

**IN THE LAND AND  
ENVIRONMENT COURT  
OF NEW SOUTH WALES  
BANCO COURT**

**PRESTON CJ AND  
THE JUDGES OF THE  
LAND AND ENVIRONMENT COURT**

**MONDAY 17 MARCH 2025**

**SWEARING-IN CEREMONY OF THE  
HONOURABLE JUSTICE RICHARD CAMPBELL BEASLEY  
AS A JUDGE OF THE LAND AND ENVIRONMENT COURT  
OF NEW SOUTH WALES**

- 1 **PRESTON CJ:** I begin by acknowledging the Gadigal people of the Eora nation as the traditional owners of the land on which we meet and I pay my sincere respects to their Elders, past and present. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.
- 2 **BEASLEY J:** Chief Judge, I have the honour to announce that I have been appointed a judge of the Land and Environment Court of New South Wales. I present to you my Commission.
- 3 **PRESTON CJ:** Thank you Justice Beasley. Please be seated while the Commission is read. Registrar, please read the Commission.

(Commission read)

(Affirmations of office taken)

- 4 I invite you now to resume your seat and to subscribe the affirmations, after which I shall attest them. Registrar, I hand to you the form containing the affirmations so that they may be placed amongst the records of the Court.

Justice Beasley, I welcome you to the Court, both on my own behalf and on behalf of all of the members of the Court of judges and commissioners. Mr Attorney, do you move?

5 **ATTORNEY GENERAL MICHAEL DALEY MP:** Thank you, your Honour. May it please the Court. Can I begin by acknowledging the traditional custodians of the land, the Gadigal people of the Eora nation and pay my respects to Elders past, present and emerging. I also acknowledge our Aboriginal friends and colleagues who are here this morning.

6 Thank you Chief Justice Preston for the invitation to say a few words about this appointment today. I am really thrilled to be here for the swearing in of the newest judge of this Honourable Court, the Honourable Richard Beasley. Can I say to you, your Honour, I know that you hail from the Scottish and not the Irish wing of the Beasley family, but perhaps channelling the late great John O'Meally, can I wish you and everyone here present today happy St Patrick's Day.

7 I am extraordinarily privileged as Attorney General to be in a position to appoint people to serve, to interpret and to apply our laws, and today is a particular thrill because I, like many people am an admirer of the Honourable Richard Beasley, the man and the lawyer. Joining us here today are many other colleagues to share that sentiment: from the Bar, the Bench, other colleagues, friends and family. This includes your Honour's partner, Mara-Jean, your sons Nicholas and James. There are of course many people watching online from all over the world as well.

8 Your Honour, this appointment is a testimony to your extraordinary legal mind and long and distinguished contribution to the profession. You have practised and served in many capacities, too many to name today, but few include your acting as Environmental Counsel to the Board of the New South Wales EPA, Senior Counsel Assisting the Special Commissioner of Inquiry into the Ruby Princess, Counsel Assisting in the Murray-Darling Basin Royal Commission in

South Australia, and Commissioner for Public Inquiries into Auburn and Blue Mountains Councils.

- 9 However, you have described your recently completed role heading up the Special Commission of Inquiry into New South Wales Health Care Funding as one of the hardest things you have ever done. It reaffirmed your belief in the importance of strong evidence-based policy. It was for you eye-opening, and you loved it, the challenge of it and the opening up of new subject matters for you. It was again a demonstration of your Honour's ability to navigate complex and sensitive matters with precision and integrity.
- 10 Your Honour was born in Sydney in the 60s but raised in Adelaide. Your early years were spent living above a pub owned by your grandparents. A very Australian upbringing. This may explain your lifelong enthusiasm for storytelling, negotiation and perhaps a mastery, an early mastery of cross-examination.
- 11 Your mother Mary instilled a dedication to public service and fairness in you. She enjoyed an illustrious career, including as Australia's first Commissioner for Equal Opportunity in 1975. A decade later she was the first female Ombudsman. You with your mother shared a love of horse racing, and she introduced you to the track at an early age. It is hoped that your new calling will not prevent you from coming out there and joining us on the occasional Saturday as well, your Honour.
- 12 Whilst some children were being read bedtime stories, you were likely memorising the form guide. Educated at Adelaide's St Peter's College, you loved football, cricket and soccer. You were a good student, and by your own admission a talkative one. Even then you had a clear command of the absorption of knowledge and were fortunate to have a photographic memory, and I am told the latter came in handy when wooing young ladies, as you could recite poems and verse with ease. I am also told that New South Wales is only in the position to have you on the Bench today because of a near miss with a potential career in medicine earlier in life. Fortunately for all of us, the study of

medicine did not excite you, so you switched to your next pick, law, after just a year at University.

- 13 There were no lawyers in the family and you did not necessarily want to be one at the time you started the course. But your early aptitude was evident when you were awarded the University of Adelaide's Law School prize for torts, and so graduating with Honours from the University of Adelaide in 1987. You went on to complete your Masters at Sydney University in 1995. Some of your earliest legal work was spent at an Adelaide firm handling unfair dismissals, wage disputes and union matters. It was here that you developed a keen interest in justice and advocacy. You realised that the law is not just about rules and statutes, it is about people and fairness.
- 14 You were admitted to the South Australian Supreme Court in 1988, and as a solicitor in New South Wales in 1992. You were awarded first place in the bar exams in 1997 and took silk in 2011. Doyle's Guide and Best Lawyers have repeatedly recognised you as one of Australia's foremost lawyers in planning and environmental law. In fact, in 2022 your Honour was named as lawyer of the year by Best Lawyers.
- 15 Early colleagues describe your ability to pick up the nuances of planning law and run with it as extraordinary. They also praised your calming influence, impressive writing and speaking skills. I think most people here today would also know that your Honour has a side hustle as a novelist, penning five works of fiction and one non-fiction book. You wrote the first, "Hell Has Harbour Views" about a lawyer who has a crisis of conscience. Of course it is set in Sydney. Your Honour, I am not sure how you found the time to write one book, let alone six. You did not think the first book would go further than your drawer, but a literary agent had other ideas, publishing it in 2001 and turning it into a telemovie on the ABC.
- 16 You followed it up with four more novels. There was "The Ambulance Chaser" in 2024, "Me and Rory Macbeath" in 2013, "Cyanide Games" in 2016, and "The Burden of Lies" in 2017. But your first foray into non-fiction, and my favourite,

came in 2021 with "Dead in the Water", a scathing yet humorous critique of water management in Australia. It also says a little about you, your humility, your humour and your perspicacity, so I might take this opportunity, your Honour, if you do not mind, just to quote a few of the passages. Early on in the book you say:

"I am not anti-farming, anti-rice or anti-cotton. I eat from all food groups and wear clothes, some of which are made of cotton, often Australian cotton, although frequently assembled in China. My suits, however, are Italian. I believe in buy Australian, but I'm not crazy."

You go on to say:

"I'm not a journalist, I'm a lawyer. This means that while I have no obligation to be factually accurate in this book, I have been. At any point in this work when my views differ from those of the Federal Coalition Government, the Murray-Darling Basin Authority or anyone else, I am the one who is correct. Finally, any person mentioned in this book who might consider they have been defamed should note the following. No one has been actionably defamed in the opinion of my lawyers. To the extent they have been, there is an unassailable defence."

Secondly, you say:

"My publisher has put every competent defamation barrister in the country on retainer regarding this publication. Anyone who feels aggrieved at the reasonable fact-based opinions I have expressed will be left with the morons. All my assets now belong to a string of ex-wives and girlfriends. I am on good terms with all of them because of this. To the extent that I have preserved any wealth, it is now owned by my dog, on trust for my children, my bookmaker and tailor."

17 After that, I am not sure if there are any more books in the pipeline, your Honour. Your Honour, when not working or writing, you are a voracious

reader. You will read anything and everything, and are proud not to be a literary snob. When it comes to music, you adore the Beatles. This Beatle mania extends to naming one of your two dogs Lennon. There is nothing more you love more than going for a walk with Lennon and your other dog Zoe.

18 Your Honour, everyone is confident you will master your time at the Bench very quickly. You are not just an accomplished lawyer and writer, but a devoted partner and a dedicated father. You and your sons are passionate supporters of Liverpool Football Club and the Sydney Swans. Mara-Jean has praised your insatiable appetite for knowledge across the law, politics, music and sport. Unsurprisingly, it follows that you are something of a trivial enthusiast.

19 Those around you have praised your unique way of thinking and ability to immerse yourself in your interests. Friends point to your sharp mind, tenacity and sense of humour, often dry and occasionally biting. At the same time your down to earth manner makes people feel heard. All these traits will serve you well on the Bench, your Honour. Your ability to balance your intellectual rigour with a grounded and human approach will make you an exemplary judge. Friends know that your ability to foster collegiate thinking will be hugely appreciated, as will your understated and intelligent approach to conflict resolution.

20 Your Honour, I often say that public service is not the only way to make the world a better place, but it is the surest, and today I am pleased to be here for the swearing in of somebody in that regard who is a warm and sensitive and acutely intelligent man who loves life, loves people and the natural world, and who understands that in order for all of us to thrive and survive we need laws that temper and civilise, that nurture and protect. In that regard, this Court is the perfect place for you, and I thank you very much for your service in advance. May it please the Court.

21 **PRESTON CJ:** Mr MacSweeney, do you move?

- 22     **MACSWEENEY:** May it please the Court, I too acknowledge the traditional custodians of the land on which we meet today and this Court stands, the Gadigal of the Eora nation, and I pay my respects to their Elders, past, present and emerging and welcome all Aboriginal and Torres Strait Islander peoples here today. On this St Patrick's Day I convey my best wishes to you as well, your Honour, and say that it is my privilege to convey to the Court today the collective congratulations of all solicitors across New South Wales on your Honour's appointment to this Bench.
- 23     Throughout your time at the bar your Honour has been an excellent legal mind, working across negligence, insurance, compulsory acquisition of land, contracts, corporations law, deceptive conduct, judicial review - bear with me here - contracts, insolvency, employment, mining, mining and mining and even, on at least one occasion as far as we could ascertain, family law. In this foray into family law your instructing solicitor and you were, I think it is fair to say, not within your normal area of practice, although sometimes insolvency gets stuck into family law disputes, and the other side knew this. Your Honour may have recently taken silk, but that did not mean that your instructing solicitor was not terribly nervous. However, I am reliably told that when your Honour was called it all changed. Quick as a flash your Honour completely shattered the opposition and suddenly it would seem, as a family lawyer, you carried the day.
- 24     It was in some sense, perhaps, not surprising. As we heard from the Attorney, your Honour won the law school prize for torts at the University of Adelaide in 1983 and the award for first place at the New South Wales bar exams in August 1997. Professional recognition has been forthcoming via Best Lawyers in Australia awards for government practice from 2020 through to 2025, for planning and environment from 2019 to 2025 and Lawyer of the Year for planning and environment in 2022, and Doyle's Guide listed your Honour as the leading environment and planning barrister in 2018, 19, 23 and 24.
- 25     Then there are the cases, like the *Bushfire Survivors for Climate Action Incorporated v Environment Protection Authority* [2021] which

have changed our society. For the first time this case established in an Australian court that climate evidence can be heard in a case alleging government's failure to perform their statutory duty relating to limiting greenhouse gas emissions. It has led to action beyond the courts and changed the way government works.

26 But this is hindsight, and one of your instructing solicitors said there was nothing to tell you that you would win. Nevertheless, your Honour was able to see the potential of the matter as an advocate and as someone who understands the law and what it can be as well as what it is.

27 This preparedness to take on intractable and seemingly impossible issues can also be seen in your Honour's work as senior legal counsel assisting the *Murray-Darling Basin Royal Commission* as Commissioner for the River Murray appointed by the South Australian Government and as Commissioner for the *Special Commission of Inquiry into Healthcare Funding* in New South Wales.

28 Across these and other roles in Commissions of Inquiry huge volumes of material have been brought before the Commissions, ring binders covering whole walls. Yet, counsel and solicitors assisting these Commissions have remarked on the fact that your Honour would still walk into the office and start talking about an interesting paragraph in a relevant report from say 1922 that you had read the night before while still knowing what was in every other folder and all the other material before the Commission.

29 While the legal magazine *Justinian* may once have joked in an interview that you were appointed silk in 2011 only through what many think was one of the world's longest running typographical errors, it is quite clear that the quality of your work in these matters and others has been outstanding. Beyond being the most interested in the evening's menu and the wine list I was also reliably informed that your Honour was always courteous to floor members and other members of the profession and that courtesy extended beyond the profession,



often saying an apology to the other side's witnesses during an adjournment for cross-examining them.

30 Your Honour wrote of a fictional character in your first book, "Hell Has Harbour Views", and I quote:

"Despite his high intellect and long career at the bar Giles Taffy QC had somehow never managed to learn even the most rudimentary rules of politeness in speaking to an inferior intellect. Inferior intellects comprised at least everyone who was not a High Court or appeal court judge".

31 Of course, this is at odds with how those in the profession view your Honour, one solicitor commenting that despite the fact that you are dealing with a very bright person Richard is very understanding of people's views and opinions and respectful of them; whilst also occasionally threatening to fire people whom you had no legal authority or ability to fire, as another solicitor noted.

32 In fact, all the solicitors and barristers that the Law Society spoke to remarked on how your Honour was equally at ease and able to put people at ease whether it was a punter, a jockey or horse trainer or a member of parliament, judge or lawyer. I mention horse racing here because your Honour's true focus in life as a teenager was said to have been a champion thoroughbred racehorse called Kingston Town, and may I offer my sincere condolences to your Honour for Kingston Town's astonishingly close second in the 1982 Melbourne Cup.

33 A lifelong love of horseracing inherited from your mother has led eventually to a form of dress rehearsal for this very Bench. As the head of the Racing Appeals Panel for New South Wales for ten years which often, depending on the seriousness of the charge, involved representation including some very serious barristers, your contribution to that role has been invaluable to that body. Taking all of this into account, when asked what your Honour was like, a reader close to you noted with a wry smile that "Richard was Richard".

34 Yet, we have not even properly come to your work as a writer. This writing has wicked wit, acerbic humour that bursts the bubbles of so much pomp and status

and shows up the failure of systems to reflect the justice that brought them into being. Although once intended to be published as a John Grisham style legal thriller, "Hell Has Harbour Views" was described as the funniest, most utterly savage lawyer joke ever written. Others characterised it to your Honour as the longest suicide note for a career at the bar ever written, and yet others said of your work, "Almost always good reviews and always disappointing commercial success"; this last quote coming from none other than your Honour yourself.

35 Some have said your greatest legal victory was writing the book and not getting sued for defamation. Although, that, of course, is not possible as it is a work of fiction. As the solicitor arm of the profession, we can express appreciation for the searing cast of characters, including one lawyer who mastered the art of billing no less than 24.3 hours a day. To your Honour's literary agent your debut novel was her literary introduction to Australia. She was given a copy to read as she prepared to make her move to Sydney to work with your agency, Curtis Brown, and she thought your Honour's book was brilliant. Ms Wynne noted you are perennially gracious in how you approach the publishing process.

36 An approach which stretches across your legal and literary careers is your championing of the underdog. Your Honour's constant fight for what is right. It is a philosophy at the core of your five novels and non-fiction work "Dead in the Water" that the Attorney quoted from, and it is at the heart of your work in the law. Ms Wynne was not the only person we spoke to who praised your Honour's enduring social conscience. Over some decades your Honour has given many hours of your time unheralded to the Kingsford Legal Centre. One solicitor who has known you for many years says your Honour has a remarkable ability to understand people from all walks of life and a wonderful manner in putting clients at ease.

37 Your sense of justice is an abiding thread which runs between yourself and your mother Mary. She was incredibly proud of you and encouraged you to pursue your dreams. As we heard, Mary herself set a series of national firsts. In addition to what the Attorney General already mentioned I might also add she was one of the female Commissioners and Acting Chairperson of the

South Australian Public Service Board at a time when this was both unusual and remarkable, and she was also the first female member of the Qantas board from 1983 to 1985.

38 I would also like to mention Jen Caldwell who meant so much to your Honour. From all the conversations that were had it was clear that both Mary and Jen were fundamental in the creation of the person you are, and I am sure they would have been incredibly proud to see your Honour on this Bench today. Your Honour's motto that everything is fixable and your ability to never overly-dramatise a situation has been admired by solicitors, how your Honour would never lose your cool in stressful moments, with the only repercussion being a slight ribbing in the pub that evening.

39 Your colleagues are so proud of your Honour. They consider this appointment to be one that rewards your outstanding human nature and caps off a remarkable career. On behalf of your Honour's former profession, the 43,000 solicitors of New South Wales, on this St Patrick's Day it is my delight and sincere pleasure to congratulate your Honour on your appointment to the Land and Environment Court of New South Wales. As the Court pleases.

40 **PRESTON CJ:** Thank you, Mr MacSweeney. Beasley J, I invite you to reply.

41 **BEASLEY J:** I also acknowledge that we meet today on the traditional land of the Gadigal people of the Eora nation and I pay my respects to their Elders past, present and emerging. Chief Judge, judges and commissioners of the Land and Environment Court, past judges, current judges, members of the legal profession, my friends and family. I have never felt so relaxed in my life.

42 Can I begin by thanking the Attorney General for his kind words? I first met the Attorney in 2021 when he was the shadow attorney. I had just written a book about the environment of the Murray-Darling. The Attorney invited me to Parliament House to discuss it with a few of his parliamentary colleagues. Beyond my thanks for your kind remarks it is a happy coincidence for me to have been recommended for appointment to this Court by a member of

Parliament who has shown a genuine concern for the condition of the Darling or Baaka River, a matter that is important to me.

- 43 To the Deputy President of the Law Society also, thank you for your very kind and thoughtful words and the effort you and your team put into making me sound interesting. I would like to mention my family first. My mother was born Mary Fox. The Foxes were publicans, and after coming back from Sydney to Adelaide after my mother left my father before I can remember, I spent my early years living upstairs in a pub. Unlike one member of this Court I did not burn the pub down, and the Kensington Hotel in Adelaide still stands.
- 44 The other side of the family to the Foxes were my cousins the Ferrets. The Ferrets are my cousins because long ago in Adelaide, just after Federation, a Fox married a Ferret. The Ferrets were very good at sport. The Foxes' sport was horseracing. My mother was a single parent for several years and then I was entirely raised by women. For some reason my mother kept her married name after her divorce, depriving me of the joy today of becoming Fox J, which we can agree is better than Ferret J.
- 45 Mary Beasley was appointed South Australia's first Commissioner for Equal Opportunity in 1976 by the Dunstan government, which was a national first, and she later became the first woman to head the South Australian Public Service. I do not remember these things that clearly. What I mainly remember were the parties my mother held in the 1970s with her partner Jenny Caldwell, who was as much my mother for the rest of my life as my biological mother.
- 46 There were vast numbers of women at these parties. They were all feminists. They made a lot of noise. They drank a lot; my mother did not. They smoked exotic cigarettes; my mother restricted herself to Salems. And while none of them seemed likely to ever recover from the political events of 1975, they all seemed to have a very good time. Occasionally there was a man present.

- 47 I am sorry neither my mother nor Jenny are here today, both having died within weeks of each other last year, although my mother's subsequent partner of many years, Susan Mitchell, I am pleased to say is here.
- 48 It was an unusual childhood, but passed on to me was a great interest in public affairs, a love of books and the arts, but also sports, and the notion that diversity, fairness and equality of opportunity for everyone, no matter their gender or race or background, are central features of a civilised society. I also know my mother would be delighted that I am joining a court that comprises a majority of women justices, and that my appointment has not screwed up the balance.
- 49 My brother, Adam, is here. Adam and I have the same father. Adam is in his mid-50s, and we met for the first time on 23 February this year. Explaining that would take all day. We met because of an email I received in January from someone called Monty Richard Beasley, who claimed I was his uncle and who asked to meet me. I suggested a beer. Monty replied that he was 14. But he, my brother and I had lunch recently, which was 50 years overdue, but a happy occasion. And, Adam, even though we have just met, you do not have to call me Justice Beasley. Richard is fine.
- 50 My partner, Mara-Jean Tilley. Within weeks of meeting Mara-Jean, her uncle flew me at his expense to Puglia in Italy with members of his immediate family and put me up in a palazzo by the sea with its own personal chef. It was as I was settling into a suite at this palazzo that I thought, "This relationship could be satisfactory, at least from my perspective". There is not much else to say other than I could not have been luckier to have such a kind, funny, amazing and loving partner.
- 51 Of paramount importance, my sons Nicholas and James are here. They are remarkable examples of the diversity of genetics. It is almost unbelievable that you are brothers, let alone twins. Strangely, I think one of you might be my twin. The other has received many genes from the other side of his family, or, concerningly, your genes come from the Ferrets. When you both work out what

your dreams and goals are, though, you know I will more than always have your backs and that I love you both equally.

52 I need to thank some people and can generally do so while mentioning things that have meant the most to me as a barrister, or the main highlights, if you will. The first was being the subject of a significant part of an episode of HG Nelson and Rampaging Roy Slaven's "Bludging on the Blindsides" show on ABC radio. The background to that was a ruling I made in the course of hearing a suspension appeal brought by champion jockey, Nash Rawiller, in the Appeal Panel of Racing NSW. Mr Rawiller at the time was a Chairman's Lounge frequent flyer to the appeals panel.

53 Consequently, in addition to seeking to suspend his licence to ride in races for a long time, the stewards sought from me an order that Mr Rawiller be forced to undergo a course of psychiatric treatment before being allowed to ride again. I did not feel as though my ability to "make any other order" on an appeal should be interpreted as widely so as to compel a rider to undergo psychiatric analysis against their will. I was not convinced even Peter V'landys had that power.

54 My rejection of the application to order compulsory psychiatric treatment for Mr Rawiller was the subject of praise from both HG and Roy. As for HG, he said of appeals chair Dick Beasley that "I've always loved his work", while Roy Slaven referred to our long association while adding, "Dick Beasley, a terrific fellow". To those that know me personally, you would know this was my greatest career highlight.

55 I must, though, mention my role as counsel assisting the Murray-Darling Basin Royal Commission. What I learnt was this. As Australians, we have damaged parts of our environment, including precious parts, in a manner that can, and should only, be described as apocalyptic, and for which we should all feel shame. That has happened because of greed, because we put money ahead of ecosystems to an extent that is irrational, and it has happened because of political and bureaucratic cowardice, negligence, and straight out deliberate and knowing unlawfulness.

- 56 In longer format, what I just said was said by the Commissioner in his report, because it is the truth of things. I will always be grateful to Richard Walsh at Allen and Unwin for allowing me to say all that in more direct terms as a form of therapy, such that I am almost philosophical about all that now, rather than angry.
- 57 There were three upsides to that Royal Commission. The first was working for over 12 months with Bret Walker SC, who was the Commissioner. It was a privilege to work so closely with Bret, first, because he is a brilliant lawyer, secondly, because he has a brilliant mind, but most of all because he is now an enduring and dear friend, something I can also say about my judicial colleague, Pritchard J.
- 58 In two Commissions of Inquiry, the only time I ever saw Bret upset with me was over my use of social media. As a result of some fact-based tweeting on a platform I have now left, journalist Andrew Bolt dedicated ten minutes of his TV show on Sky News to me. He implied I might not be unbiased towards the Commonwealth in my role as counsel assisting the Ruby Princess inquiry. He then compared me to Che Guevara, just as a photo of me appeared on the TV screen juxtaposed to a photo of Che in full revolutionary mode. The most amazing thing was that it seemed like Mr Bolt thought I should be offended by this.
- 59 Perhaps because no offence was taken, Mr Bolt then doubled down in an opinion piece written for the Melbourne tabloid the Herald Sun, which as a result of something else I had inadvisedly tweeted had the headline - and you can Google this to fact check me - "Richard Beasley SC wants Barnaby Joyce's testicles". Bret did not love all this, but I have to say, I feel really guilty that I forgot to invite Mr Bolt and Mr Joyce to this swearing in.
- 60 Another benefit of the Royal Commission was that I was made Commissioner for the River Murray by the Malinauskas government in South Australia at the invitation of Deputy Premier Susan Close, the Environment and Water Minister. I had the privilege of working with her and several outstanding bureaucrats to

play a small role in having federal parliament amend the *Water Act* in November 2023 to secure more environmental water.

61 I have also spent the last 18 months as Commissioner of the Special Commission of Inquiry into Healthcare Funding. This has been, and for at least another week is, a challenging job. However, it has been a huge privilege to be involved in something that is of immense importance to every single citizen of New South Wales. I would not have had a hope of dealing with this subject matter without the cooperation of the clinicians and other workers at NSW Health, the Ministry of Health, and of course the many solicitors of the inquiry and the team of barristers - Tamsin Waterhouse, Dan Fuller and Ian Fraser - but it is fair to say led by Ed Muston SC and Ross Glover, who I owe an enormous debt to.

62 The less I say about my time as a solicitor the better, mainly for legal reasons. I at least had a happy start for a short time in Adelaide where I was mentored by a fine industrial lawyer, Tim Stanley, now Stanley J of the South Australian Court of Appeal who remains a good friend. My first client in my first week was a first week industrial officer at the Australian Workers Union called Jay Weatherill, who, in order, became my main source of work, a flatmate, and ultimately premier of South Australia, and a very close friend for many years.

63 My first experience of the Court I am now joining was as a solicitor. The firm I was then working for had been appointed by the Ports Authority to undertake prosecutions for pollution spills in Sydney Harbour. The people I worked for were not absolutely up to speed with this area of jurisprudence. I was in charge of drafting affidavits. I still do not know what end of a boat is called what. I said all this, but in more profane terms, at Friday night drinks one night. Sandra Duggan, as her Honour then was, overheard and told me she worked in a group that actually had Land and Environment Court expertise, including, unlike me, knowing where the Land and Environment Court was.

64 In a characteristically firm submission, she offered her services to conduct the prosecutions. I thought that was a fine idea, but those I was immediately



working for did not. About six months later the Ports Authority engaged new lawyers to act for it, and the firm in question no longer exists, except in my very fond memory.

65 My next experiences in this Court were at the bar, and I will just briefly mention some solicitors that helped me early on or consistently. I was given both advice work and appearance work by John Whitehouse of Minter Ellison. That really was lucky, given John's expertise as a planning lawyer. I was not John's choice. Somehow Patrick Holland convinced John to give me a go, which was lucky too. I did a lot of work with Pat and always enjoyed it, and we have become close friends.

66 I have also had a lot of support from lawyers within government, whether that be the Department of Planning, the CSO, the Department of Local Government, or more latterly, Sydney Metro. I have not met a person in any of those places, or in the legal firms that were engaged by them, that I did not like or who was not professionally helpful, and I am grateful to them. I would also like to mention the Environmental Defenders Office and its clients, who have been tremendous lawyers and people to work with.

67 I have had a hobby rather than a career outside of legal work which has resulted in some published work. My former wife, Trish, was the original funder of this hobby, and as she is here, I can publicly say she is welcome at any time to resume that funding. My literary agent, Tara Wynne, of over 20 years, is here. I have asked her here to give her a cup of tea, as over a 24-year period my royalties equate to about the cost of a cup of tea per day. The other reason is to let her know that failure to obtain a decent further publishing contract will now be considered a contempt of court.

68 Some of my oldest school friends are here. They include David Colovic, the current president of the South Australian Law Society, who would not be in that position if the South Australian police of the late 1970s took any steps to stop chronic underage gambling. Matthew Warren is the only other person I know from our school who once had, but forfeited by working for News Corporation,

a chance of being compared to Che Guevara. They have both offered me more support over the years than I can mention, and fond memories.

69 My oldest friends from life in Sydney are here, Bevan Richardson and Hugh Short. They were northern beaches boys. As such, thanks to Hugh, our apartment smelt comfortingly like my mother's 1970s parties. Thank you for that, and for introducing me to the attractions of Rugby League, whatever those attractions might be.

70 I am not sad about leaving the bar, rather, I am looking forward to joining this Court. I do want to thank 9 Wentworth, though. I have done so many inquiries, including in another State and regionally, one during the COVID lockdowns, and one down the bottom of Macquarie Street for so long that I barely know anyone on 9 Wentworth now. Some of you I might meet for the first time today. As for the old guard, 9 Wentworth has been a great floor for me to be on for so many years because of you.

71 I do want to mention, though, my clerk, Ben Brown, who has been a pleasure to work with and made everything I ever asked happen seamlessly. And I must mention the floor's leader, David Williams SC, who I read with. David's technique as counsel puts the capital A in adversarial, and he was tremendously supportive of me and generous to me during my first years at the bar, and as a friend.

72 It is a privilege to be joining this Court. In an article in the Australian Law Journal, the Chief Judge described it as "a model of a successful environmental court with a pre-eminent national and international reputation". I cannot say it better than that, other than to say I agree, and I am honoured to join it.

73 On a more personal level, though, I have only ever been treated with politeness and respect by my now colleagues when appearing in front of them, and I could not have been more warmly welcomed by all of them and also by senior people within the registry. I hope and expect that I will treat counsel and other advocates who appear in front of me with the same politeness and patience

that has been shown to me. I am very grateful for the trust shown in me by this appointment, and I will do my best to justify that faith and to serve the public.

74 Thank you all for coming. I am very grateful.

75 **PRESTON CJ:** The Court will now adjourn.

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