

**THE HON. JUSTICE DEREK PRICE AM
CHIEF JUDGE OF THE DISTRICT COURT OF NEW SOUTH WALES
FAREWELL CEREMONY FOR JUDGE GREGORY WOODS QC
UPON THE OCCASION OF HIS RETIREMENT AS A JUDGE OF THE
DISTRICT COURT**

10 JANUARY 2017

1. I extend a very warm welcome to all present this morning. This special sitting has been convened to farewell a much admired servant of the people of New South Wales and judicial colleague, Judge Gregory Woods QC.
2. Judge Woods, you have served the Court with distinction for almost 20 years. You came to the Court in 1997 as a leading practitioner at the Criminal Bar, having been appointed Queen's Counsel in 1981. Whilst I intend to focus upon your contribution to the work of the Court, I will briefly mention that your impressive career included an appointment in 1979 as Director of the Criminal Law Review Division of the New South Wales Attorney General's Department where your work included major reforms relating to sexual assault trials and domestic violence and appointment in 1983 as Deputy Senior Public Defender.
3. From 1969 to 1979, you taught law – mainly in criminal law and criminology in the Faculty of Law at Sydney University. Some of your students went on to achieve high judicial office, including a Chief Justice, a President of the Court of Appeal, judges of the Supreme and District Courts and Magistrates. The Prime Minister was one of a generation of Sydney lawyers who you influenced about the proper role of criminal law. As you understand it, only two of your students ended up in Long Bay. I trust that they were not sentenced by you.
4. "*Law and Order in Australia*" which you co-authored with Paul Ward was required reading for students studying criminology. Gordon Hawkins, an eminent criminologist wrote the Foreword to the book. It is worth repeating Mr Hawkins thoughts in part. He wrote:

"As I read their manuscript I was reminded of what A.J.P Taylor said about H.G Well's Outline of History – that it was 'exciting, important, controversial and therefore often wrong'.¹
5. Hawkins was prepared to commend the book, although stating that it was not inconceivable that some of the authors' judgments may be wrong. He noted that the authors' did not claim infallibility. Dare I say it, fallibility and modest error are concomitant with judicial office.
6. I will leave it to those who follow me to speak about other aspects of your career and your service to the community.

7. Upon your appointment as a Judge, you were immediately thrown into the criminal work of the court. You have presided over many difficult trials including:
 - i. The money laundering trial of the Ansari brothers in 2006. Your trial directions on the law of recklessness under the Commonwealth Criminal Code were confirmed as the proper approach to directing on that issue
 - ii. The trials of Brian & Natalie Burns in 2009 for manslaughter. The central issue was whether the supply of prohibited drugs to someone who takes them voluntarily and dies can amount to manslaughter; and
 - iii. Trials in 1999 – 2000 arising from “Operation Gymea”, a major drug investigation which resulted in the arrest and prosecution of numerous drug offenders.
8. An unintended consequence of Operation Gymea was the initiation of what has become known in the Court as the “... Plate”. You were presented by your fellow Judges with a silver platter after the sentence you imposed on one of the major drug offenders was doubled by the Court of Criminal Appeal. The plate has been awarded to other Judges over the years. Surprisingly, no one has been prepared to divulge who is the current holder.
9. Your contribution to the Court cannot be properly understood without mentioning the person that you are. Your calm, warm personality, coupled with a high intellect and willingness to listen made you the Judge who your colleagues would consult when issues both judicial and personal needed to be discussed. It is hardly surprising that in my absences from the Court, you were appointed Acting Chief Judge.
10. These characteristics together with your decency and mischievous sense of humour endeared you to all of us, who have served with you. Your sense of humour extends to translating the writings of Juvenal, the Roman satirist, from Latin into English and emailing the translations to your colleagues. Juvenal’s satire is biting, funny and relevant today.
11. May I mention your dedicated service to the Committees of the Court over the years – particularly the Criminal Business Committee and the Professional Development (Education) Committee. Serving on Committees can be time consuming; however, they are important to the continuing development of the Court.
12. The burdens of Judicial Office did not extinguish your love of scholarship and legal history.

13. In "*Law and Order in Australia*" you quoted from Cyril Pearl's "*Wild Men of Sydney*". Mr Pearl said:

*"Some day someone will write the full story of Australian roguery, from the rum racketeers of the First Fleet to the beer racketeers of the Second World War, from land swindlers to mine swindlers ..."*²

14. You went on to observe that if anyone was ever to attempt such a task he would face a daunting prospect. Yet that is what you have undertaken with the publication of "*A History of Criminal Law in New South Wales – the Colonial Period 1788 – 1900*" in 2002. I understand that the second volume from Federation to the abolition of the death penalty in 1955 will be published this year.

15. As you pointed out in 1972, a full history of crime in Australia from 1788 "would detail in graphic form a national 'barometer of crime', rising and falling from period to period."³ It would assist in undermining the law and order debate that depends upon the popular ideas of a 'crime wave' and a placid past.

16. Your deep commitment to the law will continue. I have little doubt that your current teaching commitments in Evidence at UNSW will increase to courses in criminal law and criminology. There is some suggestion that you may return to the Bar.

17. Most importantly, you leave this Court being held in the highest esteem by your colleagues and by the members of the legal profession. During your judicial career you have demonstrated the best qualities expected of a judge.

18. Thank you for your service to this Court. On behalf of your colleagues, I wish you and Amanda a very happy future. We will miss you.

¹ Paul Ward and Greg Woods, *Law and Order in Australia*, (1st ed. 1972, Angus and Robertson) at ix.

² Paul Ward and Greg Woods, *Law and Order in Australia*, (1st ed. 1972, Angus and Robertson) at 7.

³ Paul Ward and Greg Woods, *Law and Order in Australia*, (1st ed. 1972, Angus and Robertson) at 7.