

THE HONOURABLE JUSTICE D M PRICE AM
CHIEF JUDGE OF THE DISTRICT COURT OF NEW SOUTH WALES

26 NOVEMBER 2019

- 1 **John Walter Catsanos SC**, since your admission to the Bar in 1987, you have made your reputation in civil practice, primarily in public liability and insurance matters.

- 2 **William Markey Fitzsimmons SC**, since your admission to the Bar in 1990, you have made your reputation in the areas of criminal and insurance law, which often focussed on fraud. You now practise primarily in common law, including insurance and personal injury matters.

- 3 **Richard Charles Pontello SC**, since your admission to the Bar in 1999, you have made your reputation in criminal law, particularly as trial counsel in this Court and the Supreme Court, often in complex terrorism trials. You also appear in coronial inquests, Commissions of Inquiry, and appellate matters.

- 4 **David Wai Mun Chin SC**, since your admission to the Bar in 2001, you have made your reputation in the areas of industrial, employment, and discrimination law. You have also co-authored *The Modern Contract of Employment* and are an adjunct lecturer at the University of Sydney.

- 5 **Christopher Dennis Wood SC**, since your admission to the Bar in 2001, you have made your reputation in commercial litigation, including equity, intellectual and real property, insolvency, and corporations law. You are an author of *Equity in Practice and Precedents*, have published a number of academic papers in your areas of practice, and have served on numerous Bar Association committees.

- 6 **Tiffany Ling Wong SC**, since your admission to the Bar in 2003, you have made your reputation in public and commercial law, including complex corporations and insolvency matters.

- 7 **Jason Edward Lazarus SC**, since your admission to the Bar in 2004, you have made your reputation across a variety of practice areas including commercial and property litigation, equity, and planning and environmental law.
- 8 **James Camac Sheller SC**, since your admission to the Bar in 2004, you have made your reputation in the common law jurisdiction, including public and administrative law, and matters in the Dust Diseases Tribunal of NSW.
- 9 **Richard John Wilson SC**, since your admission to the Bar in 2004, you have made your reputation in public and administrative law, and notably criminal law. You have served as a Public Defender since 2012, and were appointed Deputy Senior Public Defender in 2018. You have represented accused persons in many criminal jury trials and appear regularly in the Court of Criminal Appeal.
- 10 **Jennifer Maree Single SC**, since your admission to the Bar in 2005, you have made your reputation in criminal and civil law. Your criminal expertise focusses on fraud, corporate and economic crime, as well as narcotics and smuggling. Your civil practice focusses on corporations law, particularly with respect to the duties of company directors and insider trading.
- 11 **Tanya Louise Smith SC**, since your admission to the Bar in 2007, you have made your reputation exclusively in criminal law, serving as a Crown Prosecutor for the Director of Public Prosecutions, and earlier this year you were appointed Acting Deputy Director of Public Prosecutions. You have represented the Crown in many jury criminal trials and appear regularly in the Court of Criminal Appeal.
- 12 **Elisabeth Mary Peden SC**, since your admission to the Bar in 2007, you have made your reputation in commercial, equity, contract, property, and succession law. You are a Professor at the University of Sydney, and the editor of the New South Wales Law Reports, having been appointed to succeed Bret Walker SC in 2018.

- 13 On behalf of myself and the Judges of the District Court, I congratulate you all upon your appointment as Senior Counsel. When each of you took your bows, announcing your rank and precedence in the order of Senior Counsel, the short recitation by me that followed demonstrates how well deserved your appointments are.
- 14 The importance of the longevity of our institutions for the administration of justice in New South Wales was often emphasised by the Honourable James Spigelman AC during his time as Chief Justice of the Supreme Court of New South Wales. The tradition of the appointment of silk dates back, as you know, over 400 years. Whilst the name and method of appointment may have changed, the central role that you play in upholding the rule of law has in no way diminished.
- 15 The District Court of New South Wales also has a rich history, being founded by the *District Court Act 1858*. In recent years, I have taken the opportunity to draw upon that history with an anecdote about a former judge of the Court.
- 16 In May 1928, Judge Alec Thomson KC was appointed a judge of the District Court and Chairman of Quarter Sessions. Unlike the judges of the Court who preside today, he was of a worrying disposition and inclined to be very irascible. When he sat in what was then No. 1 Court, Queens Square, the poor projection of sound was a constant source of irritation to him.¹
- 17 On one occasion, the Sydney Morning Herald reported that:

““The acoustic properties of this court”, his Honour said with emphasis, “are absolutely shocking. I should think if we went into a stable at Government House we should find them better than in this court ... It was built for a barracks in the old days ... Will the profession”, continued his Honour, addressing counsel, “try to remember that for the sake of the unfortunate judges and jurymen, they should speak plainly and slowly.””²

- 18 The Sydney Morning Herald went on to say:

¹ H T E Holt, *A Court Rises: The Lives and Times of the Judges of the District Court of New South Wales* (Law Foundation of New South Wales, 1976) 185-6.

² Ibid 186.

“Frequently his Honour’s remarks were inaudible.”³

19 However, the judge was not without a sense of humour. The senior gaol recorder for many years at Darlinghurst Courts, Mr Morris, recalled a case of extra-summary justice before his Honour that caused all in court, including the judge, some mirth. When one trial came on, the police officer called the name of a female accused. A woman immediately entered the corridor next to the court and she was escorted into the court room, placed in the dock, and was indicted. Just as she was being asked to plead, counsel interposed: “Your Honour, this is not my client.” The woman recovered to explain that she had just come into the building to make an inquiry at the court office.⁴

20 I feel confident with the processes that are in place today, the chance of a mistaken arraignment is remote. However, the need for judges and senior counsel to speak clearly and audibly remains.

21 I also extend a very warm welcome to the Clerks of the Floor and any family members who are here this morning.

22 On behalf of all Judges of the District Court, I wish Senior Counsel every success in your leadership roles at the Bar.

23 Please now join us for morning tea.

³ Holt (n 1) 186.

⁴ Ibid.