

**IN THE SUPREME COURT
OF NEW SOUTH WALES
BANCO COURT**

**BATHURST CJ
AND THE JUDGES OF THE
SUPREME COURT**

Wednesday 31 January 2019

**SWEARING IN CEREMONY OF
THE HONOURABLE JUSTICE MARK JOSEPH IERACE
AS A JUDGE OF THE SUPREME COURT OF NEW SOUTH WALES**

- 1 **IERACE J:** Chief Justice I have the honour to announce that I have been appointed a judge of this Court. I present to you my commission.

(Commission read)

(Oaths of office taken)

- 2 **BATHURST CJ:** Justice Ierace, congratulations and welcome. We are delighted to have you joining us and do hope you have successful and enjoyable career on the Bench.

- 3 **MR TIM GAME SC PRESIDENT NEW SOUTH WALES BAR ASSOCIATION:** It is my honour to appear today on behalf of the New South Wales Bar Association to welcome your Honour, Justice Ierace, as a judge of this Court. It is also a personal pleasure for me because I have been a colleague of yours in the same area of practice now, dare I say, for over 30 years.

- 4 Your Honour is a person who is much respected and admired by all of those who have worked with you over the years and I can say without qualification, yours is a wonderful appointment to this Court.

- 5 Although in the immediate past - and I say the immediate past - you have been the Senior Public Defender for over ten years, you have actually been in the legal profession for over 40 years. I will come back and say something more about the position of Senior Public Defender and what you have done shortly, but you have been an advocate at the private bar, on my count, over three separate time periods.
- 6 You are an author in relation to Disability and the Criminal Law. You are a teacher. You were Senior Prosecutor of war crimes prosecutions. You were a Public Defender once before. You were an in-house counsel for the Commonwealth Director of Public Prosecutions. You were a secondee to the New South Wales Law Reform Commission, and you have been a Silk since 1999. You have engaged with a huge degree of energy and engagement in each of those activities and you have done it with a generosity of spirit and a level of energy, and sometimes stubbornness, which is a wonderful thing. In some of those positions you could have just taken the positions and kind of let things quietly bubble along, and I have got a few instances I would like to mention that I have had actual involvement with, that show how much more your Honour has been than that.
- 7 At the time of the early 1990's, when your Honour was a Public Defender, in what was one of the first historical institutional sexual abuse cases, it went by the acronym VCH, involving Bernardo's on the South Coast. I did the unsuccessful stay application over sexual abuse in the early 1960's and these prosecutions were very unusual at that time. That may have been one of the first. Nobody, including myself, was putting up their hand to do the trial but you did put your hand up and that trial was no doubt an excruciating and uncomfortable experience. In fact, there were several trials over many weeks. That is a kind of an early example. You did not need to put your hand up for that but you did, and this has happened so many times in your career.

- 8 In the War Crimes Tribunal, you prosecuted a person called Gallic who was responsible for the siege on Serigo and the trial went for over 250 days or something similar to that. He was convicted in due course and received, I think, a life sentence on appeal. Again, you took responsibility for the whole of that case and that was a major exercise.
- 9 I would also mention in passing your Honour, your Master's thesis about "Joint Criminal Enterprise and Common Purpose in International Criminal Law". I do not know whether this was part of David Hunt's attempt to incorporate New South Wales law into the international criminal law scene but I suspect as much. And the laws of evidence seem to have found their way somehow.
- 10 I will mention a couple of other cases. Again, the case of *Dean* which is a terrible case involving a nursing home. None of these cases are popular causes but in the case of *Dean* involving the burning down of a nursing home – and I think it was nine deaths - it was a terrible case. You did not need to take that case. You took that case and you saw it to its conclusion.
- 11 I, myself, appeared against you in the trial of Standen which was an eye-opener in relation to high level rogue corruption by and of an informer. That trial went for many months. I did the trial on my side, with Mr Dhanji and Mr Buchen, who are here at the Bar table, and your junior was in fact, Greg Farmer who unfortunately, is deceased. The trial was conducted with consummate fairness by the late Justice James but it went for well over six months, and never a cross word was said between the sides. It just goes to show what a reasonable fellow I am.
- 12 The only time I actually saw your Honour get irritated or angry was when your instructing solicitor produced your double espresso at morning tea after having warmed it up in the microwave. I mean you were really angry about that.

- 13 I would say in that case fate dealt you a very unattractive hand, but as evidence of your persistence your client was in the witness box for seven weeks, in-chief for five. It was that kind of cathartic and extraordinary case in many ways. These cases indicate a very deep level of engagement and a very strong level of persistence and a keen intelligence, and also an eye for the world well beyond the latest unfair decision from the Court of Criminal Appeal, or the latest emanation from the High Court, not overturning the latest unfair judgment from the Court of Criminal Appeal or otherwise.
- 14 You have the strong support of your family. Your parents are here. I will say something more about that in a moment. Your partner and wife, Janet Manuell is here at the bar table and serendipitously, in effect, you have both been Public Defenders over the same period of time, although she was there actually before you this time. Both of you have keen interests outside of the law, one of which is walking. And if nobody has noticed, you have got very long legs. You have a son of whom you are very proud and who has just graduated in law from the ANU.
- 15 You came to law the hard way. Your family, as I understand it, ran a series of famous Australian things, a milk bar and sandwich shop. All children wish that they could have parents who ran a milk bar and sandwich shop so they can get free chocolate milkshakes. But your parents ran a series of these, as I understand it, in the suburbs of Sydney. You went to a selective high school at Bexley and ultimately you put yourself through law school while you were working as a research assistant or a research officer at the Association of Mental Health for New South Wales.
- 16 As I have said, you have authored texts and the like. You have had a much wider role in the profession, particularly in the area of education and policy, you have engaged with government. I, myself, have observed that even when discussions have been at the level of government, you have made sure to make clear what the private profession's position would be

on a particular issue, even when we have not been at the table, so to speak.

- 17 The position of Senior Public Defender is itself a position of great responsibility and you should be proud of the band of united and very hardworking Public Defenders who serve a great purpose and service to this State. As we can see from some of the cases I have mentioned, not particularly to say the least, popular causes.
- 18 Your Honour is old, you are actually a little bit older than I am, but anyway you are old. I have heard said at these things, oh your Honour's appointment is long overdue, well your Honour's appoint is long overdue. In fact, if it went for any longer it would have just been a complete impossibility. And I am not trying to sidle up to the Attorney General next to me, well maybe I am, but one effect of the recent increase of the retirement age to 75 is that the Court will have the benefit of both your appointment of being on the Court, hopefully for seven years, and that is seven years which your Honour hopefully will relish and we very much look forward to appearing before you. If I could just give one tip to the Chief Justice, Justice Ierace is up for any task and with energy if you feel fit to give him such an opportunity and he is pretty nifty with a computer, which is not something I can say of myself. If the Court pleases.
- 19 **MS ELIZABETH ESPINOSA PRESIDENT LAW SOCIETY OF NEW SOUTH WALES:** May it please the Court, I acknowledge the traditional custodians of the land on which this Court stands, the Gadigal people of Eroa nation. I pay my respects to their elders past, present and emerging. It is an honour this morning to come before the Court on behalf of the Law Society of New South Wales and the solicitors of New South Wales to congratulate Justice Ierace on his appointment to this Court.
- 20 Justice Ierace, your Honour's appointment is enormously welcome to the criminal bar, solicitors at Legal Aid New South Wales and all solicitors who practice criminal law in New South Wales. Your Honour is a renowned

figure within criminal law in this State. You have a long and extraordinary knowledge of the criminal law and its development within New South Wales, in which the Public Defender's Office, which you have led, and the development of the law in which the Public Defender's Office has played a significant part at the appellate level. This appointment is a worthy capstone to a remarkable career, underlined by an outstanding reputation.

- 21 We have heard you have led a career for over 40 years. The time has been made some example of, but as an exemplar of moderation, gaining experience in both prosecuting and defending, you have valuable and high-profile experience prosecuting on the international stage in relation to international crimes. This background will stand you on a very good stead and bring practitioners and citizens in this State much pride to receive you as a justice of our State's highest court.
- 22 Your Honour's early career was in welfare and social justice, working for the cause of children's refuges for over ten years, including chairing the Taldumande Children's Refuge in North Sydney. This background has given you a social justice perspective that has made an impression on your practice of law. Your early life in the law was as a solicitor starting work in a two-solicitor firm in the Western Sydney suburb of Berala in 1980. You were the litigation solicitor of the firm, putting in Local Court appearances and instructing family, worker's compensation and common law matters before going to the bar in 1981.
- 23 You also volunteered for four years, spending Friday nights volunteering in the Intellectual Disability and Criminal Law space at the Redfern Legal Centre. At the bar your Honour settled happily into Frederick Jordan chambers. However, your first brief for a criminal jury trial was a difficult one. You were opposite the then Senior Crown Prosecutor Alan 'Slipper' Saunders. True to his reputation Slipper gave no quarter in an intense tactical contest. Still your Honour's client was acquitted and Slipper began offering you Crown work. Slipper saw on display in the courtroom what countless instructing solicitors and clients

have seen since, your Honour's measured, understated, but highly affective style of court craft.

- 24 After experience being instructed by private solicitors Legal Aid and the Aboriginal Legal Service and the New South Wales DPP your Honour was appointed a Public Defender in 1989. Over the next six years your Honour did a lot of circuit work throughout the State of New South Wales, including the north coast and the southern regions of New South Wales. Two years into your appointment, your Honour was appearing exclusively in murder trial in the Supreme Court and the Court of Criminal Appeal.
- 25 Some of the cases in which your Honour appeared, including Scognamiglio in 1991 and Champion in 1992, saw an adoption by the Court of Criminal Appeal of a sentencing principle recognised by its Victorian counterpart. That was that general deterrence may play a less significant role if the offender has an abnormal mental condition such as a mental illness or intellectual disability.
- 26 You were seconded to the New South Wales Law Reform Commission for three months to assist with a major reference regarding intellectual disability and the criminal justice system, showing your continuing commitment to improving the law for those encountering it from a social justice perspective. Now then in 1995 your Honour became in-house counsel for the Commonwealth DPP, succeeding Honourable Terry Buddin and Justice Elizabeth Fullerton in prosecuting major trials.
- 27 In 2000, soon after being made senior counsel, your Honour's career work took an international pivot. You were appointed senior trial attorney in the Office of the Prosecutor at the International Criminal Tribunal for the former Yugoslavia based in The Hague. You were responsible for the prosecution of General Stanislav Galic who led the 18,000 Bosnian Serb troops associated with the siege of Sarajevo. From this siege arose charges of war crimes and crimes against humanity.

- 28 Your Honour led a team of 30 international staff. General Galic was convicted and sentenced to 20 years' imprisonment. This was the first case before an international criminal tribunal in which a person was charged with and convicted of terrorising a civilian population. Both the prosecution and the defence appealed the Galic conviction, the prosecution seeking to increase the sentence and the defence seeking to overturn it entirely.
- 29 Although you had spent a month at The Hague assisting in the preparation for the appeal, when the appeal chamber delivered its judgment, your Honour was already back in Australia and in full swing of a murder trial as a defence counsel. You woke one morning to the news that General Galic's appeal had been dismissed and that the appeal of the prosecution had been successful.
- 30 The general was resentenced to life imprisonment, the first offender to receive that sentence. You then went to court on the same day in Darlinghurst to receive a jury's verdict in the murder trial. The jury came back with an acquittal. So in one short morning your Honour had seen a significant success both as a prosecutor and as a defence counsel. A New South Wales lawyer and an international lawyer. This typifies the many different aspects of your Honour's career.
- 31 As Senior Public Defender, a position you took up in 2007, your Honour appeared in some of the most serious criminal trials in the State at the time, including, as we have heard, the trial of the former New South Wales Crime Commission Assistant Director Mark Standen, the trial of Man Haron Monis' partner Amirah Droudis and the sentencing matters for Roger Dean and Malcolm Naden.
- 32 As Senior Public Defender your Honour was instrumental in the design and establishment of the rolling list court in the Downing Centre in 2015. This was assessed by BOCSAR as having made a major contribution to the more efficient resolution of District Court trials. Throughout your

Honour's time as Senior Public Defender you maintained an abiding interest in intellectual disability and its intersections with the criminal law.

- 33 You were also keen to ensure that the services of the Public Defender's Office were available to indigenous people. Your tenure will be remembered for your fervent commitment to establishing the services of the Public Defenders as the highest calibre advocacy available. In fact under your leadership the Public Defenders has been regarded not only as a source of this quality of advocacy but also as a dependable source of collegiate advice to both Legal Aid New South Wales and the Aboriginal Legal Service.
- 34 These are bodies which hold your Honour and this appointment in enormous esteem. Your 12 years at the helm of the Public Defenders Office, a time honoured and crucial institution within our State, will bring to the bench a deep understanding of the importance of everyone having their day in court and yes of course spent the same period of time in the New South Wales Sentencing Council and are greatly appreciated for that contribution.
- 35 Your Honour has contributed to legal publications for use by other lawyers. In the late 1980s you authored the guide *Intellectual Disability: a Manual for Criminal Lawyers*. In the days before the internet it became the go to text for defence and prosecution lawyers alike who were appearing for or calling witnesses with an intellectual disability. In 1998 you co-authored *Drug Laws in New South Wales*. You served as a senior lecturer in international criminal law as part of the Masters program at the University of New South Wales.
- 36 Outside of the law your Honour is devoted to wife Janet, son David and your family who are here and very proud of your achievement. You have a passion for Italy particularly the town of Cortona in Tuscany. You have travelled widely throughout Asia, Europe, United States, South America with a particular interest in walking holidays. Although it was not walking

that fuelled your Honour's famous odyssey from New Delhi to The Hague however, it was a six week trip on a motorbike.

- 37 Your Honour rode through India, Pakistan, along the Afghanistan border, Iran, Turkey, Greece, Italy and Austria before finally arriving back at The Hague. Your sister, a Manly Ferry skipper, rode with your Honour on the journey as far as Turkey. Together you went through the trauma of a blizzard, a sandstorm and through the unique experience of being escorted late one night from a remote Pakistani town at gunpoint. You also happened upon the immediate aftermath of a roadside bombing near the Iraqi border in Turkey and you were interviewed on Iranian television.
- 38 Not long after getting to The Hague after such an odyssey your Honour became minded to sell the motorbike in question. Given the trek you had just endured, a quick jaunt over to Zagreb on the bike one last time did not seem like too much to ask to deliver the bike to the purchaser.
- 39 Your Honour, the diverse set of skills and rich set of experiences over 40 years makes what can only be described as an ideal judge. Litigants coming before this Court will be assured that your Honour will do for them what all good judges should do for those that come before them, to hold the balance between the parties. Win or lose, these parties will walk away from your Honour's courtroom feeling that they were heard.
- 40 Your Honour will be a great loss to the criminal bar in New South Wales but you will be an extraordinarily fair decent justice of this Court. The solicitors of New South Wales congratulate you once again and I wish you well for the contribution you will make on this bench. As the Court pleases.
- 41 **IERACE J:** Chief Justice, fellow judges, Attorney General, honoured guests, practitioners, family and friends, I acknowledge the Gadigal people of the Eora Nation as the traditional owners of this part of Sydney on which this Court stands. Mr Game and Ms Espinosa thank you for your kind

words. It is especially an honour for me that you, Mr Game, spoke on behalf of the Bar, because we have been friends for many years and occasionally opponents, as you have mentioned, and we have worked together on numerous issues of policy affecting the legal profession and criminal law. Ms Espinosa, you told me last week that your objective was to cause me to blush at least once during your speech; you succeeded. I warmly thank you both.

- 42 I come to this position as many do on the back of the love, hard work and sometimes courage of family and generations past. Like most Australians, immigration and the fresh start it offers features prominently in my family story.
- 43 My Italian paternal grandparents took a chance and migrated with their children in 1933. My father was aged four. Australia, in the teeth of the Great Depression found room and took them in. They worked hard and although their eldest son unfairly suffered the indignity of internment as an alien during World War II by virtue only of his age and country of birth, all of them, including him, have loved Australia.
- 44 My mother grew up on a sugarcane farm in North Queensland. Her ancestral roots are Irish, Scottish and Chinese. Lam Pan, son of a traditional Chinese doctor and one himself, took a chance and came here in the 1870s from Taishan County in Guangzhou. He rose to prominence following his skilful treatment of casualties in a mining disaster.
- 45 He settled in North Queensland in Charters Towers and was highly regarded. When the governor of Queensland visited in 1899 the community called on Lam Pan to deliver their speech of welcome. At a two day seminar at La Trobe University in 2000 on the impact of Chinese immigrants on Australian history, Lam Pan warranted a separate paper. He had four daughters, one of whom was my mother's grandmother, and two sons. He became disillusioned by the White Australia Policy which was introduced by the Commonwealth *Immigration Restriction Act 1901*.

Nevertheless, in 1915 his older son, William George Lampan, enlisted in the AIF aged 19. William's army record is viewable on the website of the National Archives of Australia. The army doctor's notes record William on enlistment as five foot four and three quarter inches and his complexion as "sallow". Five months later he was killed in action in the battle for Lone Pine at Gallipoli. Lampan's younger son, Arthur, volunteered in World War II, serving in New Guinea.

46 We are fortunate that immigration continues to nourish our society including the ranks of legal practitioners, some coming as children and others as adults. In my time as a Public Defender, two of my former colleagues, both silk, were migrants from non-English speaking countries. The much-loved and missed former head of Legal Aid, the late Bill Grant, was a migrant.

47 From modest beginnings my parents raised a family of four children. Through hard work and taking chances themselves they did well. I am grateful that they and other members of my family are here this morning to share the moment.

48 For the first ten years of my life, before my two youngest siblings were born, as Mr Game has mentioned, we lived above and in the backs of sandwich shops and milk bars. Although I and my sister sometimes yearned for a suburban backyard like those our school friends had, we did enjoy one advantage. When it came time for dessert after dinner, we could have any ice cream sundae the shop could offer from the other side of that magic door in the hallway. Kim Roser, a barrister on the mid north coast who is here today, was a primary school friend. He tells me he still recalls my good fortune with envy.

49 When the first mall opened in Sydney in the early 1960's, my parents astutely anticipated the demise of the suburban shopping strip. They abandoned milk bars and reinvented themselves. In his youth, my father had studied art at East Sydney Tech and completed an apprenticeship in

the now-lost trade of photo engraving. In the 1960's, he transformed himself into a commercial artist, opening a studio in Park House in Macquarie Street, around the corner from here. By the time my parents retired, they left behind the biggest commercial art and commercial photography studio in Sydney.

- 50 The role of serendipity in life's achievements should not be underestimated. I came to the Bar with few contacts and keen to switch my civil practice to one of criminal law. After two years that was not happening and I contemplated returning to being a solicitor, but doggedly held out for the experience of appearing in a jury trial. Harry Snow, a commercial lawyer and friend, was a partner in a non-criminal firm which had a client charged with a serious criminal offence and arranged for me to be briefed. The brief was problematic and, as has been mentioned, my opponent was the then Senior Crown Prosecutor, Alan Saunders QC, later a judge of the District Court. He was a wily tactician known as "the slipper". A former Public Defender and judge of the District Court, Bill Hosking QC, who honours me with his presence this morning, referred to him in his best-selling memoir, "Justice Denied", published in 2017 and available in all good book stores, as: "grim, unsmiling Crown Prosecutor Alan Slipper Saunders QC. The origin of the soubriquet 'Slipper' is lost in the mists of time. It was definitely not derived from being a soft and comfortable opponent. The Crown had no better or more able advocate. He dominated the bar table with his reputation, experience and sheer forensic skill".
- 51 The trial quickly became a contest of deft manoeuvres. Ultimately the jury decided to acquit the accused. Alan approached me, having learned it had been my first trial, and offered me Crown briefs which I gratefully accepted. Briefs from the Aboriginal Legal Service, Legal Aid and criminal briefs from private solicitors followed and I was on my way. Thank you, Harry.

- 52 The work we do as practitioners, particularly in criminal law, whether as solicitors or barristers for the defence or prosecution or I am sure as judicial officers is of course emotionally challenging and at times tests one's faith in humanity. The challenge to police and other first responders is far greater than it is for lawyers and of course even more so again for the surviving victims of crime or the loved ones of those who do not survive. One of the ways we all weather this onslaught without becoming hardened by the experience is through the warmth of family, friendships and humour.
- 53 Howard Brown, whose best friend was a homicide victim, has dedicated the last 30 years of his life to supporting fellow victims of crime. He honours me with his presence here this morning. Howard has promised me he won't be telling jokes today. I don't believe him. Howard is incapable of not telling jokes. I think it is his primary protection from the emotional fall-out of crime and, through it, he reasserts his and our humanity. He lightens everyone's load.
- 54 There is also the disarming decency of ordinary people who are swept up in the chaos and trauma of events not of their making. Defence lawyers are well familiar with the distress and often courage of the families of persons accused of serious crimes and offenders and the admirable strength of character those families so often display as they grapple with the complex, sometimes conflicting, emotions involved.
- 55 Likewise the families of victims. Some decades ago I appeared for the defence in a murder trial at Taylor Square. The jury deliberated for many days, eventually returning around 8.00pm on a Friday night. It was not the verdict the family of the deceased had hoped for. Within minutes, the darkened complex was deserted as everyone escaped back to their private lives. I thought I was the last to leave. As I left the robing room I was approached by a young male member of the deceased's family, who said they wanted to have a word. He led the way to a remote corner of the courtyard where the family waited in silence. Any trepidation I felt was

completely misplaced. The mother of the deceased said she wanted me to know that they well understood I had a job to do and that they bore no ill feeling towards me. I was in awe of their decency and generosity of spirit, in spite of their loss.

56 I particularly want to acknowledge the professionalism of the solicitors of Legal Aid New South Wales, some of whom instructed me for periods of more than ten years. They are without peer in their skill and dedication and the same could be said of the solicitors of the ALS.

57 The friendships I have made along the way with fellow practitioners, from my days as a volunteer at Redfern Legal Centre through the periods of the private bar, the Public Defender's , the Commonwealth DPP, being briefed by the State DPP and the UN have been strong, enduring and sustaining. So many of you are here today. Some of you have come in from regional areas. I am very grateful that I can share this moment with you.

58 There are some who I regret are not here for this occasion. One is John Terry, who died in 1994, aged 42. John was an ALS solicitor at Walgett and later the first employed solicitor at Redfern Legal Centre. He then went to the Bar and, in my view, became the finest criminal trial advocate of his generation. John was also a dedicated advocate on Aboriginal issues. He had a passion for the recording and teaching of Aboriginal languages, something not appreciated in the wider community in his lifetime. Five days ago, on Australia Day, the Governor of New South Wales, his Excellency General the Honourable David Hurley, urged Australians to learn an indigenous language, so as to build connections with Aboriginal communities. John would have been chuffed.

59 I am honoured by the presence of former magistrate, Graham Blewett AM, who for ten years was the deputy prosecutor of the UN ICTY. Graham was responsible for building the prosecution team of investigators, lawyers, military analysts and others, who so successfully carried out their mission. One was John Ralston, the head of investigations at ICTY for ten

years and a former New South Wales police officer. Operating under a hybrid civil and common law system, with staff from over 70 nationalities, the Tribunal indicted 161 accused, including presidents and generals, with war crimes, crimes against humanity or genocide. It conducted 111 trials, many, including the one in which I appeared, taking well over a year. Its record is a shining light across the increasingly uncertain landscape of international criminal law. Three Australian judges served on the ICTY and the ICTR, which was the tribunal set up following the Rwandan genocide, including a retired judge of this Court, the Honourable David Hunt AO QC, a former Chief Judge at Common Law. He served with great distinction as a trial and appellate judge in the tribunals. Fresh from the bear pit of New South Wales advocacy, he brought a much needed rigour to their proceedings, raising the standard of defence and prosecution counsel as well as less experienced judicial officers.

- 60 While living in Europe, my wife and I found an alternative home away from home in beautiful Cortona, Italy. I am honoured that three friends from Cortona, Cornelia, Paola and Peter, are here this morning.
- 61 I want to particularly thank the administrative staff who I have worked with over the years. The staff at the PDs have all been wonderful support but to mention just a few, Ruth Hazlewood, who is the manager of Public Defender's Chambers and in some ways its beating heart. I also thank the PDs' librarian, Lyn Wilson, who retired a few weeks ago after over 30 years' service and the PD researchers, Jan Wheeler and Prita Supomo who are a critical part of the PD team. Likewise I am grateful for the clerks at Frederick Jordan Chambers over the years, in particular Ellie Gillard who is here this morning, Penny Brand and Barry Doorey. Thank you all for your support and assistance.
- 62 The Public Defenders have played a major role in my professional life. From the moment I first knew of their existence and what they did, which was well before I qualified as a lawyer, I aspired to being a Public Defender. I have come to know something of the Public Defender's offices

interstate and, through my international work, in the UK and in America. There can be no doubt that the New South Wales Public Defenders are the best-supported of any other public defender office anywhere. As well, there is no finer floor of criminal barristers and support staff in New South Wales.

- 63 There is a symbiotic relationship between the Public Defenders and the New South Wales Bar and also with Legal Aid and the ALS. They assist each other to improve their performance and public service. Long may that continue. Nor is there any finer position in New South Wales criminal law than that of Senior Public Defender. I am grateful for the privilege of having held that position and I am honoured that two former Senior Public Defenders are here this morning, Acting Justice Peter Hidden AM QC and Judge Peter Zara SC. The Honourable Terry Buddin was unable to be here due to ill health.
- 64 Back in the mid-1980's, Harry Snow had a new inquisitive solicitor in his practice who would pepper him with questions about various aspects of law that were outside his domain. His mantra became "phone Mark". I would deal with the queries as best I could. Eventually that new solicitor briefed me in something. Four years later, we were married and three years after that, we were joined by our son Dave. Thank you again, Harry.
- 65 I would not be here at this ceremony if it was not for the unswerving love and support of my wife, Janet, and Dave. To both of you, with all my heart, thank you. Janet's parents, Lorraine and Bob, her sister, Sally, and her husband, Pete, have come from interstate to be here with us this morning. We both appreciate that. Thank you. My life with Janet has often had the feel of an adventure and this development is no different.
- 66 I am deeply honoured to be sworn in as a judge of the Supreme Court. My appointment is a consequence of the vacancy created by the elevation of Justice Lucy McCallum to the Court of Appeal. I am pleased by that connection as her Honour is someone I've long admired. I assure you all

that I will acquit the responsibilities of this appointment to the best of my ability. I thank you all for coming.
