

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

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

TUESDAY 8 AUGUST 2023

**SWEARING IN CEREMONY OF SCOTT NIXON SC AS A JUDGE OF THE
SUPREME COURT OF NEW SOUTH WALES**

1 **NIXON 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 **BELL CJ:** Justice Nixon, on my own behalf and on behalf of the Supreme Court, I congratulate you very warmly on your appointment. I have known you for many, many years and observed multiple achievements of the highest order racked up by you always with the most admirable modesty and humility. I anticipate that you will be an exceptional Judge of this Court and I look forward to working with you as I know do all of our colleagues. Congratulations. Mr Attorney, do you move?

3 **THE HONOURABLE MICHAEL DALEY MP ATTORNEY GENERAL OF NEW SOUTH WALES:** Thank you, your Honour. May it please the Court. I acknowledge the traditional custodians of the land the Gadigal of the Eora Nation and I pay my respects to elders past and present and future. I acknowledge our Aboriginal colleagues and friends here this morning.

4 Justice Nixon, on behalf of the bar and of the people of New South Wales, it is my great pleasure to congratulate you on your appointment as a Judge of the Supreme Court of New South Wales. Of course, the most special of days are made more so in the presence of our most loved so I welcome your Honour's

wife, Sophie, and your three children, Celia, Ben and Phoebe, in the Court today.

5 I also welcome your mother Irene, as well as your brother Kevin, sister Narelle and their families and, of course, today we do not forget your late father Ron and Sophie's father Bill, I am sure they are watching us today. And many others are here with you today too as well, including uncles, aunts, Sophie's family, colleagues and friends including Sarah Kelly, who has flown in from Adelaide for this ceremony. I know you are grateful for everyone's attendance on this once in a lifetime day. They have generously contributed to this address to paint a vivid picture of your life and the events that have led you to this appointment today.

6 Your Honour was born in 1968 at the Crown Street Women's Hospital to Irene Nixon, a homemaker, and Ron Nixon, a printer. Your early years were spent in Waverley with your mum and dad, older brother Kevin and younger sister Narelle. Your mother, Irene, remembers you being a fantastic child and concedes she is very biased.

7 She recalls you being friendly and open, you were the type of child, she said, that always brought people together. You have described yourself as a chatterbox and a fidget. In 1973, your family moved from Waverly to Macquarie Fields Estate and a few years after that to Campbelltown. Your brother, Kevin, remembers you being outside in the local park or playing across the Estate until it got dark.

8 At home, you loved watching sport and any 1970s American sitcom you could find. Stamp collecting was a passion and you were active in local church fellowship. Your family was and is closeknit. There were many hours spent around the table doing quizzes. It was in these moments that your piercing intelligence was first recognised by your family. Your mother remembers you being able to discuss anything with confidence at an early age. Reading and literature were and continue to be a huge part of your life. It first started in Macquarie Fields where you would excitedly wait for the library truck to arrive

on your street. (I too remember the era of the library truck.) War stories and history were favourites but your passion, curiosity and desire to learn meant you could read anything you could get your hands on.

- 9 Primary school was at the newly opened Guise Public School and it is an understatement to say you thrived there. Your enthusiasm for learning was clear to your family and teachers from the outset. They were all proud when you were awarded a scholarship to attend the Sydney Grammar School for high school.
- 10 Attending Sydney Grammar took commitment with a two hour journey each way from Campbelltown, that meant plenty of time to complete your homework and indulge in your passion for reading whilst travelling. I know these train trips offer fond memories because you would often ride into the city with your dad. Hours and hours were spent discussing shared passions like archaeology and history.
- 11 You were an exceptional student at Sydney Grammar. Kevin remembers you being studious and delivering the most amazing assignments. Irene says you went out of your way to learn, you applied yourself at every moment. You enjoyed public speaking and debating, your teammates became lifelong friends and you went onto win the Lawrence Campbell Trophy in 1985. Your kindness and willingness to help others emerged and was fostered during this time. You would often go to the nearby Paddington School to help kids with their homework before hopping on the train home.
- 12 Justice Nixon, you were clearly an academic standout at Sydney Grammar and this was confirmed when you topped the State in your HSC. This academic excellence continued upon leaving school. In 1985, you attended the University of Sydney and gained a Bachelor of Arts with First Class Honours in 1989. You were awarded the University Medal for outstanding academic performance in the same year.

- 13 You graduated in 1991 with a Bachelor of Laws, again, with First Class Honours. Your friend at university, Ken Lord, remembers your curly hair and your amazing memory. You were clearly smart and knew a lot about everything.
- 14 Your academic excellence took you to Oxford as a Rhodes Scholar in 1992 where you undertook the world-renowned Magister Juris graduate course. You followed this up by studying English literature for your doctorate. Your focus was on 17th century poetry and the work of Thomas Carew, in particular. This work allowed you to indulge your passion for research, reading and history. It also meant you were able to explore the many ancient libraries around Britain—what a privilege.
- 15 At the end of your doctorate, you spent a year working as a paralegal for Manches & Co and then spent some time working as a law lecturer at New College Oxford. You were then awarded a research fellowship at Queen’s College Oxford to continue pursuing your interest in English literature.
- 16 At the end of your nine years in the UK, you had gained a Magister Juris in European and Comparative Law with First Class Honours, a Master of Studies and a Doctor of Philosophy.
- 17 On your return to Australia in 2001, you became a solicitor at Blake Dawson Waldron. A colleague, John Pavlakis, remembers you being a beautiful communicator as well as wonderfully numerate for a man of words. He says you were a great pleasure to work with, many others you have worked with share those same thoughts.
- 18 Your Honour, you were called to the bar in 2004 and took silk in 2016. Chambers was at Sixth Floor and your practice focused on large commercial and corporate matters in the Supreme and Federal Courts. To detail all the many major matters you have appeared in would cause us to miss not only morning tea but lunch so I will not. In your 19 years as a barrister, you have acted for clients in a wide range of complex cases, these include the Bank of

Queensland, the Royal Bank of Scotland, Lehman Brothers and directors of Dick Smith in various class actions. You have argued in confidential commercial arbitrations and represented companies in patent disputes. All these matters have required your many skills.

- 19 Your colleague at Sixth Floor, Alice Zheng, has seen firsthand your ability to distil complex information into comprehensible arguments. She also adds that your speaking notes are works of art. Your writing skills are also admired by your colleagues. Amy Munro describes you as a crisp writer, never verbose but always efficient and clear. Ken Lord loves your ability to shape an argument and engage others in your points of view.
- 20 You have been a wonderful mentor to many people, Alice Zheng has always felt proud of your support. She says that you make the burden manageable by your precise instructions and compassionate collaboration. People have said that you are a considerate person, you make difficult things easier, they say. You are logical, self-sufficient, reliable and your lack of ego is in sharp contrast to your talents. Your colleagues at Sixth Floor will miss you greatly and are sad that you will not be around to lead.
- 21 Your Honour, this outstanding legal career has been fostered alongside an equally fulfilling personal life. Your family has always been the focus of it. You met Sophie in 2004 and were married in 2007, she recalls you being brilliant, gentle, kind and gorgeous. She was surprised that this reserved and down-to-Earth guy she was seeing also loved dancing and karaoke. You live in Balmain with your three children, Celia, Ben and Phoebe. Your spare time is usually taken up with kids' sport, birthday parties and school functions. You are a devoted family man.
- 22 Everyone around you at work knows when it is school holidays because it is the first thing you put in the diary. Sophie has remarked that you are always there as a husband and father, family was always the priority and you made time by not working crazy hours and by being efficient. You are fortunate to have all

your extended family in Sydney and you like nothing more than getting together with them.

23 You enjoy cooking, literature is still a huge passion and you love riding your bike to work. Your friends admire your wit and think you are thoroughly good company. Along with your colleagues and family, they all agree on one thing: you are just a really nice guy. Some believe you have never done actually anything ever wrong, that you are indeed perfect.

24 Your friend, Marcus Pesman, spent the last few weeks trying to remember if you have done anything embarrassing to include in this speech and you have left him with nothing. There is nothing he can remember, but perhaps he did not talk to Sophie about your dancing and karaoke skills.

25 Your Honour, your friends and family know you are going to be an excellent Judge. Your brother, Kevin, knows how wonderful this moment would be for your father. Your mother has watched you rise from humble beginnings to the extraordinary person you are today. She is beyond proud. I know that you want to make it clear to your parents the role that they played in your life. Their love and support have been the foundation of all your personal and professional achievements. Your humility has been a vital part of your success. This is constantly reinforced by your children, of course. When informing them that you were about to get a new job they excitedly thought you were going to ditch this lawyer rubbish and become something cool like a policeman. When disciplining Celia, she is on the record as saying, "You're not a Judge yet, dad." But I bet she is very impressed today.

26 You will admit your humility has also allowed you to engage others, to be open and relate to people, all outstanding traits in a Judge. Sophie thinks your comprehension of the law and your ability to quickly understand complex arguments will be appreciated by all that come before you, and they will. She knows this is something you have always wanted to do and is so happy to share this achievement with you. Yours is the ultimate partnership in a life full of professional and personal collaboration.

- 27 I know there will be many people you will want to thank because that is the humble person that you are. John Pavlakis thought it was inevitable that you were going to be a Judge due to your calmness and your precision. John Sheehan thinks the outstanding intellectual skills combined with real world practicalities you offer to senior counsel will be of a huge benefit to the bench. He also says that you are well planned and well prepared.
- 28 Amy Munro knows that you will find the clearest path to the truth due to efficiency. She also believes that your beautifully written judgments will be much appreciated by all. A lot of people have offered your innate sense of fairness as your most valuable skill amongst many others. All have said that you are a great choice and, of course, I agree with them.
- 29 The Supreme Court of New South Wales will be a better place for your new place on the bench, your Honour, my warmest congratulations to you. May it please the Court.
- 30 **BELL CJ:** Mr Attorney. Ms Dawson, on behalf of the Law Society.
- 31 **MS JACQUELINE DAWSON COUNCILLOR LAW SOCIETY OF NEW SOUTH WALES:** May it please the Court. I too acknowledge the Gadigal of the Eora Nation, the traditional owners of the land on which this Court stands and pay my respects to their elders, past and present. I acknowledge and extend my respects to all Aboriginal people who are with us today.
- 32 I am genuinely honoured to come before the Court on behalf of solicitors in New South Wales and congratulate your Honour on your appointment. In this room full of distinguished guests, I would like to acknowledge your friends and family and their support in today's appointment. I would like to open with their reflections, your Honour.
- 33 Sophie Higgins, your wife, mentioned how good you are at being a father, a husband and sharing the workload of family life. She remarked that you process things very quickly, remember easily and find the heart of an argument

with ease and that as your partner this is extremely frustrating. She also said that you will probably dislike hearing effusive praise about yourself today, I, therefore, apologise for much of what follows.

- 34 Your mother, Irene Nixon, says you did not come from privilege spending part of your youth in Macquarie Fields Housing Commission. Mrs Nixon said she is very excited and proud to see you here today. But she also remarks that if you are not a good Judge, as your mother, she will invariably ask herself “what did I do wrong?” Joking aside, your mother is delighted by what you have accomplished.
- 35 Your sister, Narelle, remembers your dedication to work from a young age leaving for your distant school early, coming home late, always studious. Even as a young child, she recognised your abundance of ability which you carried humbly and very well. She appreciates your friendship, your creativity growing up and that your perfecting the family fruitcake recipe with your children.
- 36 Stepping back in time, your Honour has noted your parents had school cut off for them quite early but always supported you and your two siblings in your education. They did so with the most stunning success. I qualify that statement with facts. Scholarships to Sydney Grammar School, to the University of Sydney and to the University of Oxford. The University Medal for English literature at Sydney University, higher degrees from internationally top ranked universities and senior counsel.
- 37 For your old friend, Andrew Lambert, you stood out at Sydney Grammar almost immediately. He remarked that teenage boys are wild and rambunctious bunch and can be quite cruel. But your Honour was thoroughly decent, wise beyond his years and incredibly intelligent. Mr Lambert recalled your generous help at law school, sharing your immaculate notes, so clear you could tell where the lecturer had drawn breath.
- 38 You graduated in 1989 from the University of Sydney with a Bachelor of Arts, First Class Honours and then a Bachelor of Laws, First Class Honours in 1991.

Camille Blackburn, a friend at university, said her favourite memories from then are of your Honour's fabulous giggling fits, your kindness and your modesty. Ms Blackburn said you had and I quote, "A quite marvellous high pitched giggle, I remembered thinking how incongruous it was to have such a deep intellect with such a wonderful appreciation for the silly and absurd." Ms Blackburn also remembered your Honour's kindness, helping those struggling academically, not fitting in, or not one of the crowd. She noted your strong family values, always speaking warmly of your parents and the support they had provided. And while never one to look for limelight, if thrust into debating, a speech or a tutorial, your Honour would seem to double in size and flawlessly perform with layers of concentration and then continue as if nothing happened. Ms Blackburn said that your Honour will be an excellent Judge and passes on her congratulations.

39 After university, you did brief stints at Mallesons Stephen Jacques and Blake Dawson Waldron, as they were then, and in 1992 your Honour was Associate to Justice Gummow in the Federal Court. However, you left New South Wales in 1992 as the State's Rhodes Scholar to the University of Oxford. There, Sarah Kelly studied alongside you. Her first impression when you met over an almost undrinkable English coffee in September 1992, was how relaxed, calm and grounded you were. Ms Kelly said that you held your impressive intellect lightly, happy to share insights and knowledge but never imposing your views. She said and I quote, "I came to understand that alongside the legal rigour and sharp logic was also a warm romantic sensibility and a deeply philosophical and thoughtful human." Ms Kelly believes the English academic is still alive and well inside you, perhaps surfacing in written judgments ahead.

40 At Oxford, you gained a Magister Juris in European and Comparative Law graduating with First Class Honours and then a Doctor of Philosophy in English literature. Your thesis, a reading of Thomas Carew in manuscript was about 17th century English poetry. After that, you briefly worked at a small law firm in Oxford, Manches, and then taught law for a year at Oxford. Then from 1997 until 2001, you taught Renaissance literature at Oxford while also holding Visiting Fellowships.

41 But after four years, you realised two crucial things. Firstly, you never wanted to be an academic; secondly, you did not want to live in England. So approaching your old firm, Blakes, you said something like, “You offered me a job ten years ago and I’d like to accept.” And they said, “Okay.”

42 Your Honour came back and entered the graduate program in your thirties. You became a solicitor in 2001 and practiced at Blake Dawson Waldron until 2003. There, your Honour worked for Meredith Beattie, now the General Counsel at PricewaterhouseCoopers. The day before you joined her, Ms Beattie found out that the new junior lawyer had a PhD in 17th century English poetry. Her immediate eyebrow raising thought was, “Really?” You came in and—here I quote Ms Beattie—“He looked like Harry Potter, he had this mop of dark curls, round glasses and was quite quiet.” Ms Beattie, describing herself as a loud busy lawyer, was not sure what to make of you. But, Ms Beattie remembered that no matter what was needed, you would look at her calmly and say, “Okay,” and the work would be done. Very quickly she learned how amazingly talented you were. Ms Beattie said that your Honour wrote beautifully. She remembers you as clever, self-effacing and someone who could provide great, unexpected solutions. She said that this is a fabulous appointment, a theme of the speeches today. Other talents were also evident. At the litigation group’s karaoke night, you belted out Elvis’ Blue Suede Shoes brilliantly. You were called to the bar in 2004 and practiced at the Sixth Floor Selborne Wentworth Chambers and, as mentioned, you were appointed Senior Counsel in 2016.

43 Your Honour’s legal ability has been recognised in the peer ranked Chambers Guide, Doyle’s Guide and the Best Lawyers Guide. You have appeared in the Supreme Court of New South Wales, the Federal Court, the High Court and elsewhere at both trial and appellate level. And as we have heard, you specialised in class actions, claims for breaches of duty, director’s duties and professional negligence claims.

44 John Emmerig, the senior commercial partner at Jones Day, has worked with your Honour for over 20 years. Mr Emmerig recalled that in every matter you worked on, your Honour delivered an impeccable performance with great

integrity and wise counsel. He noted your Honour's meticulous and carefully handled preparation of cases and layers of precision in reducing matters to the essence of what needed to be proved while highlighting the holes or cracks in the opponent's position. Mr Emmerig has worked with most of Australia's finest advocates over 30 years, he puts your Honour in the highest ranks and one of the best if not best writer of submissions he has come across. Mr Emmerig said your role as counsel will be missed enormously by the solicitors of New South Wales, perhaps the biggest compliment that can be paid, but that you will be a very effective and successful Judge.

45 As we have heard, at the bar you also worked with barrister Alice Zheng of Sixth Floor Selborne Wentworth Chambers. She fondly remembers your efficiency, consideration and ability to move large volumes of work within business hours. You never asked for unreasonable outcomes or deadlines. Ms Zheng said that you are extremely self-sufficient, tactically and strategically exceptional at managing complex legal matters.

46 Another barrister, James Hutton SC first met you in 2007. He mentioned your excellent prose, writing beautifully with precision and without overblowing things and all extremely quickly. Mr Hutton also remarked on your impressive vast work with John Sheehan KC and your decency, modesty and relentless pursuit of all arguments to achieve the best results for your clients. He noticed your ability to balance this with being home and your love of being a father. He also mentioned that you have started riding your electric bike to work and wondered if you would do so in full gown and wig today.

47 Another barrister, Simon Fitzpatrick of 7 Wentworth Selborne Chambers, also recollected your marvellous legal ability. Mr Fitzpatrick noted that, despite achieving great success professionally, you have stayed a similar person, modest and one of the nicest people one could possibly hope to meet.

48 As the representative of solicitors in the State, I note your Honour has also remarked on the many good professional relationships you have enjoyed with solicitors. I should also like to mention that solicitors lead perhaps to the most

important thing in your life, meeting your wife at Blakes, and by extension the three wonderful children you share, Celia, Ben and Phoebe.

49 Today is a confirmation of your achievements. Your appointment brings a demeanour, mind and tremendous experience that will benefit this Court.

50 Lest today seems too effusive for your Honour's tastes, I will close with loving grounding remarks of your wife and I quote, "While you can remember exquisitely legal detail you are no good at remembering people's names, keys and credit cards. I've noticed because I'm excellent at that sort of thing."

51 Your Honour, it is with great pleasure I come here today on behalf of the solicitors of New South Wales and see your unique legal mind join the bench. I wish you the utmost luck in your appointment. May it please the Court.

52 **BELL CJ:** Thank you, Ms Dawson. Justice Nixon.

53 **NIXON J:** Chief Justice, colleagues, family and friends. I would also like to begin by acknowledging the traditional custodians of the land on which we meet, the Gadigal people of the Eora Nation and I pay my respects to their elders past, present and emerging.

54 I feel very honoured and humbled by this appointment and also by the attendance of so many of you here today. I am also honoured by the speeches of Mr Attorney and Ms Dawson. I thank you both and I thank all your sources for providing such a flatteringly varnished version of the truth. If I possessed half the qualities you have described, I would be twice the person I am.

55 I have always thought that for the incoming Judge, attending one of these ceremonies is a bit like hearing your own obituary read aloud. Though then I would be squirming a lot less. At least now I get the chance to respond and ensure the Court is not misled. Besides, I hope that by tempering some of the things said about me this morning, I might be able to manage expectations as I embark on the new role.

- 56 The speeches today so generous in their intent suggest that I have managed to stride from Macquarie Fields to the Judge's door on Macquarie Street through mix of talent and sheer minded determination. But that is far from the case. In fact, I am here today through a large element of good fortune and, in particular, through the goodwill and assistance of others who deserve to be recognised for their efforts in getting me here despite myself.
- 57 First and critically, I had the good fortune of being born to parents who gave me the best possible start in life. Each of them left school at 14 due to circumstances beyond their control, but that only made them value even more the importance of an education and the life of the mind. My father, whose absence is keenly felt today, had a lifelong passion for history and could recall an enormous amount of detail about the great civilisations of the world. As a printer by trade, he always took pride in his craft, performing every job on time, to the highest standards and the best of his ability. My mother has always had a natural flair for language, logic and maths. She won every board game ever played in our house, and still does. She combined those problem solving skills with boundless empathy when working as a community liaison officer at one of the most disadvantaged schools in the State. My parents gave me and my siblings, Kevin and Narelle, their time, skills, love, support and values and that was the most privileged upbringing anyone could have.
- 58 My second element of good fortune was to be able to attend Sydney Grammar School. It was quite a culture shock to move from Guise Public School at Macquarie Fields to College Street, in more ways than one, and a painfully long commute. But it led to opportunities which I did not even know existed and to friendships which I have endured the decades since then. I remain indebted to the school and in particular its visionary Headmaster, Alastair Mackerras, for taking that chance on me.
- 59 My next move to Arts/Law was not the result of any insight about what it was to be a lawyer, having never met one. Instead, like a lemming, I simply did what everyone else was doing. I studied Law because I was in the debating team at school and, as far as I could tell, that is what debaters did. Including a number

of those here today whom I knew from those cold Friday nights in empty schoolrooms arguing ill-defined propositions before implacable judges - which does after all sound like good training for the bar.

60 Law School was a very enjoyable time, one I probably enjoyed too much. I feel particularly lucky to have spent my time there before everyone carried a mobile phone with all their disastrous consequences for future careers. I am very happy in the interest of plausible deniability to say nothing more about that time and to rely on the memory of others being equally hazy.

61 My next element of good fortune was to work as Associate to Justice Gummow in the Federal Court and I note the Judge is present here today. My time with him sitting both as a trial and appellate Judge taught me far more than I had learnt at Law School about how to read statutes and cases, how to test arguments and how to dismantle them as well. Despite the Judge's best efforts to put me on the same path as other Associates from that time such as Justices Leeming and Jackman, I decided to have an extended career break, the only issue being my career had not even started. So it was off to Oxford I went. I am sure it will not come as a surprise to say that I had a marvellous time sitting in medieval libraries, leafing through manuscripts of Renaissance love poetry and indulging fully in all the joys of life at Oxford. Like one of the lotus eaters, I largely forgot about a life in the law.

62 However, after a while the lotuses ran out, or more prosaically, I had exhausted every research fellowship on offer. So after a mere 15 years at university, I decided to leave academia, English and England, itself. But first I needed a ticket home and something to do when I got there. So, as you have heard, I took the, in retrospect, rather bold step of writing to Blake Dawson to say that after much deliberation I decided to accept the graduate offer they had made ten years earlier. And in the next stroke of good fortune they said, "Yes," straightaway. I am still not sure what they thought was in it for them.

63 The move to Blakes did not signal that I had decided to become a lawyer, far from it. My thinking at the time was that I would qualify while working primarily

in corporate and then see if I could find a job doing something else—and, yes, the plan was about as detailed as that. So I told Blakes I had no interest in spending any time in their litigation team and, fortunately, they ignored my wishes. As a result, I found myself starting work under the supervision of Meredith Beattie, one of the most formidable and skilled litigators in Sydney or anywhere for that matter. I enjoyed greatly my time working with Meredith and learnt an enormous amount from her. I also discovered, to my genuine surprise, that I actually enjoyed litigation. In fact, I enjoyed it so much that I never did rotate into corporate after all, not even for one day.

64 Having acquired a taste for litigation, I decided to move to the bar and some 20 years ago, I joined the Sixth Floor. Again, I cannot claim too much credit for that. I had, in fact, made enquiries elsewhere but when I revealed this plan, Meredith told me that I should go to the Sixth Floor, should work with the former Chief Justice Tom Bathurst and should have Justice Payne as my tutor, none of which had occurred to me but plainly was a stunningly good idea. I think it could be called staging an intervention. The assistance of each of them was invaluable to me and kickstarted my career at the bar. I must also acknowledge Peter Brereton who graciously agreed to be my second tutor and Justice Sackar who provided tremendous support in the early days, not least with a stream or rather torrent of briefs. I am very much in their debt.

65 The Sixth Floor was a fabulous place to start and a fabulous place to stay. I spent my entire practice on the floor, which has always been a friendly and thriving environment in which to work. I appreciate so many of the floor members being here today even as you lose yet another member to the bench.

66 I have also been fortunate to being assisted throughout my time on the floor by a superb clerk, Lisa Stewart, who with her staff has made sure the floor has been run efficiently at all times.

67 In my time at the bar, I have had the continuing good fortune to work with an array of outstanding lawyers. I was led by some of the most skilled senior counsel, supported by brilliant juniors and briefed by diligent and commercially

astute solicitors. Being bathed in your reflected glory has doubtless enhanced my own reputation and may even have led some to believe that any bright ideas have been my own. Thank you all for making me look good. I will not name names, and I assure you that is because there are so many of you rather than because of my notorious inability to do so.

68 With all the best assistance and preparation, being a barrister remains a roller coaster ride. We know through bitter experience that things which can go wrong often do, despite the best laid plans. And that is why my greatest piece of good fortune was to meet Sophie right about the time I came to the bar when she was commencing her own legal career, and we have been by each other's side every step of the way. While busily managing her own teams at the Australian Information Commission and the ACCC, she has borne all the extra burdens at home that come from those times when a barrister's work overwhelms most other things, and for that, I feel profoundly grateful and more than a little bit guilty. Her constant support and her wise counsel have kept the madness of the job at bay. It is perhaps odd that I am the one sitting here when on everything that matters, her judgment is so much better than mine.

69 Finally, I must mention our adorable and adored children, Celia, Ben and Phoebe. They have been the centre of our world ever since they entered it and we are very proud of each of them. Plus, I think, we have a lot of fun together.

70 The reason I avoided for so long the career that I ended up embracing was that I was genuinely concerned whether it was compatible with the sort of family life that I had enjoyed as a child and that I wanted to have as a parent. I have tried to work by the principle that the time I need to spend with my family should determine the time available for work rather than the other way around.

71 Over the past 20 years, I have seen significant changes in the legal profession. In particular, though there is still a fair way to go, I have observed a weakening of the default assumption that a barrister is always available all of the time and is free of any other troublesome commitments. That is a trend which must continue. We all understand that sometimes things do have to be done urgently

(though not quite as often as is claimed). But outside commitments are a necessity not a dispensable luxury. They are critical for the health of those who practice law and therefore, for the health of legal practice itself. That is something I will always strive to keep in mind when making demands on practitioners.

72 But other than having that intention, I approach the new role with an open mind and with the hope that the good fortune and in particular the goodwill of so many of you, which helped onto the bench, will stay with me now I am here. Thank you.

73 **BELL CJ:** The Court will now adjourn.