

RSB:SND

DRAFT

IN THE DISTRICT COURT
OF NEW SOUTH WALES

THE CHIEF JUDGE
THE HONOURABLE JUSTICE D PRICE AM
AND THE JUDGES OF THE DISTRICT COURT

MONDAY 8 AUGUST 2016

**SWEARING IN OF HER HONOUR JUDGE NOMAN SC AND HIS HONOUR
JUDGE HUNT AS JUDGES OF THE DISTRICT COURT OF NEW SOUTH
WALES**

Mr Arthur Moses SC on behalf of New South Wales Bar Association
Mr Gary Ulman, President, Law Society of New South Wales, on behalf of
solicitors

(Commission read)

(Oaths of office taken)

PRICE CJ: Judge Noman, Judge Hunt on behalf of all the judges of this Court
I very warmly welcome each of you and wish each of you the very best in your
judicial careers. Mr Moses.

MOSES: May it please the Court. I wish to begin by acknowledging the
Gadigal people of the Eora Nation, the traditional custodians of the land on
which this Court stands and pay my respects to their elders both past and
present.

It is with great pleasure that I speak on behalf of the New South Wales
Bar at this morning's ceremonial welcome for her Honour Judge Nicole Noman
SC and his Honour Judge Warwick Hunt.

Both judges come to this Court with deserved reputations as learned and
highly respected advocates with a combined experienced exceeding 60 years
in the practice of law. Not surprisingly your Honours will predominantly sit in
this Court's busy criminal jurisdiction which deals with the majority of serious

RSB:SND

criminal offences in this State.

Your Honours' appointments come at a time of continued increase in the New South Wales gaol population and the shameful fact that in 2016 Indigenous Australians are today 14 times more likely to find themselves behind bars than their fellow citizens. That is to be compared with the figure 25 years ago when the royal commission into aboriginal deaths in custody completed its important work which criticised the fact that Indigenous people were being imprisoned at seven times the rate of the broader population.

These facts and figures are, of course, not the fault of the judiciary who are regularly required to impose increasingly higher penalties which Parliament has seen fit to legislate for some offences. In some instances this Court is denied its ability to exercise its good judgment and experience to mould sentences to deal with particular offenders.

In other instances as your Honours may regrettably come to experience members of the judiciary are subject to unfair personal attacks because of their sentencing decisions as if somehow such attacks will cause a judge not to be faithful to his or her oath of office. The Bar's position has always been and continues to be that the sentencing discretion of judges is essential to the fairness of the justice system. The political focus must always be on preventative crime measures to stop members of our community sliding into a life of crime in the first place rather than any knee-jerk increases in prison terms or attacking the independent sentencing discretion of the judiciary.

Judge Noman SC. Your Honour is the first person in your family to practise law. Your mother was Estonian and your father was Dutch. They met at a camp for displaced persons in the immediate aftermath of the Second World War. They migrated to Australia and after settling here your father went

RSB:SND

on to become a successful local businessman. My informants tell me that you went to Sydney Girls High but only became interested in law when you did babysitting for a barrister and whiled away browsing his collection of the New South Wales Law Reports. I will not say that your Honour must have been a nerd as a teenager.

Your Honour graduated from the University of Sydney with a Bachelor of Laws in 1987 and was admitted as a solicitor of the Supreme Court of New South Wales in December of that same year. You joined the New South Wales office of the Director of Public Prosecutions in 1988 and remained there in one capacity or another until your appointment to the bench and we are joined here this morning with many senior members of that office.

During that time your Honour also returned to higher learning and in 1993 attained a Master of Laws from the University of Sydney. Your Honour was called to the Bar in November 1999 whereupon you became a Crown Prosecutor. In the ensuing years you prosecuted more than 200 trials and you have appeared in 200 appeal cases. There might be more due to your occasional appearance under the alias of Norman. We hope that the court reporters will remember that.

Among your Honour's important cases are two recent prominent and successful Crown appeals against the leniency of a sentence *Nguyen v The Queen* and *The Crown v Keiran Loveridge*. Those who briefed you as well as those who appear against you credit your Honour with having a concise delivery and commanding presence in the courtroom. My sources within the DPP tell me that your Honour never filed submissions late and there is widespread confidence that your decisions will be delivered in a timely manner.

RSB:SND

Your Honour took silk in 2012. You have contributed significantly to the life of the Bar through the criminal law committee during the period 2008 to 2012. Judge Noman SC the consensus of you among the Bar is that you will be calm, fair, polite and respectful towards those at the Bar table, witnesses and those who appear before you as defendants. You bring a wealth of experience to this Court and the Bar congratulates you.

Judge Hunt, a man for all seasons does not do justice to your Honour's diverse skills. These include but certainly are not limited to model, skilled equestrian, massage therapist - we will talk about that later your Honour, pavlova chef, master of ceremonies, solicitor, magistrate, barrister and Dame Edna impersonator.

It is not entirely clear in what order you acquired these skills but your ability to glide between them has taken some to liken you to Jarryd Hayne who returned to the NRL on the weekend and I will brief your Honour as to who Jarryd Hayne is after this as well.

As now Justice Ian Harrison said so eloquently in 2000 during your Local Court swearing-in, you are many things, not of all of which I have time to repeat. Like Judge Noman your Honour is the first in your family to practise law but your grandfather, a dairy farmer in Northern New South Wales, also moonlighted as a JP. Perhaps your Honour inherited versatility and an interest in law from him.

Your Honour graduated from the University of Sydney with a Bachelor of Laws in 1980 and you were admitted as a solicitor of the Supreme Court of New South Wales in December 1982. Mr Ulman will talk more about your experience as a solicitor and which you practised in that role for 13 and a half years but it is worthy to note that you spent a considerable period of time at the

RSB:SND

New South Wales Legal Aid Commission as both a duty solicitor as well the solicitor in charge of the Prisoners' Legal Service.

I am told that your Honour left Legal Aid and trained as a massage therapist. I am not sure where that led but your next incarnation was as a sole practitioner and accredited criminal law specialist between 1989 and 1995. In that year you were appointed as a member of the Consumer Claims Tribunal, the Residential Tenancies Tribunal and the Residential Building Disputes Tribunal.

Then in 2000 you were appointed as a Magistrate of the Local Court and Your Worship as magistrates were called then served for five years in the most difficult Courts, Burwood, Liverpool, Wollongong and Campbelltown Local Courts and importantly you came to serve as the Children's Magistrate in Campbelltown and Illawarra where in that capacity you were held in high regard by the profession.

In 2005 you took what you described as a sabbatical. You sat the Bar exams and began practising at the New South Wales Bar in October 2007. It is no surprise that you received the P Blashki award for highest aggregate score in the Bar exams. Your Honour read with now Justice Anthony Payne and Hament Dhanji, now of Senior Counsel. When contacted in connection with this speech Dhanji confessed that he, that is to say your Honour, was really much more useful to me than I was to him.

Your Honour took a room in Forbes Chambers where you remained for nine years until your appointment to this bench. You practised principally in criminal law but also appeared in commissions of inquiry and coronial inquests. There was also a significant amount of work in child protection and adoption law. Your Honour was one of three counsel assisting the Special

RSB:SND

Commission of Inquiry into police investigations of child sexual abuse in the Catholic diocese of Maitland and Newcastle.

You have appeared before many Courts of Criminal Appeal in cases such as Barry v The Crown, Lewis v The Crown, Minehan v The Crown and Hagan v The Crown. Your Honour served on Bar Council during the period 2010, 2014 and again in 2016. I have had the honour of serving with your Honour in Council and have seen first-hand your compassion, integrity and wisdom when dealing with important matters.

Your Honour has contributed significantly to life at the Bar through your work on many committees. To name just a few the Professional Conduct Committee, the Criminal Law Committee, the Education Committee, the Legal Aid Committee and the Bar Examination Working Party.

But perhaps your Honour will be best remembered for delivering your speech at the 2015 Bench and Bar Dinner whilst impersonating Dame Edna. The confused looks on the face of Chief Justice Bathurst and Attorney General Upton, who cannot be here this morning, were priceless. It was rumoured that David Jackson was going to attempt to upstage you with his speech at this year's Bench and Bar Dinner by impersonating Carlotta but could not find the right outfit and we thank God for that.

Yet your Honour's contribution, of course, extends beyond the Bar and you were born with the civic gene. St Catherine's, of course, regard you as the MC extraordinaire. Your Honour's appointment has deprived the Bar Council of a respected councillor who contributed significantly to its work and the Bar of a distinguished and highly regarded advocate. You will be missed. However, your Honour will bring a wealth of experience and a great sense of collegiality to this Court.

RSB:SND

Judge Noman and Judge Hunt your appointments to the bench of this Court are not only well deserved but will contribute significantly to the work of this Court. You are both accomplished advocates with deep familiarity with the cases that come before this Court and the pressures of advocates who appear before you. I express the Bar's absolute confidence that the both of you will be excellent judges. May it please the Court.

PRICE CJ: Thank you Mr Moses. Mr Ulman?.

ULMAN: May it please the Court. I too wish to acknowledge the Gadigal people of the Eora Nation on whose ancestral lands we meet today and pay my respects to their elders past and present.

It is an honour to appear before two individuals who have had such significant influence on the practise of the law in this State. Your Honours are held in the highest of regard by the legal profession and by the solicitors of New South Wales whom I represent and whose congratulations I convey today.

The bedrock of our democracy is a rule of law and the cornerstone of the rule of law is a strong and independent judicial system. It is your Honours' commitment to the best values of that system that we celebrate today. Fairness, respect, efficiency and justice.

Judge Noman, your Honour has been a consummate advocate, knowledgeable in the law and skilful in conducting both trials and appeals. As a solicitor you initially served in what was then known in the ODPP as "the special crime unit". After serving as a solicitor advocate in Local Court prosecutions and in progressing to a solicitor advocate in District Court trials, both in Sydney West Region and the Sydney Region, your Honour was appointed a Crown Prosecutor in 1999.

RSB:SND

Over the years your Honour's exceptional skills as an advocate were widely recognised and duly appreciated when your Honour took silk in 2012. Today's ceremony marks a greater culmination of that recognition and the immense respect in which you are held by the legal profession. Your Honour's skill has given you access to some unique opportunities. In 1992 you took part in an exchange with the Canadian Crown Counsel office in Vancouver and in 2006 you travelled to Dubai for a program supported by the International Bar Association which sought participants present on human rights to an audience of Iraqi judges and lawyers.

Your Honour has also provided assistance to the Bar Readers' course in various capacities including in the role of judge in defended hearings. Then there were mooted competitions at the University of Sydney where alongside Penelope Wass SC as her Honour Judge Wass of this Court was then known and Phillip Boulten SC, your Honour sat on the bench helping to create the atmosphere of what the university law society called "a thrilling courtroom drama".

Amongst your colleagues your Honour is known as a strong and caring individual who has shown a great interest in fostering and developing skills of not only those junior to you but also fellow senior counsel. I am told that when it came to research certain colleagues would be tempted, rather than having to sift through monotonous sways of material themselves to call on your Honour, certain that you would already know the answer.

Solicitors have greatly appreciated instructing you. One commented that in the course of a challenging murder trial, your Honour was exceptionally accommodating and polite to the deceased family, to Court staff and indeed to the defence counsel. The empathy and focus which you brought to the case

RSB:SND

was your Honour's key to success.

I am also told that news of your appointment sparked a veritable flood of congratulatory messages from the ODPP solicitors both past and present. Your Honour has been involved in many complex matters in the Court of Criminal Appeal including the appeal of Hughes, the former Australian television star convicted of sexual assault, Loveridge convicted of that one punch killing of the 18 year old Thomas Kelly, Milat and Klein, the copycat murders in the Belanglo State Forrest and Nguyen and Barbieri convicted of the murder of a police officer.

In Court your Honour is a commanding presence with a phenomenal ability to distil facts in manageable pieces of information for the jury to digest. Impressively juries have been known to watch your Honour intently for an entire day of closing address in a murder trial. A further reflection of your Honour's ability as an advocate was when the Supreme Court judge commented after a recent murder trial that your Honour's closing address was the best he had ever seen.

You have been known to take your duty as counsel and to the Court very seriously indeed. One day your Honour was due to be in the Court of Criminal Appeal but feeling unwell had fainted in the bathroom at your home and hit your head causing a small but fairly bloody laceration. Managing to stem the bleeding your Honour headed into Court. You had applied a bandage to the gash and thought all was well. Unfortunately it was not until you felt a slow but steady trickle moving down your forehead halfway through your submissions that your Honour could conclude with a thicker bandage to be in order. The Court sensing your difficulties arranged for an adjournment enabling the sheriff's officer to provide you with sufficient dressing and your Honour then

RSB:SND

proceeded with the matter.

More than one informant had made mention of your Honour's forbearance and good humour. This is a trait that is most useful as an advocate with your Honour's particular surname as we have heard. You have been incorrectly referred to as "N Norman" in countless appeal cases. I am told that in the unusual event of an unsuccessful appeal your Honour will insist that it must have been "that Norman person who appeared".

I can only hope that the legacy of Judge Noman will not be only remembered but accurately attributed. An avid hiker, your Honour and your family completed the challenging Milford track in New Zealand at the beginning of this year. You and your supportive husband, Bryce and your daughters Mirelle, year 10 and Staskia, year 8, have a great love of travel and animals.

Your Honour, no doubt, will be a great loss to the officer of the Director of Public Prosecutions but will be an important gain for the District Court of New South Wales and for all the people that will come into this place to appear before you.

Your friends and colleagues are unanimous in their verdict. Your Honour will make a superb judge, one who distils arguments and makes determinations quickly, a skill which is of utmost importance to the heavy case load of a District Court judge.

Again I extend to your Honour the congratulations of those I represent here today and I wish you well for what I am sure will be a long and successful career on the bench.

Judge Hunt. Your Honour's career reflects a strong passion and sense of dedication for the law commencing with your admission as a solicitor, working with the Legal Aid Commission, Holman Webb, Sly and Weigall, a

RSB:SND

name that only some of us older practitioners remember, followed by your appointment to the Local Court and Children's Court and then more recently by your time at the Bar which included as we have heard service on the Bar Council.

Among your instructing solicitors your Honour has been very much in demand, not only as a black letter lawyer but also for your practical solutions to matters. Well versed in the law and procedure alike your Honour has an exceptional knowledge of criminal and disciplinary law and an ability to distil the key issues efficiently and effectively.

Among coroners your Honour has been renowned for your ability to manage large multi-party inquests and to manage interpersonal dynamic to which they gave rise. One matter which showcased your Honour's skills was the coronial enquiry into the crane fire at the University of Technology, Sydney. A WorkCover investigation produced a daunting 40 volumes of incredibly detailed information. Your Honour managed to corral an expert conclave into preparing a single joint document condensing the issues and greatly assisting the coroner.

All of my informants agree on one thing. Your Honour is an immediately likeable personality. It is the humanity, warmth and kindness that characterises your Honour's personality, attributes that will equip you perfectly for the bench. Your deep empathy and sensitivity for the people with whom you have had contact as part of the Special Commission of Inquiry into police investigations of child sexual abuse at Newcastle, especially those who had suffered sexual abuse, stood out to those present.

Among your colleagues you are known as a great raconteur who uses his wit and charisma to be inclusive rather than dominating. The straightforward,

RSB:SND

honest and generous way in which you present yourself personally meant that you never use wit to demean or belittle, something common enough but an anathema to your Honour.

Your Honour's mischievous one-liners invariably inspire laughter in others even in inconvenient places. Your Honour I am reliably informed once set about asking an elderly Deacon how long he had been at the seminary. Unfortunately what your Honour actually asked was, how long had the gentleman been at the cemetery?

I am told that you handled the slipup with aplomb, especially considering the ordinarily muted courtroom was by now in hysterics. As one senior member of the Bar considers it would be good of your Honour to sit on the bench alone so there would be no-one to whom you can address your audible and invariably hilarious asides. In the courtroom your Honour's gravitas, charisma and above all your deep booming voice make a strong first impression.

One informant described your Honour's voice as sonorous to the extent that you actually have to calibrate your ears a little when you start speaking. Another said, "One thing that Warwick is incapable of is whispering. He doesn't do sotto voce". Sir Owen Dickson said that good advocacy was tact in action. Well your Honour has a natural tact and respect for others that marked your advocacy. Your Honour's manner in Court was consistently respectful and appropriately differential when interacting with Senior Counsel or the bench. A natural advocate and talented orator, your Honour's advocacy always showed personality and persuasiveness.

Outside of the law your Honour's devoted to your family, your wife Tara who runs a philanthropic foundation and contributes to the charity One Million

RSB:SND

Women, as well as your three very Australian children, Banjo, Matilda and Eliza. I am also told that your Honour's a gun rider, I am not quite sure what that means, but you have a passion for all things equestrian. One member of the judiciary has appreciated your Honour's interesting conversation featuring a wide range of topics from cases to art, to rowing and the latest Harry Potter.

Your Honour I would like to conclude by re-telling a story which says much about you and your relationship with your instructing solicitors. A few years ago just before Christmas at the end of a particularly hard fought hearing involving a nurse, your Honour and your instructing solicitor had to be escorted out of the building by a Court Officer. This was done to avoid running the gauntlet of the nurse's many supporters, all middle aged to elderly and extremely well dressed but also extremely outraged. The throng of supporters had spent each day of the hearing muttering angrily at the back of the Court in solidarity with their friend who they believed was being persecuted merely for her relationship with a mental health patient. Although you slipped out a side exit your Honour and the instructing solicitor were spotted and followed up Pitt Street by an enraged middle aged gentleman hurling abuse at you. Telling the solicitor to walk calmly but quickly around the corner your Honour raised your wheelie bag to create a makeshift shield between you and the screaming gentleman as he approached, only just thwarting the impact of his salivary projectile.

I am told that despite all your years in the criminal law this was the most unpleasant interchange of your Honour's professional life. The solicitor on the other hand still considers it the most exciting event of her professional life and she is forever grateful to the dashing and brave Mr Hunt and his wheelie bag. Once more may I congratulate your Honour on behalf of the solicitors of this

RSB:SND

State on your appointment to his Court today and wish you well for your time on the bench. As the Court please.

PRICE CJ: Thank you Mr Ulman. Judge Noman.

JUDGE NOMAN SC: Chief Judge, fellow Judges, distinguished guests, family and friends. Thank you to Mr Moses and Mr Ulman for your kind and well researched words and might I say you make me sound far more interesting than I am. This is a wonderful and significant occasion to me. I feel greatly honoured by this appointment. Any success that I have achieved is largely attributable to the guidance and support provided by my parents that you have heard referred to. Both instilled in me a belief that with application and education anything was possible. Dad died was before I was appointed Senior Counsel. He would have been proud of that achievement and elated with today's appointment. He would also have been pleased that I continued in my employment, because as a man not from the law he did not understand that sometimes you lost trials, you got a not guilty verdict and he, after a particularly bad year, did ask me if I was about to be sacked having had such a bad ratio. Fortunately he was wrong and I continued for many years.

Unfortunately Mum has dementia and could not be here today. Her nursing home is in what is called 'lockdown' which I thought was quite interesting as being appointed a Judge and Corrective Services often going into lockdown, that my mum is in lockdown because of the flu. Although dementia is a dreadful disease one of the good things about Mum's dementia is I have been repeatedly telling her of this appointment and she still is elated on each occasion.

Today marks what would have been the 28th anniversary of my time at the DPP. I leave that part of my professional life with sadness but welcome

RSB:SND

the further challenges that this appointment will provide. I have been most fortunate to work at the DPP. It was forever so long a perfect fit and I knew it would be immediately upon commencing employment. It was for the most part a wonderfully supportive and stimulating job surrounded by professional and inspiring colleagues and I particularly thank those that I can see here today.

The journey to today has provided me with an opportunity to be involved in some interesting and challenging cases but also to work with, appear against and appear before some remarkable lawyers. I thought about my career and I thought of two exceptionally stupid, daft things that I did that I would share with you and they fortunately were at the early part of my career. I commenced at Parramatta at a time when in drug trials you actually had the entire drug exhibit in Court, not just an analyst certificate, and we had a kilo of heroin that was tendered and the trial Judge declined to have it in the safe of the Court overnight and he instructed me to take possession of it at a time when our office was about a kilometre from the Court. So I walked through Parramatta by myself with a kilogram of heroin which was no longer sealed because the Crown Prosecutor had decided it was very important to smell the distinctive smell of the heroin - stupid activity number one.

Stupid activity number two was when I was prosecuting a police officer for assaulting a juvenile with his revolver and the revolver, separated from the ammunition, became an exhibit. Once again the trial Judge declined to have such an exhibit kept at Court and so I was instructed to take it back to the office and bring it back when we were next in Court. I brought it into this Court, I managed to bring in a revolver and six bullets through security on the basis that they were in two separate bags and had exhibit tags on them. I did think about that, that it was fortunate that committing a drug offence and a firearm

RSB:SND

offence were not committed at the same time given this Court's approach to sentencing.

I wish to acknowledge some of the people who have provided support and encouragement and this is but a few. The common thread is that they all demonstrated kindness, integrity and decency. I commenced as a solicitor in 1988 at the DPP and went to Parramatta. I had briefly been in private practice, practicing at Bathurst, but I effectively knew nothing and I knew I knew nothing. I had the exceptional good fortune to encounter Judge Court. Judge Court sat at Parramatta and Judge Court knew that new solicitors from both Legal Aid and the DPP were sent out to Parramatta. He was considerate, gentle and supportive in those early days when I made a total fool of myself. He never sought out to embarrass junior lawyers from both sides of the bar table and he assisted us to perform our duties and to improve.

This period at Parramatta also marked the career that may not have been. I initially shared a room with Tony McCarthy who was then also a junior solicitor but is now a Crown Prosecutor. Tony was older than I was and he was learned in worldly issues and he delighted in corrupting my very young and tender self and my naiveté. Tony left a message on my desk purporting to be from Reg Blanch who was at that time the Director of Public Prosecutions. I was a level one lawyer and had not been at the office long and I thought yet again he was making fun of me. So I ignored the message. Some days later I received a telephone call from a man who said, "Hello it's Reg Blanch" and I said, "You're a nuisance, stop it" and I hung up on him. Fortunately Reg had a sense of humour and he rang back and said, "I'm inviting new solicitors to come and have a cup of tea, please join me". Fortunately I continued with my employment.

RSB:SND

In 1989 I moved to the Special Crime Unit which was one of the nicest places I ever had the fortune to work in. When I commenced the unit was managed by Robert, now Justice RA Hulme. He provided guidance and support and played a role in facilitating my love of writing submissions, and that is partly why I really wanted to appear in the Court of Criminal Appeal when I had an opportunity.

My last day appearing in the CCA was before a bench which included Justice Hulme. I thought as I was distracted during my opponent's submissions that it provided a very nice symmetry to have encountered him both at the relative beginning of my career and also the end of my time as an advocate.

I remained at Special Crime for eight years. This was an exhilarating place to work and I worked with some exceptionally fine lawyers and formed long lasting friendships. I would also like to acknowledge two very important people that I appeared against for most of those eight years. That was Ken Madden solicitor and John Dailley of Senior Counsel. Both of those persons were two of the most decent men and effective advocates I had the pleasure to have appeared against.

In 1997 I commenced as a Trial Advocate appearing in the District Courts of Sydney West at Liverpool, Parramatta and Penrith. This was a big change because I went from prosecuting pervert the course of justice and perjury offences involving police, to suddenly prosecuting sexual offences involving children, and because this was quite a change I would like to acknowledge those who made that transition particularly helpful. I would like to acknowledge in particular Judges Nield, Coleman, Tupman and Graham. I would also particularly like to note that Judge Graham's largess extended to providing Tim

RSB:SND

Tams with morning tea with some occasional interesting responses.

I was also privileged to junior the delightful Dan Howard of Senior Counsel in a long multiple accused murder trial. Anyone who knows Dan, and many of you do, know that he is an extremely patient person and I would like to acknowledge the mentorship that I received. Dan possessed the utmost civility regardless of what transpired. Dan is an exceptionally nice person and because he was exceptionally nice, to some extent he was taken advantage of and we took on the roles of good cop, bad cop and I probably don't need to add that I was not the good cop.

I would also like to acknowledge the role of the now Judge Frearson in my career. David approached me to appear in the CCA. I was petrified at the prospect of appearing before a bench of three Judges. David indicated his belief in my ability and he encouraged me to be brave. That encouragement was very important to my confidence and my preparedness to take that daunting professional leap. I cannot express the depth of my gratitude. David had continued as a mentor and to provide inspiration and friendship.

The former Deputy Directors of Public Prosecutions, now Judge Blackmore and Lou Lamprati of Senior Counsel, each similarly held a firm belief in my ability and provided encouragement over the years. I greatly valued that support and friendship.

For some years the Crown Prosecutors were funded to employ a research lawyer. I had the incredible opportunity to receive high level legal research from two exceptional lawyers, both of whom have continued in other roles in the DPP. They are Katrina Frearson, now a CCA solicitor and John Sfinas, now an advocate in my former Special Crime Group, now unfortunately known as Group Six. Both are fine lawyers with a contagious passion for their

RSB:SND

work and I look forward to having John appear before me as his career progresses.

I have also been very fortunate to work with Deborah Carney, initially as the best instructing solicitor ever in Special Crime, now as the professional assistant to the Crown Prosecutors. I have benefited from her lolly jar, her patience and her wisdom with that wisdom extending to minimising my encounters with fraud prosecutions. I have also been a recipient of the skill and support provided by the Witness Assistance officers in the DPP. Their input in facilitating the attendance of victims and family members at conferences and at Court and working in a complementary manner to the legal team has provided considerable assistance and alleviated much stress. The importance of their role cannot be overstated.

I leave behind my work family. Those Crown Prosecutors, solicitors and administrative staff in the CCA unit. In the 11 years I worked in appeals we have shared births, deaths and marriages. I was assisted legally to a very high standard by those persons. I thoroughly enjoyed working alongside so many clever, funny and dedicated people. To the body of Crown Prosecutors, many of whom I can see here, thank you for your company, your assistance and more importantly your friendship.

I thank the Supreme Court Judges before whom I appeared in the CCA for providing such a pleasant, respectful and courteous place in which to work. I particularly wish to indicate how appreciative I was for the banter with the associates and tipstaffs before Court. Those five minutes before the Judges came on the bench were some of the most pleasant times and really alleviated any stress.

I am comforted in making this transition that many of my former

RSB:SND

colleagues as Crown Prosecutors have taken this journey to the District Court before me and so many more will continue to do so.

Finally my wonderful family and friends outside the law. I have strong friendships dating back to school years, most of whom are not involved in the law. They keep me grounded, they keep me inspired. They also appreciate my finally nuanced humour. A special mention to the Scooby gang. Thank you for coming today Caryn, Simon, Lema and Annie. Also to my former decade long flatmate John Mitchell. John is a commercial lawyer. John and I lived together and he tried to get me interested in commercial matters and I can now formally say I really didn't find those commercial law stories interesting.

My husband, Bryce, is here today supporting me as he has for almost 20 years, thank you. It is quite remarkable and unexpected to receive this attention today and for you to share it with me, both of us lead very small quiet lives through choice. Yet, here we are and if I might just hark back to our wedding song, "You to me are everything, the sweetest song that I can sing, Oh baby". In marrying Bryce, I also acquired a large number of in-laws who welcomed me into their family. My mother-in-law, Shirley, has exhausted herself over the years praying that I receive this appointment. Thank you to Shirley, you can now have a rest from praying. I am also exquisitely fortunate to have two gorgeous and clever daughters, Mireille and Saskia. I hope that they are impressed with this appointment. They were younger when I was appointed senior counsel and could not understand what the fuss was of having received that appointment. This is in comparison to the only time that either one of them has ever said they were proud of me and that was when I helped out at the cake stall when they were in infants school. My children fill

RSB:SND

me with love and pride, I delight in their achievements and I am grateful I can explore their possibilities with them. I publically apologise for all the athletic carnivals, swimming carnivals, assemblies and other school events I have failed to attend and will no doubt continue to miss. In advance, Mireille, I am going on circuit and I will not be there for your Year 10 formal. I apologise publically. Finally, I should like to acknowledge the emotional therapy I have received from Solly the wonder pup who greets me when I arrive home as if it is the best thing that she has ever experienced. Thank you.

PRICE CJ: Thank you, Judge. Judge Hunt.

JUDGE HUNT: Chief Judge, distinguished guests, colleagues, friends. Thank you, Chief Judge. Thank you, Mr Moses and Mr Ulman for your kind tales and for your discretion in the telling of them, you both did me proud.

I too acknowledge the traditional custodians of the land on which we stand and pay my respects to the elders past and present.

I feel very honoured to be appointed as a judge of this Court and I am particularly pleased that in replacing retired Judge Brian Knox who has been very kind to me, I am following in a very special lineage given that Judge Knox, himself replaced the late great Judge Bob Bellear. Bob was a proud Noonuccal, Jarowair and Ni Vanuatu man who was not only the first Aboriginal judge appointed in Australia but was a fair and compassionate person and somebody to emulate if it is at all possible.

There is another lineage that I am very happy to acknowledge today. I am the next in a long range of practitioners called to serve in judicial office having learned the ropes of the criminal justice system on the ropes at the Legal Aid Commission, the Public Defender's Office or in Community Legal Centres. I am very lucky to have had that enormously relevant grounding.

RSB:SND

I am grateful that my family or some of them, some dear friends and so many wonderful colleagues have attended today. I am lucky to have enjoyed deep and happy connections with so many lawyers whether they were friend or foe when we were in court. Speaking of which I am so happy to congratulate my newest colleague amongst many new colleagues, I have unfeigned respect for Judge Noman, she will be an ornament to this Court given her unflinchingly principled approach. Her Honour and I had many a civilised skirmish in the Court of Criminal Appeal over the years. Those days are gone yet I trust that a soothing glass or two of wine with my old opponent will still be available from time to time to put the day just past into perspective.

I am very happy that so many distinguished judicial officers past and present are here including President Beazley and Simpson JA. I am particularly warmed to see my friend, Hamill J, who has taught me much. Particular members of this bench both past and present have already offered me friendship and guidance including my former boss from 1980s, Acting Judge Margaret Sidis, who always knew how to put me to rights and I suspect still does.

I need to single out a few practitioners for particular acknowledgment. I have been lucky for all my time at the bar to be at that blessed place, Forbes Chambers. I will miss the intellectual companionship and true camaraderie there grounded in our shared belief in social justice and proper process. The hardest bit of starting this new endeavour has been taking my leave of you, all my dear friends in chambers. Your secrets collective and individual remain safe with me and I hope the reverse applies.

My tutors, Payne JA and Hament Dhanji and my readers - two of whom I have just left rudely in the lurch - have taught me much. My fellow directors

RSB:SND

past and present on The Bar Council I will miss most if not all of our meetings.

I have been lucky to work with many bright, brave and conscientious solicitors, my most beloved solicitors know who they are which must be convenient for them. Although many of my solicitors are bright young things, one of my favourite out-of-court memories relates to somebody more venerable. At the time of the relevant incident I was in my early 50s and Brenda Duchen was flirting with 70. We were at the Do Drop Inn, a shabby establishment at Casula near Liverpool, I hope none of you know it. The purpose of our view was to inspect a particular room that related to the killing of one young man by another. Our insistence in accessing room 22 must have seemed to the manager to be based either in sentiment or routine or both. Rather insultingly, we were offered the half hourly rate. Brenda is the veteran of many a tawdry trial but that is the only time I have ever seen her blush.

The wolf has been largely kept from my door thanks to the brainiacs of the Crown Solicitor's Office, the unrepeatedly optimistic of the Indictable Appeals section of the Legal Aid Commission and my mad medical mates both at the Health Care Complaints Commission and Avant Law. Thanks to all of you.

On the day the Attorney announced my appointment, I spoke on behalf of the Bar at swearing out ceremonies for both Federal Circuit Court Judge Stephen Scarlett and for my fine friend, former Deputy State Coroner Hugh Dillon who is here today. Collectively, they had served in judicial roles for 48 years. I promise to try and serve as well but I will not serve as long.

Much of my career to date has focussed on criminal law and the care and protection of children and the torn social landscapes which are the font of both of those areas of practice. Both worlds too often collide but explicably so.

RSB:SND

I believe that doing such work has given me some uncomfortable insights which can be used productively in this new role.

Proper attention is given these days to the sensitivities of complainants when they give evidence about allegations of sexual misconduct against them. The justice system serves people in that category be they young or older better than in days past. We know if it is established that abuse has occurred that the effects of such crimes and crimes of violence can be long lasting. It is inescapable that often the effects of being abused especially in one's home or in trusted relationships include decompensation, alienation, rage, drug addiction or other lawlessness. The victims often become the perpetrators in a sad helix. Becoming an offender does not necessary expunge the effects of past wrongs upon that offender if those wrongs are established to the requisite standard. The High Court dealt with analogous concepts recently in *Bugmy v The Queen*. Certainly, such matters are food for thought as I re-approach the tasks of sentencing and of trying to navigate the safety of children in broken situations. But was I always this engaged and thoughtful, I hear you ask?

The esteemed Judge Wass at her swearing in, in this Court, earlier this year referred to an inapt assessment by the head mistress of New England Girls Grammar School as to her Honour's then prospects of rehabilitation. I was inspired to mine the archives and uncovered an early educational take on my own outlook. This related to my time at Castle Hill Primary before I headed down the hill to Castle Hill High School. At primary level, as we know, the bad news is often delivered to the parent rather than to the child, and so it was that the principal reported, using the language of the day, "He's not retarded Mrs Hunt. He's just terribly, terribly slow." Tthe Chief Judge will be relieved to know I think I have got quicker. The tone of my mother's reported response,

RSB:SND

“Thank you Mr Bloomfield,” may prove to be a heritable trait in the coming years.

My mother would have been proud to be here today and I am sad that she is not. Along with my dear old Dad she inspired in me a belief in fairness and a love of language that I hope will fit me well in this new calling. Beyond that, my mother’s attitudes and capacities in the world kindled my early belief that men and women are equal and equally entitled. How this understanding seemed to elude each of my three brothers, at least back then, remains a mystery to me.

My father, Jimmy, is here and smiling broadly. He is a man of many parts and who has inspired me greatly and still does. At 88 he still lives alone on a thousand acre beef cattle property, writing fierce letters to craven editors and to meretricious coal mining executives, and being the anchor of our extended family. Back in the day, even outlaw motorcycle gangs did not perturb my father. Becoming aware that the Hells Angels, who rented the neighbouring rural property from where I grew up, were riding my horse Honey, tandem and bareback, around the bonfire, he scaled the barbed wire fence in his flannelette pyjamas, and told them to “get off the flippin’ horse,” and they did. If I have either courage or a touch with the common man it comes from my Dad.

I also caught the civic gene from both of my parents, being brought up in a home led by doers and do-gooders meant that I have aimed to do and do good, too. This trait seems to have been visited on the next generation as well.

When I was sworn in as a magistrate just after the Sydney Olympics, I said something poetic about my wife Tara and my three children, who were a

RSB:SND

lot littler then, something like “that they are the stars by which I now chart my course”. That remains as true today. I am so very proud of my wonderful kids. They all know that I love them to bits.

And finally to my gorgeous wife Tara, I am so lucky to share my life and my love with somebody who is so wise, so inspiring and so kind, and she has the great knack of serving me up either a cracking meal or a free character assessment as the circumstance requires. Thank you.

Thank you all for being here. I hope to honour the great privilege shown to me by being appointed to this Court. I have a deeply entrenched belief in justice and promise to treat all who enter my courtroom with fairness and respect. Thank you.