



Retirement

The Hon Justice Margaret Joan Beazley AO QC

President of NSW Court of Appeal

On Wednesday 27 February 2019 a memorable ceremonial sitting took place in the Banco Court marking the retirement of the President of the NSW Court of Appeal, Justice Margaret Beazley.

It was standing room only with a remarkable representation from the legal profession and judiciary past and present who, along with her Honour's family and friends, assembled that morning to celebrate the culmination of a long and successful career in the law. It was a rare attendance which included past Chief Justices, the Hon Sir Gerard Brennan AC KBE QC, the Hon Sir Anthony Mason AC KBE QC, the Hon Murray Gleeson AC QC and the Hon James Spigelman AC QC. Former Presidents of the Court of Appeal were present including the Hon Dennis Mahoney AO QC, the Hon Michael Kirby AC CMG, the Hon Keith Mason AC QC and the Hon James Allsop AO, now Chief Justice of the Federal Court. The Court gallery was brimming with guests in an atmosphere of reverence.

The Chief Justice Tom Bathurst AC, opened with a speech reflecting on her Honour's career followed by the Hon Mark Speakman SC MP, Attorney General who spoke on behalf of the Bar and then by Ms Elizabeth Espinosa, President of the Law Society who spoke on behalf of solicitors. All speakers traced her Honour's eminent professional progress and echoed the various milestones along the way. Each speaker emphasised the unique personal traits with which her Honour is identified.

The Chief Justice's speech acknowledged a career of 'Firsts', being the first female judge to sit solely on the Federal Court in 1993 and also the first female member of the Court of Appeal in 1996. Her Honour's appointment in 2013 as President of the Court of Appeal was historic as the first female President.

The Chief Justice referred to her Honour as a trailblazer in the true sense of the word,

serving as a role model for all women and the profession generally as she advanced through uncharted waters in her years from the Bar to the Bench.

The Chief Justice reflected upon her Honour's 2,000 plus judgments which cover a vast array of legal subjects and are akin to a legal encyclopedia. He remarked that her Honour has demonstrated an extraordinary legal intellect in her decision-making and statements of legal principle and doctrine and how this bank of legal knowledge and learning is her legacy in the law and will serve the profession well in years to come.

The Chief Justice thanked her Honour for her strong leadership of the Court in maintaining it as the intellectual powerhouse of the jurisdiction.

Her Honour's reply gave a humble recollection of some of her experiences in judicial life as she acknowledged the privilege of working with three Chief Justices and three Presidents. She made reference to the contribution of each of those judges being testament to the fact that the Court is an anchor for the administration of justice in this state. Her Honour recognised that the crucial work of the individual judges was what had made her time as President fulfilling and that she retains a deep respect, admiration and fondness for each and every judge who has sat with her on the Bench.

Her Honour observed that some ten thousand days had passed since she was first appointed, noting that much had changed in the profession since then and there were many positive developments. On commencing her career, she was the 37th woman to be admitted and became the 32nd woman to actively practise law. When she took silk in 1989, she was only the fourth woman to do so.

Her Honour remarked on how we live in different times now and attitudes towards women have changed with the intellectual vibrancy that diversity has brought to the profession and this cannot be underestimated. Despite a multitude of challenges, at each stage of her professional life she said it had been rewarding and fulfilling and that law had since become part of her DNA. Her Honour developed her great belief in institutional leadership and a tremendous respect for the law in her time as a judge and particularly as President. She remarked that NSW is privileged to have such fine judicial officers and a profession of such good repute: the Supreme Court, Court of Appeal and Court of Criminal Appeal jointly produce some 3,000 determinations per year. That burden and the responsibility is significant.

Her Honour amiably commended her four associates throughout her time at the Supreme Court – Trish, Lizzie, Barbara and Kate, noting that their support had been invaluable over these years. She also recalled her band of tipstaves whom she said were a joy to have in chambers. Her Honour remarked that the assistance of her personal staff has enabled

her to be an effective judge and leader of the Court.

Her Honour expressed profound gratitude for the assistance provided by the Court's highly credentialled library staff who had been unfailingly helpful and she commented that their role was not to be underestimated in the administration of justice and the maintenance of the high level of jurisprudence associated with the Court.

She also complimented the crucial roles of the Court of Appeal Registrar, other Registrars of the Court, the Registry staff and other Court staff, thanking each of them for their significant contribution in managing the Court's work. Her Honour was mindful that neither the Court nor the administration of justice functions in a silo.

Notably, the wider profession was acknowledged for their roles in the administration of justice. Her Honour observed that the profession plays a pivotal role in assisting the Court to arrive at the correct decision and they are as much a part of the administration of justice as is the Court and this could not be underestimated.

In concluding, it was particularly touching for the audience to note her Honour's emotion in speaking about her parents Lorna and Gordon Beazley, to whom she admirably expressed she owed everything and who were as she fondly recalled, selfless and sacrificed so much for their children's advancement in life. It was clear that her Honour's genuine, caring and personable nature has evolved from the stable upbringing they had provided. She remembered their astuteness and graciously remarked on the opportunities in education afforded to her which were not given to her parents' generation.

Present in Court were her three children, Erin, Lauren and Anthony in whom she expressed immense pride. Also present were her two sisters Christine and Trish along with her brother Brian; her brother Kevin was unable to attend. Her Honour thanked her husband Dennis and remarked that the encouragement and assistance of her family and friends were ultimately the key to her success. Her Honour made special mention of two life mentors, her school teachers Sr Patricia Malone (Jude) who was present and the late Sr Stanislaus (Stan), both of whom she held in high esteem for their wise counsel in her formative years and also throughout her career. They had distinctly made a lasting impression.

Following a commendable career which has spanned 25 years on the Bench in both the Federal and State jurisdictions, her Honour will begin her new role in May as the 39th Governor of NSW.

Her Honour's legendary courtesy, empathy and gracious nature foreshadows her next role as Governor and assuredly she will continue to serve in public office with distinction.

Kevin Tang



Robert Ian Bellamy

31 March 1964 - 23 December 2018

On Monday 14 January 2019 members of the profession, colleagues and family and many friends gathered at the NSW Art Gallery to commemorate the life of Robert Ian Bellamy. Robert was remembered as laconic, with a dry sense of humour, and a man whose word was 'golden'.

Robert was also a man of unexpected complexities – an enigma.

Robert was born to Gloria and Peter Bellamy and lived his formative years in the Sutherland Shire (Cronulla). He was one of four children along with Neal, David and Angeliq (Green). His brothers were significantly older than him and he benefited from their almost parental influence. His family were in the liquor industry and continue in that vein.

In his late teens, Robert commenced an apprenticeship in the radio industry, repairing complex transistor radios and maintaining radio stations. This was a surprisingly old-world occupation, but Robert revelled in the technical aspects of it. He had a fascination with CB radios that never ceased. During the years of his apprenticeship he gained an interest in politics and joined the Labor party, from which, it appears, his fascination with the law gradually evolved.

Significantly, Robert became an employee of a Labor Minister, Arthur Geizelt (in the Hawke years) and started working in Old Parliament House in Canberra. During this time he was learning, in earnest, about Labor politics in Australia; he even appeared in a film called 'Democracy.' He then spent time working for unions, namely the Timber Workers Union and Actor's Equity. From there he moved to the Commonwealth Ombudsman's Office fielding a mountain of complaints about anything and everything. It exercised his curious mind. He learnt much law from his time there and his ambition to become a barrister began.

Robert sat for the Solicitors Admission Board exams in the 1990s (the old SAB). He thought he might make the jump from a freshly minted SAB graduate to the rough and tumble of the Sydney Bar. He had essentially been an industrial advocate in the lead up, appearing before the industrial courts

and tribunals. In those years this would have been excellent training in court advocacy. With his industrial dispute background he did not work as an employed solicitor for any firm but rather, boldly, he sought admission to the Sydney Bar directly. He was admitted on 20 February 1995.

In those heady days, commercial work, and for that matter any other work, was in abundance. His entrée to the Bar was on 11 St James' Hall Chambers where he was a reader. There he found a niche and befriended MLD Einfeld QC, DJ Hammerschlag (as his Honour then was), Peter McClellan (as his Honour then was) and Victor Kerr SC. The Hon John Spender AO QC, Gail Furness SC, Jane Jagot SC (as her Honour then was) and Geoffrey Johnson SC among others.

Robert was a competent barrister and knew how to work hard, and in the early years, did a significant matter with Geoffrey Hilton SC of 9 Selborne and with his fellow floor members.

Robert became a de facto reader of some senior barristers on his floor (in particular David Hammerschlag SC, as his Honour then was), from which he was well-schooled in courtcraft and forensic strategy in court. This early training gave him a wisdom beyond his years.

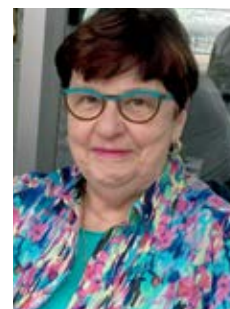
One of his friends, now a Supreme Court Judge, remembers Robert as an enthusiast of all things that flew: he remembered buying model aeroplanes in his company. Robert trained for a pilot's licence. One of his goals was to take a regional brief and one day fly there to appear in the regional Court. His other pastime was sailing. From his younger years he was a keen sailor, and he enjoyed participating in several Bench and Bar sailing days.

Robert was very much his own person. He had his own interests and his own world and it was a self-contained world. It was remarked upon by most of his friends that he had time to be good and kind to other people. He was an honest operator, with at least one Supreme Court Judge noting that his word was always taken without reservation before the court – Robert's word was golden.

The one thing that delighted Robert most in life, as a barrister was, to win - but not at all costs.

He is survived by his parents and his three siblings.

Kevin Tang



Margaret Gwyneth Newby

18 September 1936 -
19 December 2018

In a career that spanned nearly five decades Margaret Newby was the quintessential Judges' Associate. Margaret dedicated all of her energies to the loyal service of five judges in the Equity Division and in the Court of Appeal. She spent much of her lifetime in Queen's Square revelling in the work which was of utmost importance to the inner workings of the Bar and the Bench. She was a remarkable lady.

Margaret Gwyneth Newby was born in Wellington NSW on 18 September 1936. She died at St Vincent's Hospital on 19 December 2018, aged 82 years, after a short illness. All those who knew her will miss her deeply. She was the longest serving judge's associate in the Supreme Court, a facilitator of the court for the judiciary and of the Bar.

Margaret came from another time, a period of extraordinary opportunity in the law; she came to the Court via experience in two major law firms, McClellands and then Rankin & Nathan, both specialist firms in common law work.

At McClellands, Margaret was a secretary, paralegal, registration clerk and executive assistant and she learnt to do everything. She came to the attention of the firm's eponymous principal 'Diamond Jim' McClelland as he was known. Diamond Jim was a solicitor, senator and Whitlam Minister, Royal Commissioner and Judge. Both Margaret and Diamond Jim were to come full circle in the latter years with their working roles at the Court – it was a felicitous association.

During those busy years, Margaret prepared briefs and arranged for filing of court documents among other things. From around that time, Margaret was known to many barristers in Selborne and Wentworth Chambers. It was then a younger crowd of barristers who would rise up: among them were Jim Poulos, Larry King, Bob Toner, Barry Toomey, Harold Glass, Neville Wrان, Bob Stitt, Horace Miller and Dusty Ireland. Privately, she operated a typing service, by referral only. She worked for a number of distinguished counsel on their advices, submissions and other necessary documents, late into the night, so that they were ready

first thing the following morning.

On account of her knowledge and experience, as Barrett AJA observed in his eulogy, Margaret came from a time when she could easily have ended up at the Bar or on the Bench depending on the circumstances. The firms at which she spent so many years were the best training ground. Apart from intelligence and knowledge, she was a most companionable charge in her roles.

When Harold Glass QC was offered judicial appointment in 1974, his old friend Diamond Jim suggested that he should take Margaret to the court as his associate. At that time she had been working for Rankin & Nathan in the capacity of setting up a Sydney office of the old Newcastle firm. Later Diamond Jim himself would go on the Bench to be the inaugural Chief Judge of the Land and Environment Court. Margaret stayed with Mr Justice Glass on the Court of Appeal for the entirety of his judicial career until he retired in 1987.

In the 1960s, Margaret established her wonderful city life with her good friend Joy and they lived in her beloved Elizabeth Bay, she loved the urban life.

Margaret had a strong Salvation Army religious background, reading the bible each day, and maintained those core values and the faith throughout her life. At times, she could be heard humming an old hymn. She never wandered from the tenets which her aged parents Faith and Wilfred instilled in her. She did however, evolve the temperance principle to allow her lengthy membership of the champagne club, as it was known. Margaret was fond of a glass or two of champagne with her friends.

Margaret knew life as a judge's associate, first in the old supreme court in St James' Road, then in the new Law Courts Building in Queen's Square from 1975 onwards. At the time of the first renovations in the early 2000s, Margaret recalled the thick, pile of the original mint green carpet in the inner sanctum, so plush and luxurious when the first inhabitants moved into the Law Courts Building. The carpet was threadbare by that time.

Margaret recalled her early years in the Supreme Court. Glass JA joined Moffitt P, Hope, Reynolds, Hutley, Sir Nigel Bowen, Samuels, Mahoney JJA among others, on the Court of Appeal. After Glass JA's retirement, Margaret became the associate to McHugh JA (as his Honour then was) with whom she remained until his appointment to the High Court. She then became Associate to Kearney J for some 14 years and following his retirement to Rolfe J. Under Andrew Rogers's guidance, the commercial division pursued case management with vigour. This placed pressure not only on the four judges assigned to it, but also on their staff – pressure in which Margaret delighted. It cast her in an administrative role from which she

took the greatest pleasure.

Finally, after 11 years with Mr Justice Rolfe, Margaret then went to the chambers of the Hon Justice Reginald Barrett for some 14 years. She worked far beyond retiring age but she was devoted to the role. In those years, colleagues and other staff remember her arriving early on the 7th floor of the Judges Chambers reading the paper to start the day.

Ever the perfectionist, Margaret ran chambers correctly. Litigants in person (some infamous) would telephone chambers regularly to speak to staff and the Judge. Margaret's firm and unyielding response made for quick disengagement, fending off any unwanted discussion. Each judge for whom Margaret worked was safely shielded from the public.

Margaret took delight in befriending the new graduates who became tipstaves annually in chambers. Margaret loved their company and she made sure each started well and followed each on their journey into the law. She revelled in the contact with fledgling lawyers. In the face of overwork, inexperience or just a mess up, Margaret always spoke up firmly yet courteously being sure the same mistake would never be made again. She had a generous way of learning something with you and even from you.

Outside of the law, Margaret loved jazz, no new interpretations, just old-fashioned New Orleans jazz with a decent beat. She travelled the world, visiting Italy no less than three times. She loved the atmosphere and the food and wine, she made friends easily. She recalled conversing with Mr Justice Glass in Italian in chambers. She took her own charm and good nature all over the world.

Margaret enjoyed all manner of social gatherings especially drinks, a day out with friends and dinners. Her colleagues were constantly around her, namely Kate, Edwina, Victoria, Trish, Barbara, Anne, Suzanne, Sandy, Karen, Jane, Linda, Wendy, Maree, and Mari. These girls were her other family and she loved keeping up with each of them. In retirement, Margaret felt the wrench of leaving the court where she had spent some forty years working for her judges, and it was exacerbated by her fondness for her colleagues. Margaret loved the court and its people.

Margaret's funeral took place on a hot summer's day in January 2019. In attendance were 12 Supreme Court Judges, almost a whole division. In that number were the Chief Justice TF Bathurst, the President of the Court of Appeal Justice Margaret Beazley (the governor-elect) and the Chief Judge in Equity Justice Julie Ward. Present Judges included their Honours RW White, AJ Meagher, MJ Leeming JJA and their Honours MJ Slattery, D Hammerschlag JJ. Also, former judges including the Hon Michael

McHugh AC QC, the Hon Moreton Rolfe QC and the Hon Murray Tobias QC were among the mourners. The Hon Reginald Barrett for whom she worked latterly on the Court of Appeal, delivered the eulogy. There were several judicial apologies. Mr Larry King SC and Mr James Kearney of the Bar attended. Her many friends came along, the court staff and the clerks: Registrar Leonie Walton and Di Strathdee, Nick Tiffin, Trish Hoff, Sarojini Ramsay and Michele Kearns. All had known her from the beginning. They had lost a good friend. Rochelle, her niece and her family were present, together with her close friend Rosie Hale and life-long friend Joy Wylie, who with her son, recounted stories with humour and affection, demonstrating their lengthy association with Margaret.

Margaret had a wonderful life, it was well-lived in the fold of the Law. She seemed to be ageless in that context. Even in retirement, Margaret was always in company and seen in and around Phillip Street regularly. The Law Courts were Margaret's sphere and she was part of its very fabric. She was part of it for so long that it was a pleasure to continue in its wake – that light never dimmed.

'No matter how much time passes,
no matter what takes place in the
interim, there are some things
we can never assign to oblivion,
memories we can never rub away.'

Haruki Murakami, *Kafka on the Shore* (2002)

Kevin Tang



The Hon Brian Thomas Sully AM QC

Some years ago, the Hon Brian Sully AM QC (Sully QC) introduced an eminent jurist in an after-dinner speech:

'[...] in se ipso totus, [...] teres atque rotundus.'

A man in and of himself complete, polished and well-rounded.

The line is from Horace's *Satires* and aptly describes Sully QC himself. Indeed, it captures elegantly the essence of the great man: the Judge, the Barrister; the Mentor and the Teacher.

Sully QC was born on 3 February 1936 and died on 6 March 2019 after a short illness. He lived his entire life on the lower north shore of Sydney.

Sully QC was educated at the Sisters of Saint Joseph of the Sacred Heart at North Sydney, followed by Marist Brothers High School in Mosman. In the post war years, he was the first altar boy, given that signal distinction by the papal nuncio himself. He grew up with the Tridentine rite in the era of Vatican I. Sully QC was a devout Catholic and throughout his life carried his good Lord with him.

The Marist Brothers gave Sully QC a classical education and inculcated in him a discipline of mind and body. He was the classic gentleman. His composure was legendary. Sully QC won a bursary to read law at the University of Sydney from which he graduated in 1959, shortly after he became a solicitor. Although unaware at the time, Sully QC would embark on a long and distinguished career as a solicitor, barrister, silk, adjunct professor and eventually a Supreme Court Judge.

In 1962, Sully QC was called to the New South Wales Bar. As a barrister he enjoyed a broad and busy professional practice in the golden years of the Bar – a blend of equity, common law and crime. He was an expert in the art of conducting jury trials. Along with JDE (John) Traill QC, PW Young QC and JK McLaughlin and others, they established Mena House Chambers in Macquarie Street. Sully QC eventually moved to 12th floor of Selborne Chambers where many of his contemporaries and friends became luminaries of the Bar, among them their Honours

JMN (Moreton) Rolfe QC, MD (Mervyn) Finlay QC, PE (Percy) Powell QC, KR Handley QC, GD (Denys) Needham QC, Simon Sheller QC to name just a few who all became his judicial brethren in time. In 1979, after 17 years at the Bar, Sully QC was appointed one of Her Majesty's Counsel.

Sully QC devoted a lifetime to the art of being a barrister and regarded it an absolute privilege to be a practitioner. He was steeped in the traditions of the Bar. Sully QC once remarked that he loved 'the Bar with a passion' and described it as a 'special place in the upholding of the rule of law'. He described the vocation of a Barrister as a 'gift of Divine Providence, and it might with all justice have been given as well to somebody else as to you or to me'.

In 1989, Sully QC was appointed a Justice of the Supreme Court of New South Wales. For almost two decades, Sully QC presided over substantial common law cases and sat frequently in the Court of Criminal Appeal. In his capacity as a judge, Sully QC was known for strenuously applying the rule of law, showing human compassion, administering justice without fear or favour, and showing prodigious respect to all individuals who had any business before the Court. In fact, his almost courtly courtesy was often startling in this day and age. He had no truck with popular culture and modernity.

Once describing himself as the 'unashamed Common Lawyer', Sully QC's many years of professional practise as a Barrister provided him with an excellent foundation to become a Supreme Court Judge.

After 50 years in the law, one could be forgiven for seeking greener pastures beyond the law. However, for Sully QC, that was not to be. He spent the 'twilight years' where it all began – back at university. His enthusiasm to impart his knowledge and experience was unequalled.

University of Western Sydney (UWS) (as it then was) became the significant beneficiary of Sully QC's expertise, time, generosity and dedication for about 11 years. Between 2007 and 2018, Sully QC lectured in both Advocacy and Criminal Procedure and Evidence *ex gratia*. Sully QC also gave to UWS a significant gift of his library and several sets of his judicial robes, which was a most magnanimous gesture on his part. The books and robes were the very essence of Sully QC's learned and civilised life in the law.

In his time at Western Sydney University (WSU) (as it is now), Sully QC left an indelible impact on the lives of many WSU law staff, law alumni and law students and the institution of the School of the Law itself. Sully QC gave of his time freely and often, providing an incredible insight into the practical workings of the law, mentoring numerous students and providing genuine and loving friendship. He knew the true

meaning of friendship.

Outside of the law, Sully QC had an abiding passion for opera. For some 40 years, one of his great joys was to make a pilgrimage to the great European opera capitals regularly: Munich, Vienna and Berlin. Sully QC loved the music, voices and the locales e.g., Salzburg and Wiener Staatsoper and the Musikverein entranced him.

In 2015, Sully QC was awarded a Member of the Order of Australia for his significant service to the judiciary and to the law, particularly through legal education in New South Wales.

On 14 February 2019, the NSW Bar Association awarded Sully QC with life membership. On 20 February 2019, the President of the Bar Association, Mr Tim Game SC conferred the life membership on Sully QC, recognising his distinguished service to the Bar. In attendance at the ceremony were the President of the NSW Court of Appeal Justice Margaret Beazley with their Honours Bellew, Robson and Perram JJ. Messrs Hastings QC, Higgs SC, Fordham SC and Justin O'Connor of the Bar attended. The Hon John Dunford QC the former Judge and the executive director of the Bar Mr Greg Tolhurst were also there to mark the occasion.

It was recently whispered by a nurse at Lady Davidson Private Hospital, just outside Room 374, that he had never seen one person have so many visitors in his 30 years of healthcare work. Of course, that nurse was speaking about Sully QC in the last days. Quite frankly, dear boy, that says it all.

Jason Donnelly
Kevin Tang



Mr Grahame James Berecny

18 August 1947 - 30 January 2019
Registrar in Equity

Mr Grahame Berecny, former Registrar in Equity and Acting Master of the NSW Supreme Court has died aged 72 years after a short illness.

Mr Berecny commenced his career in the Attorney General's Department by 1969 in the registry of the NSW Supreme Court, after leaving secondary school. He undertook studies while working in those years and became a qualified legal practitioner in 1981. By 1979, he was Senior Clerk at Common Law. From 1979 to 1983 he was a Deputy Registrar of the Supreme Court and the Court of Appeal Registrar from 1983 – 1986. He was the Taxing Officer and Registrar in Equity in 1989. Shortly afterwards he held a commission as an Acting Master of the Equity Division of the Court. He is remembered fondly by the profession, especially by the junior practitioners, who commenced their careers (most mornings) in the Equity Registrar's List and the Company List in Court 7A in Queen's Square.

Mr Berecny was instrumental in creating and implementing the mediation programme, which became part of the culture of the Equity Division. It is part of his ongoing legacy to the administration of justice.

Mr Berecny worked in the Court and in the Law for some 50 years. He was fondly regarded by many barristers he counted as personal friends including their Honours Ian Harrison and Philip Hallen JJ and John Wilson SC, Michael Willmott SC, Peter McEwen SC, John Ireland QC and Martin Einfeld QC, among many others.

Mr Berecny is remembered for being unfailingly polite to all, however senior or junior. He was a calming influence and he acted swiftly and effectively to break deadlocks between practitioners.

In 2005, Mr Berecny was admitted to the Bar. He became a member of Edmund Barton Chambers and commenced in earnest a lengthy stint as a mediator of choice.

Many practitioners have written to the Bar Association to express their condolences and have recalled him fondly from their years in the List.

Kevin Tang



Murray Rutledge Wilcox AO QC

1937 - 8 November 2018

The Honourable Murray Wilcox, AO QC, was a judge on the Federal Court of Australia for 18 years. He was a trailblazer both on the court and at the Bar. He was a committed conservationist, instrumental in stopping the damming of the Franklin River in the 1980s among other things. One former president of the NSW Bar farewelled him as 'one of the poets of Australian law'.

Murray Rutledge Wilcox was born in 1937 in Longueville in Sydney to Valerie and Donald Wilcox, a Presbyterian Minister, who moved between parishes and around NSW while Murray grew up. Murray completed his education at The Scots College, where he was a fine scholar and champion debater.

It was at Scots that Murray decided that he wanted to become a barrister. At the time in the 1950s, a parent at the School was charged with murdering his wife by planting Minties laced with strychnine. He was enthralled by the horrible details of the case and compulsively read the daily reports of the court case in the *Sydney Morning Herald*, together with his school mates.

Murray commenced law after his Leaving Certificate at the University of Sydney in 1954, and took articles at Messrs Sly and Russell.

During his first year in law, Murray met his spouse Christina Gaven – one of the great events of his life. They married in 1959. They would spend the next half century together.

A new solicitor, Murray moved to Cooma, which, at the foot of the Snowy Mountains and mid Snowy Mountains Scheme, was a great place to start practising – cases of all types would come in. It was a timely move for a solicitor taking first steps. Wilcox, bright eyed and fresh faced from the city had just turned 22 years old and would face the realities of a small country practice. Murray had no help and managed the practice himself.

At Cooma, their eldest son Gavin, was born. They returned to Sydney in 1963 for Murray to go the Bar and in the years following, Murray and Chris had two daughters, Felicity and Anne.

In 1976 he became a member of the Law Reform Commission, of which he was chairman from 1984-85. In 1977, he became a Queen's Counsel and received Judicial Appointment in 1984 to the Federal Court of Australia. During his 22 years on the bench he was known for humanity, empathy and an ability to get to the heart of the issue. He was a humble man, with a seemingly endless capacity to listen to other points of view. He had an unerring quality of being able to take a judicial view seemingly not to favour any side. Murray's early years on the court were occupied with many questions of standing and defining the procedures to bring certain cases before the court.

Some of his most significant cases included being on the bench that granted an injunction preventing the de-registration of the Maritime Union of Australia in 1998. He also heard the Noongar native title case, which he delivered just two weeks before retiring in 2006. The decision was overturned on appeal, but reflected his willingness to make significant decisions. The decision has been susceptible to misreading ever since.

Murray Wilcox saw the law as a means of protecting the vulnerable and marginalised in society, and was particularly passionate about Indigenous land rights, anti-discrimination legislation and fighting for the protection of the environment – in the times before any such matters rose to any national prominence and concern.

He was appointed Chief Justice of the Industrial Relations Court of Australia, a role he held from 1994 until his retirement in 2006. When the Attorney-General offered him the position, Murray declined it. He was strongly opposed to the creation of the court. It was precisely for this reason that, he was informed, he had been chosen for the role. More than anyone, he would have known the pitfalls and risks of that court and how to preserve it.

In 2010, he became an officer of the Order of Australia for his services to the law and his environmental work, which was a great theme in his professional and judicial life.

As a barrister he appeared for conservation groups in several important cases, including the Myall Lakes inquiry against sand-mining and was the foundation president of the Environmental Law Association of NSW.

As far back as 1979, Wilcox was elected president of the Australian Conservation Foundation and fought valiantly to prevent the Franklin River dam fiasco which reached global prominence. As a barrister this was a moment in the sun for Murray. The 1970s was a chapter of history full of torrid disagreements and outcries of despair for the Earth and its future. He lobbied ministers on both sides of politics and united conservation groups in the effort to make the Franklin a defining issue of the 1983 federal election. The rest is history, as they say.

Murray was, before his time, an environmentalist. He saw and loved the beauty in nature and wanted to preserve it so it could be enjoyed in the future. He glimpsed the eternal in the cases to do with the preservation and continued good use of nature.

Murray loved bushwalking and with Chris walked the South Coast track in Tasmania three times, they scaled Table Mountain in Cape Town, walked the foothills of the Annapurna mountains in Nepal, climbed Mount Kinabalu in Borneo, and then Mount Kilimanjaro in Tanzania, a trek that almost killed him after he took ill in that strange climate in the hills surrounding. Speaking of mountains he also scaled Mount Gower at Lord Howe Island – a lawyer's haven latterly but to him a holiday destination with his children.

Murray enjoyed good food, music, theatre, political debate, literature and watching cricket and tennis. Murray and Chris drew in an enormous circle of interesting, lively, diverse and artistic friends. They constantly had guests in their home in Leura.

Although Murray was a distinguished Queen's Counsel and a long serving Federal Court Judge he was treated with little deference by his family. His children, as teenagers, invented the verb 'to swabb' referring to Murray's grand ability to speak with authority but on a subject about which he knew nothing at all. Murray could use the English language masterfully.

Tragically, his son Gavin died prematurely aged only 46 in about 2008. This bereavement remained with Murray in his last decade.

In the end, Murray died suddenly from a heart attack on November 8 2018 aged 81 years. Murray literally died on the Murray (River). He was doing what he loved – cruising down the river with Chris for their 59th wedding anniversary. It was a fine day, he took his leave and the end came quickly. Typically, the holiday was a time to enjoy nature, talk to interesting people. It was beautiful.

Christina, his spouse survives him, as do his daughters Felicity and Anne, a daughter-in-law Wendy, his son-in-law David, together with seven grandchildren and one great-grandson.

Kevin Tang



Mr Steven Woods

Steven Woods practised from the Thirteenth Floor of Selborne Chambers for 22 years as a barrister. The Bar has lost an active, industrious junior counsel who was also a great family man.

Steven had a prodigious legal practice which he built up over years. He was a master of detail and he left no stone unturned. Steven was tall in stature and was a man in court with a presence and powerful posture.

Steven practised mainly in the area of medical negligence and common law. He was highly experienced and appeared in a great many other areas such as commercial cases. There were in fact many solicitors who have recently said that few barristers knew the territory of doctors, hospitals and all of the paramedical specialties as well as Steven. He managed hundreds of claims against the Red Cross Blood Bank which arose due to contamination of blood samples. At final hearing in the Supreme Court that case required 13 experts to be in court. That large piece of litigation took Steven to USA and Europe.

Steven had a great fascination for medical practice and its procedures. He was forever seeking out old medical texts and liked speaking to practitioners and experts on how things were done. In the field of medical negligence and accidents, a lengthy case which was covered in the media was the catastrophic injury at the time of Calandre Simpson's birth. Judges usually thank counsel for their assistance at the conclusion of a case, however in that case the trial judge thanked Steven for his ability, diligence and persistence. That was exceptional. He had the respect of the judiciary and the profession generally.

Steven often appeared in the protective jurisdiction in the NSW Supreme Court for children, minors and those with disabilities. Those clients were the most needy in the community and most vulnerable people in society sought out his expertise. Steven would appear in the best traditions of the Bar to assure the continued wellbeing of his client.

Steven acted on the Voyager litigation – the Australian destroyer which sunk in 1964 after a collision with HMAS Melbourne in Jervis Bay. That was a great case. Other fascinating cases which he ran concerned class actions in product liability and also the ICI litigation which involved a spray which was used on

livestock causing some worrying consequences to the animals. This involved a significant head of cattle all along the eastern seaboard.

A highlight of his life as counsel was that Steven was appointed Solicitor General of the Solomon Islands. It was a period when Steven went to New York to the United Nations arguing matters of territorial importance – for that small nation. It was made all the more significant when it was known that rapacious fishing by foreign vessels regularly circling in its waters was taking place. Steven was a generous and accommodating man and he insisted on not flying business class to New York for that dispute so that others involved in the case from its inception would be able to travel and accompany him on that long haul flight to New York.

Steven's chambers were a study of eclecticism. His briefs and boxes of documents were stacked up, strewn everywhere in the available space. Briefs formed a labyrinth of small corridors and pathways in and around his desk. In every nook Polynesian artefacts and objects from antiquity covered the shelf spaces. It was like an annexe of the Nicholson Museum at the University of Sydney. He was a collector of old books, crockery and porcelain, not to mention the early camera collection. There was the look of a cabinet of curiosities in Steven's room. The usual CLR's also found a home as well as medical treatises.

Steven had a towering intellect and also a quiet and magical sense of generosity. This quality is singular at the Bar. Steven helped establish several new barristers in their careers. He was welcoming and kind. This quality also extended to the occasions when he was led by Silk – Steven was a junior who made a Silk look good and made the job easier – for which his leaders are eternally grateful.

In the end, Steven's illness crept up on him, it was noticeable that use of his left hand was fading. His fellow floor members remarked that the time seemed to pass very quickly once Steven had received his diagnosis. At the prognosis of 'the cancer will affect my memory and my ability to walk' Steven's comment was 'I have never been good at remembering and I have always had difficulty walking'. We must not forget that Steven carried his crosses through life, and the burdens of illness to which those of lesser substance and fortitude would have succumbed. He had a certain inner strength and resolve that most counsel adopt and draw from their hours of preparation and discipline required for concentration and work. His was exceptional. Steven was learned and agile in mind as counsel, yet self-effacing and humble. He was an exquisite example of a barrister working away quietly.

Steven is survived by his spouse Carolyn and his sons Caleb and Liam.

Kevin Tang