



The Hon Justice

Joseph Campbell

Joseph Charles Campbell Q.C. was sworn in as a judge of the Supreme Court of New South Wales on Friday, 26 October 2001. His Honour was educated at Tamworth High School and the University of Sydney, where he obtained honours degrees in both humanities and law. He began his legal career in 1974 at Allen Allen & Hemsley, where he was articled to John Lehane. A year later he was admitted to the Bar and read with Richard Conti QC, now a judge of the Federal Court. He took silk in 1988.

His Honour established a reputation as a talented and versatile advocate. In his congratulatory speech, the Attorney General, the Hon R J Debus MP, recalled an occasion when those skills were recognised by the Court of Appeal:

Your Honour quickly established a reputation as a talented and versatile advocate. Your skills were recognised not only by your peers, but also by a distinguished Court of Appeal bench comprising their Honours Hutley, Glass and Samuels.

Your skills as a barrister came to the attention of the Court of Appeal in one of your earliest cases, which concerned an appeal from a decision awarding the princely sum of two thousand dollars to a hairdresser whose shop had been flooded after some less than perfect renovations. Your Honour was forced to contend with an appeal court bench that found the decision in the Court below was based on an incorrect construction of the contract.

In concluding his judgment, His Honour Justice Hutley, wrote:

I would like to say how much the court appreciated the argument presented by Mr Campbell, a very junior member of the Bar, who was

faced with what is a most difficult situation for an advocate, suddenly having to deal with the case on an entirely different basis from that which he was originally presented with and came prepared to handle. We hope to see him again in the Court.'

His Honour Mr Justice Hutley was, I might say, my own lecturer in succession at the University of Sydney, and I, along with several generations of law students can testify that His Honour was the least forgiving, the most stringent examiner in the Faculty.

His Honour Mr Justice Glass echoed the sentiments of Mr Justice Hutley saying that he agreed in the reasons for judgment, the order for costs and the accolade to Mr Campbell. I am assured, Your Honour, that such comments were not restricted to this one performance and have continued throughout your career, though most, I understand, have been uttered privately rather than in authorised law reports.

As well as practice at the Bar, His Honour also lectured part time in equity at Sydney University for several years, and later returned as Challis Lecturer in Bankruptcy. His Honour was also a member of the Council of Law Reporting from 1994 to the present, most recently as Chairperson. His Honour made contributions to the Commercial Law Association and the Company Law Discussion Group. His Honour maintained a varied practice appearing in the Supreme, Federal and High courts on matters concerning administrative law, banking, finance and securities law, commercial law, corporations law, insolvency and bankruptcy, intellectual property, trade practices and competition law and in equity. In his remarks, His Honour took special care to acknowledge the assistance he received throughout his career from his extended family and distinguished teachers at school, university and at the Bar.

His Honour's broad range of experience and skills will no doubt ensure that his career on the Bench is as successful and fulfilling as his career at the Bar has been.

The Hon Justice Terrence Buddin

On 30 January 2002, Terence Buddin SC was sworn in as a judge of the Supreme Court of New South Wales. His Honour's lengthy education commenced at Barker College and was followed by graduating with a Bachelor of Arts and Bachelor of Laws at the University of Sydney, Bachelor of Civil Laws at Oxford University and a Master of Laws at the University of Illinois.

Between 1975 and 1981 he worked as a lecturer and senior lecturer in law at the University of New South Wales principally teaching criminal law and clinical legal experience. His Honour was one of the original founders of the Redfern Legal Service, the Kingsford Legal Centre and the Arts Law Centre. Between lecturing and establishing these community centres, His Honour also co-authored a book on criminal law which became a standard case book for students and practitioners. His Honour has also published extensively on that subject.

During the mid-1980s His Honour practised in Sydney as a solicitor in a variety of cases, extending to an appearance before the High Court in the trial of the late Lionel Murphy. In 1987 His Honour transferred to the Roll of Barristers and practised at the private Bar until 1990. Between 1990 and 1995 His Honour served as in-house counsel in the Sydney Office of the Commonwealth Director of Public Prosecutions, as well as teaching for the Australian Advocacy Institute. In April 1995 he was appointed the Director of Public Prosecutions for the ACT. There then followed appointment as Senior Public Defender in New South Wales in 1998 and as Crown Advocate in 1999. The following year His Honour returned to the private Bar appearing frequently in criminal matters including as counsel assisting the Police Integrity Commission.

In his speech in reply, His Honour spoke of his academic and professional experiences and his love of cricket which led him to the position of Chairman of the Judiciary Committee of the New South Wales Cricket Association, which has responsibility for all matches played in the Sydney Grade

Cricket competition. His Honour described one experience from that period of which practitioners were urged to take note:

Normally proceedings arise following a complaint made by an umpire about a player's behaviour during the course of a match. On this particular occasion, the umpire at the bowler's end complained that the batsman, whom he had just given out LBW, had displayed dissent as a consequence of that decision. The umpire said that although he had clearly seen the batsman's lips moving, he had been unable to discern what had been said. Accordingly, the dissent consisted of relatively innocuous facial expressions and other gestures. The batsman/defendant was presented with an exquisite dilemma – should he attack or defend?

The batsman assured the Tribunal that it was an essential part of his case to demonstrate that he had been the victim of an appalling decision. In order to recreate the scene for the Tribunal with as much authenticity as he could muster, the batsman not only repeated verbatim what he had said to the umpire upon being given out, but did so at precisely the same decibel level. He spoke forcefully and in full quadraphonic sound. As a result there was little room for misunderstanding his views about the umpire's competence. By this time the batsman was in full stride and his voice reached a crescendo. He was now in full advocate's mode as he prepared to deliver the coup de grace. Stripped of the searing language and the early epithets, the substance of his submission was that if the umpire had been unable, as he had said, to hear those incredibly offensive words which had been shouted at him then that would explain why he had been apparently unable to hear the very obvious inside edge from the bat before the ball hit his pad. As Sir Humphrey of Yes Minister fame may have been moved to say, that was indeed a courageous submission.



The Hon Justice Ian Gzell

The Hon Justice Ian Gzell was sworn in as a judge of the Supreme Court of New South Wales on Monday, 4 February 2002. In his welcoming remarks, the President of the New South Wales Bar commenced by noting that His Honour had come to us from Queensland, something which is not forgotten, either by the Queenslanders or by those around them. His Honour's practice when he resided in Queensland was not limited to that State; His Honour practised, amongst other places, in Papua New Guinea, Fiji, Singapore, New Zealand and the Solomon Islands. His Honour was a reporter for the Commonwealth Law Reports from as early as 1973. Subsequently His Honour moved to the Sydney Bar and established a varied practice from in 5 Selborne Chambers, with special emphasis on revenue law.

Once in Sydney, His Honour became director of both Barristers Superannuation and Counsels Chambers, of which he was chairman since 1999. In Queensland he had been secretary of Barristers Chambers in the 60s and 70s. He has also been a director of the International Dispute Centre and has made contributions through the Business Law Section of the Law Council, the Commercial Law Association and the Taxation Institute of Australia. Outside the law, His Honour provided financial and moral support of music through the Queensland Philharmonic Orchestra, the Queensland Symphony Orchestra, the National Council of Opera Australia and regional arts organisations.

The President of the New South Wales Bar Association, Bret Walker SC, in welcoming His Honour to the Bench, had the following to say of His Honour's extraordinary career and achievements:

Your Honour comes to this court after a career as a barrister and as a member of

the legal community and, indeed, as a member of the wider community which is exemplary in its service and which is daunting in the combination of high individual achievement and devotion to the common good.

Those are indeed broad words of praise and occasions like these have been known from time to time to attract some hyperbole, but in Your Honour's case, the barest objective description of the post you have achieved, the jobs you have discharged, and the achievements as a legal scholar, advocate and advisor, makes for once the hyperbole quite absent.

Your Honour, you come to this bench with all the best wishes, admiration and congratulations from the Bar. We are sure you will discharge of this bench your duties with the same flair, with the same diligence, and the same excellence as you have displayed elsewhere.

His Honour Judge John Nicholson SC

John Nicholson SC was sworn in as a judge of the New South Wales District Court on 23 July 2001.

His Honour was called to the Bar in June 1977. He first went to Wardell Chambers, where he remained until 1984, practising primarily in Industrial Law, Common Law and criminal law.

He was appointed as a public defender on 1 August 1984 and took silk on 4 November 1994. Two years later His Honour was appointed as deputy senior public defender and in 1999 he became the senior public defender.

In that role, and for many years prior to that, his Honour was known for his deep concern for Indigenous people and their experiences under the criminal justice system - at one stage commenting publicly that 'increased incarceration of Aborigines is also a de facto policy of the courts'.

His humanitarian concern was matched by a practical commitment to improving the prospects of Indigenous law students. He was instrumental in establishing a scheme to assist Indigenous lawyers to develop a legal practice by being placed at the Public Defenders' Office. He worked closely with Slattery QC and the Bar Association's Equal