbed. You need psychic disturbances. If they do that job,” he added, “it is because they are anthropologically different from the rest of the human race.” It was unsurprising then that one of my new brother judges sent me a letter on the announcement of my appointment welcoming me to the asylum. Now you understand why I was appointed. I shall fit in nicely.

I have attended many swearing in ceremonies over the years, they are wonderful occasions. It is like being able to attend your own funeral without the down side. They have always reminded me of that scene in Tom Sawyer where Tom and his mates eavesdrop on the tributes of the mourners at their own funeral. I quote:

As the service proceeded, the clergymen drew such pictures of the graces, the winning ways and the rare promises of the lost lads that every soul there, thinking he recognised these pictures, felt a pang in remembering that he had persistently blinded himself to them always before and had as persistently, seen only faults and flaws in the poor boys. The minister related many a touching incident in the lives of the departed too which illustrated their sweet and generous natures and the people could easily see how noble and beautiful those episodes were.”

Well, thank you, Mr Govey, Mr Catanzariti, Mr Bathurst and Mrs Macken, for the flattering things you have said about me and for affecting such sincerity as you said them. To witness Mr Bathurst in particular, so deliberately mislead the Court is a special treat. It is lucky the Trade Practices Act doesn't apply here. Thank you, too; all of you who honour me by your presence here. I am very touched.

This is of course an occasion to thank all of those who helped get me here. Those solicitors, barristers and others who supported me over the years, particularly in the early years when they had little more than intuition, instinct or just blind faith to go by; and the women who came before me, both at the Bar and on the Bench, many of whom were true pioneers. The efforts of the Honourable Mary Gaudron QC, then Solicitor-General for New South Wales, to ensure equitable briefing practices at the State Crown helped many women of my vintage at the Bar carve out successful careers. Janet Coombs forced us to confront the alienating environment of the male-dominated bar common room and helped so many of us feel that the Bar was a place for both men and women. I also thank my clerks, most recently Belinda Lyus and Sarah Bradley, and the other staff of my chambers over the years and I thank my secretaries, especially Millie Kelly and Ros Payne, each of whom worked for me for a long time and gave me exceptional service. I also want to thank Bruce Collins QC for urging me to go to the Bar, Barry Toomey QC for showing me how it is done,

and both John, now Justice Cohen, and Terry Rowles, for generously sharing their chambers with me when I lacked the courage to buy my own.

I am particularly pleased to have been appointed at the same time as Justices Nicholas and Yates.

We have more than a little in common. Justice Nicholas and I attended the same primary school. Justice Yates and I are roughly the same age, finished school at the same time, were both school captains, and took silk the same day. Most significantly, each of us is the product of the public education system. Our achievements are in no small measure due to the quality of the education we received and to the teachers who inspired and encouraged us. I was fortunate, too, to have studied law at the recently established faculty at the University of New South Wales at the feet of so many talented, enthusiastic, and innovative teachers. To my surprise and delight I enjoyed the study of law from the start. I am very pleased that both one of the Deans at the time I was a student, the Honourable Ron Sackville QC, and the current Dean, Professor David Dixon, could be here today. Unlike my predecessor as Bar President in New South Wales, Michael Slattery, who I am sure as a baby wielded a gavel rather than a rattle, there was little in my background that pointed to a career in the law, let alone a commission as a judge. When I was born my parents, who, as you have heard, met in a choir, received a telegram from their fellow choristers which read, prophetically, “Singers welcome prospective alto.”

At school, as you have also heard, my passions were for music and drama. My first stage outing was at the age of about six, as the owl in *The Owl and the Pussycat*. I wasn't good-looking enough, ever, to play the part of someone like the pussycat. Neither of my parents was a lawyer. My father left school at 14, at the beginning of the Great Depression, and became an electrician. At the age of 18 he had to flee the country where he had grown up because of his religion and his political views, which made him a certain target. Years later he found a haven in Australia, a country he fell in love with.

My mother left school shortly before the outbreak of the Second World War and during the London Blitz she taught classes in air raid shelters. An optimist, she regarded Friday the 13th, a day during the war when she was nearly killed, as her lucky day because she escaped death. My father lured her to Australia where they both re-established their lives and raised three children. Although they were not lawyers, they had a deep sense of right and wrong and a strong commitment to justice. Their values and experiences profoundly influenced my attitudes.

Neither of my parents were able to attend university; there was never any question that I would. Scholarships and then free tertiary education in their adopted country provided great opportunities for their children. I am very sorry that my parents did not live long enough to see this day. I thank them from the bottom of my heart for all they did for me and my brothers.

I am sorry, too, that Geoff James, the man who taught me to have confidence in myself, did not survive either. My debt to him is also immeasurable.

Finally, I pay tribute to the long-suffering John Bordon, who has endured much over the 30-plus years of our partnership and who has always supported and encouraged me. If there were more men like him, there would be more women leaders.

Thank you again for coming today, particularly my brother and his wife who have flown here from Washington DC. I thank my new brothers and sisters on the bench and the staff of the Court for the warmth of their welcome and the countless offers of assistance. It is a real shame that I will be joining the Court just as Justice Lindgren is leaving it. I know he will be greatly missed and I will be the poorer for the lack of his company and his counsel. I am also sad to arrive on the cusp of the retirement of the Chief Justice, who has been a first rate leader of the Court and whose congenial approach has ensured that this is a most agreeable place to work. I shall miss being an advocate and I shall miss the independence that the Bar offers.

After 30 years of self-employment I don't relish the prospect of conforming to bureaucratic strictures. I also confess that I feel a little like Dante entering the gates of Hell as, midway along the journey of my life, I find myself in a strange place, having wandered off from the straight path. But I do look forward to the challenges in my new role. I shall try to conduct myself as a judge in the way I most admired in some of the judges before whom I appeared. If at any time I forget myself or I forget the pressures under which practitioners are required to work, I expect my many friends at the Bar to remind me. I shall also do my best to avoid the Heydonian sins of torpid languor and drowsy procrastination. Thank you.

BLACK CJ: Adjourn the Court, please.