

His Honour Judge Peter Whitford SC

Peter Whitford SC was sworn-in as a judge of the New South Wales District Court on 24 June 2013. Michael McHugh SC spoke on behalf of the bar.

Judge Whitford was born in Perth. As a young boy he was an accomplished gymnast and in 1975 was selected for the Junior National Squad. After leaving school he worked briefly with Hamersley Iron at Dampier and Mt Tom Price as a trades assistant and lab technician. Over the ensuing years he travelled throughout Australia and South East Asia, employed as a farm hand, bar attendant, truck driver, hospital orderly and worker at Hobart's Shoebridge Street Youth Shelter.

He began a law degree in 1986, and soon excelled academically. In 1988 he graduated with a Bachelor of Laws with first class honours from the University of Tasmania. He was awarded a medal for the James Backhouse Walker Prize for being first in the degree. There were other prizes – two Butterworths prizes, the Walker Prize, the Sir Herbert Nicholls Common Law Prize.

In 1988 his Honour arrived in Sydney and began work as a solicitor in Clayton Utz, doing mainly commercial litigation. Then, in February 1990, he became the associate to Sir William Deane.

He began practising at the New South Wales Bar in February 1991. He read with James Allsop and David Catterns, as they were then, but also had the privilege of appearing with Peter Hely QC in a number of important matters in the Federal Court and High Court, such as *Carnie v Esanda Finance* and *Kettle Chip Company v Apand*. He was held in very high regard by Hely QC.

McHugh SC said:

Your Honour took on readers, all of whom describe you as the ideal tutor: convivial, informal, generous with your time, and always willing to introduce them to briefing solicitors.

Indeed, these admirable qualities extended offshore. Your Honour was master and commander of the yacht *Wirajurnd*, which, I believe, you have skippered in the waters around Hamilton Island and, of course, in Great Bar Boat Races. Friends and colleagues were invited aboard, and all agree that your Honour was remarkably tolerant of hapless landlubbers who didn't know the difference between port and starboard; a halyard and a sheet.

By the late 1990s his practice was going from strength to strength. He appeared in many complex, landmark



cases, especially those pertaining to professional negligence, competition, trade practices law, and of course, appellate work. None were more complex than *Seven Network Ltd v News Ltd*.

In 1999, led by Tony Meagher SC, he was counsel for Dyson Heydon QC in *NRMA v Morgan*. In 2000 he was led by Allsop SC, as his Honour then was, in *Yates v Boland*, and by Roger Gyles QC in *Ampolex*. In addition to these seminal cases there was a series of important competition cases, most often on behalf of respondents such as Woolworths.

In September 2004 his Honour took silk.

McHugh SC concluded:

Now, in the most recent tack in your career, your Honour took on challenging cases in the Court of Criminal Appeal and enrolled to study psychology at university. It would seem obvious by our presence here today that your Honour sensed a new and refreshing intellectual and personal challenge was in the offing and your acceptance of an appointment to this court is both understandable and logical.