

APPOINTMENTS

His Honour Judge Justin Smith

Justin Smith was welcomed as a judge of the Federal Magistrates Court on 19 February 2015, having been appointed on 1 January 2015.

His Honour was born in Port Moresby in Papua New Guinea and raised there until the age of six. Thereafter his Honour lived in various parts of Australia with his father's work as in-house counsel and lecturer in law, in due course settling in Sydney.

At high school his Honour showed a flair for debating and competed in representative teams for St Aloysius, at Milsons Point. His Honour graduated from the University of Sydney with a Bachelor of Arts and a Bachelor of Laws in 1991. Giving away a budding career as a lead singer in a rock band, his Honour worked at Pryor Tzannes & Wallis and Dunhill Madden Butler, and generously volunteered at the Redfern Legal Centre.

His Honour commenced practice at the bar in March 1997, reading with Mark Dempsey and Jonathan Simpkins and found his niche in chambers on 7 Wentworth.

His Honour established his reputation as a leading junior in administrative law, especially in relation to migration matters. However, his practice was much broader, including a mixture of significant equity cases. As a junior, his Honour appeared in a number of significant cases in the High Court in migration.

His Honour worked with leading silks in his field whilst a junior. In the years prior to taking silk his Honour appeared regularly at the appellate level. That practice was combined with his Honour's extensive trial practice.

His Honour contributed generously to pro bono work. In 2002 his Honour appeared for the applicant in the High Court matter of *NABD of 2002 v Minister for Immigration and Multicultural and Indigenous Affairs* (2005) 216 ALR 1; (2005) 79 ALJR 1142. The case remains an important contribution to the jurisprudence on what constitutes a well-founded fear of persecution on the grounds of religion.

It was noted by Mr Hutley SC, who spoke on behalf of the NSW Bar, that among his Honour's many attributes is his 'ease on the tabla which, as we all know, is a set of two hand drums used in North Indian music of ancient origin or belting out Acca Dacca classics on what I imagine is a well-worn and treasured Stratocaster'. The Hon Bronwyn Bishop MP, speaker of the House of Representatives on behalf of the Australian Government, had earlier pointed to his Honour's love of travel and cooking and brown belt in karate, complementing his jurisprudential knowledge and advocacy skills.

His Honour Judge Andrew Scotting

Judge Andrew Scotting was sworn-in as a judge of the District Court and the Dust Diseases Tribunal on 17 February 2015. President Jane Needham SC spoke on behalf of the bar.

His Honour was born in Bankstown and was educated at St Gregory's College, Campbelltown and John Therry Catholic High School, Rosemeadow. He attended the University of Sydney and graduated with a Bachelor of Arts, majoring in Economics and Law. He worked full time as a legal clerk at Marsdens Solicitors in Ingleburn, before commencing his Bachelor of Laws at the University of New South Wales. He was admitted as a solicitor of the Supreme Court in February 1992.

After a brief time doing personal injury and commercial litigation for Marsdens in their Campbelltown office, his Honour moved to the firm of Baker Ryrie Rickards Titmarsh in Parramatta in January 1993 and then to the bar in September 1996. He read with Anthony Black and Colin Heazlewood and took a room on 8th Floor Garfield Barwick Chambers.

By 2003 his Honour moved to 13th Floor St James Hall Chambers, where he remained until his appointment was

announced. His Honour had a diverse practice, encompassing succession, common law, commercial, equity, professional negligence, administrative and criminal law. He appeared frequently in the Supreme Court, the Court of Appeal and the Dust Diseases Tribunal.

Among his many notable cases were *Kelly v Jowett* (a Court of Appeal decision on personal costs orders) and *Northern Residential Pty Ltd v Newcastle City Council* (another success in the Court of Appeal, relating to provisions of the Environmental Planning and Assessment Act).

President Jane Needham SC thanked his Honour for his contributions to the bar.

Your Honour has contributed to the life of the bar by your service on the Bar Association's Health and Wellbeing Committee, and on Professional Conduct Committee No.1. Your Honour also shared your time with a number