

Swearing in of Mr Michael Kingsley Meek SC as a Judge of the Supreme Court of New South Wales

By Kevin Tang



On Thursday 5 May, 2022, the Banco Court was filled to capacity for the swearing in of Michael Kingsley Meek SC by the Chief Justice Dr AS Bell. The speakers were the Honourable Mark Speakman SC MP on behalf of the Bar, and Ms Vann der Plaats, President of the New South Wales Law Society, on behalf of the solicitors of New South Wales. In attendance were members of his Honour's family – his wife Jennifer and their children Elspeth and Andrew, his twin brother Matthew, his sister Louise and his parents-in-law. His younger brother Ben was unable to attend in person as he was overseas for work commitments.

His Honour remarked upon how grateful he was to see such large numbers of barristers in the Banco Court for this occasion to wish him well. Notable, among the banks of retired judges in attendance, was the Honourable Peter Young KC, along with a number of other former Equity judges.

His Honour was raised in Castlereg, in Sydney, in a loving and richly educational family environment. His Honour's memories and recollection were infused with palpable emotion.

His father worked for over two decades at IBM after being in the Navy, and he was a highly competent educator skilled in mathematics, chess and statistical analysis. This manifested in his Honour as a particular aptitude for logical thinking and problem-solving, which is evident in all his children.

His Honour's mother was a gifted English teacher who, having first commenced studying medicine at university, eventually transferred to arts to give full expression to her passion for English literature. As a child, his Honour remembered her quoting poetry verbatim, her encouragement to delve into English literature and her greatest legacy: the Christian faith. His Honour, steeped with his mother's and father's interests and intellect, was particularly taken by Harper Lee's *To Kill a Mockingbird*, and from a young age knew that he wanted to be a lawyer.

After graduating from North Sydney Boys' High School, his Honour attended the University of Sydney where he read Economics and Law. His Honour shared the RSG Rutherford Award for equal first in economic statistics in the final year of his Economics degree.

Soon after, his Honour commenced his legal career as the tipstaff in the chambers of Mr Justice PW Young, who sat in the Equity Division of the New South Wales Supreme Court. His Honour reminisced on how wonderfully instructive the year 1987 was, working for Justice Young, and the advantages of researching and engaging with the life of the court.

Thereafter, his Honour commenced work as a solicitor at Duncan Baron and Co., replacing a young solicitor, Paul Brereton (who would later become a judge of the Supreme Court himself).

His Honour was admitted to the Bar in 1992, and he read on the 13th Floor of Selborne Chambers. He would eventually occupy a fine and large room which had been occupied by number of notable counsel before him, including JK McLaughlin. Effectively, for the entirety of his time in practice – some thirty years – he remained on that floor in convivial company. The members included Philip Hallen (later Hallen J), David Davies (later Davies J), and also the late Janet Coombs and Cecily Backhouse KC (later Backhouse DCJ).

At the Bar, his Honour was known for calmly and lucidly conducting complex cases. He appeared in several well-known cases and inquiries, including claims arising out of Chelmsford Private Hospital, the Thredbo Disaster and the Tamworth Bus Crash.

His Honour took silk in 2009. His Honour was known for a busy and prestigious practice in the field of Wills & Estates and Trusts. In particular, in his field of expertise, he acted for relatives of celebrity families and well-known



estates, including the estates of Lady Sonia McMahon, Bart Cummings and Reg Grundy. On one occasion he was complimented by Spigelman CJ for his exposition of Indonesian probate law.

His Honour helped pioneer estate law appearing in *Re Fenwick*, the first statutory wills case in New South Wales, and *Small v Philips*, the first statutory will appeal in New South Wales.

During his lengthy career at the Bar, his Honour taught, lectured and wrote on academic matters. He has been a well-known contributing editor to Richie's Civil Procedure. From time to time, his Honour also chaired Lexis Nexis annual conferences on Wills and Estates Law, and he authored the work known as *The Australian Legal System*, now in its 5th edition.

His Honour has served as the Chancellor to the current and former Anglican

Archbishop of Sydney and as Deputy Chancellor to Archbishop Jensen.

His Honour spoke movingly about the central place of his faith and family in the context of a busy legal career. He has been conscientious in his devotion to both. In particular, he expressed the significance of the support of his wife, a talented musician, and his children.

His Honour's quietly and carefully worded speech on this occasion was testament to his heartfelt gratitude and his deep devotion to Christ. He recalled movingly his parents and their contribution to his life, and in particular the Godly wisdom and sacrifice of his wife Jennifer. As a Christian, his Honour expressed his readiness and eagerness to assume the judicial burden, and to undertake the challenges which await him in his next phase. **BN**

Swearing in of Her Honour Judge Dina Yehia SC as a Justice of the Supreme Court of New South Wales

By Shahad Al Majed

On 4 July 2022, her Honour Judge Dina Yehia SC was sworn onto the bench of the New South Wales Supreme Court. The Banco Court was filled to capacity and a sense of good feeling pervaded the Court.

In attendance at the ceremonial sitting of the Supreme Court were members of her Honour's family, eminent members of the Bar, and a spectrum of judicial colleagues. Her Honour was joined in the Banco Court by her partner, Ernie Benton, Justice Lucy MacCallum, Chief Justice of the Australian Capital Territory Supreme Court, the Honourable TF Bathurst KC, the former Chief Justice of the New South Wales Supreme Court, the Governor, her Excellency the Honourable Margaret Beazley AC KC, and her Honour's dear friends, Maryanne Hausia and Tash Dakos. Her Honour's brother, Talaat, and nephews, Alex and Omar, were watching live from New Zealand. Her Honour's contributions to the profession, both in her capacity as an intelligent, well-respected judge, and as a powerful force at the bar, were referred to by the Attorney General, the Honourable Mark Speakman SC MP. These sentiments were echoed by Ms Vann der Plaats, President of the Law Society of New South Wales, on behalf of all solicitors of the State.

Her Honour was born in Cairo, Egypt where her late father was a military general, and where her late mother, Rita, an extraordinary woman of Greek background, worked as an interpreter for the UN. When her Honour arrived in Australia at age seven she did not speak a word of English. From the world of tumultuous politics, her Honour and her family settled in Five Dock, Sydney. In keeping with the family's emphasis on the importance of education, her Honour was a tenacious and bright student. Her Honour

knew that she wanted to become a lawyer from the age of 13. She then went on to study Arts/Law at the University of New South Wales. Her Honour's confidence and independence soon made her a role model for her peers.

Indeed, her Honour demonstrated the directness and initiative that has made her such a powerful conduit for legal reform from the outset of her career. Towards the end of her degree, her Honour made a call from a pay phone to the Western Aboriginal Legal Service (WALS). Her Honour spoke to Eric Wilson SC, then the principal solicitor of WALS, and asked for a job. After graduating in 1989, her Honour commenced work in Dubbo. Her Honour cited her time at WALS as one of her most formative experiences.

Of note during her Honour's time at WALS was her Honour's introduction to Maryanna Hausia, a formidable Bakindji woman, and the then officer manager

Hill, Dubbo, and its satellite towns. Those were the days when her Honour's clients were routinely arrested and charged for swearing in public – it was a time when the offence of swearing carried a term of imprisonment and many of her Honour's clients were sent to gaol for swearing. Her Honour, together with her colleagues, forged on, travelling hundreds of kilometres, representing their clients fearlessly and compassionately.

The Chief Justice AS Bell remarked that Justice Yehia would enhance the reputation of the Court through her professional experience and her significant contributions to the District Court of New South Wales. Justice Yehia is a judicial leader, whose character was forged through perseverance and endeavour.

Her Honour was called to the Bar in 1999 and subsequently appointed a Public Defender. Her Honour took silk in 2009 and became the first female Deputy Senior Public Defender in 2013. Her Honour's practice in

the Supreme Court included murder trials and the year-long terrorism trial at Parramatta in 2009. In 2013, her Honour appeared as lead counsel in the High Court case of *Bugmy v The Queen* (2013) 249 CLR 571; [2013] HCA 37. The case continues to have a profound impact in the sentencing of offenders whose background of

deprivation and disadvantage explains their conduct and reduces their culpability.

Her Honour was appointed a judge of the New South Wales District Court in 2014. During her time on the District Court Bench, her Honour has presided over countless trials, sentence proceedings, Super Call Overs, and, just prior to her appointment to the Supreme Court, the merciful 3.1 List. Her Honour is the Co-Chair of the Walama Working Group, in which she spent seven years tirelessly advocating for the establishment of an

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of WALS. Her Honour recalled that Maryanne, together with her wonderful family, welcomed her Honour into their home and filled her Honour's time there with strength, resilience, wisdom, and good humour.

The WALS solicitors appeared for clients in Local Courts, District Courts and the Supreme Court over a large part of New South Wales. Imagine an area, about the size of Spain. Solicitors, including her Honour, and Field Officers serviced towns like Bourke, Brewarrina, Wilcannia, Broken



Indigenous sentencing court. Her Honour was instrumental in establishing the Walama List which commenced operation in the Sydney District Court on 31 January 2022. Her Honour's vision has introduced a more holistic and multi-disciplinary approach towards sentencing, while always ensuring that an Indigenous narrative and voice is present when sentencing Aboriginal and Torres Strait Islander offenders.

A champion for diversity and equality, her

Honour, up until recently, was the Chair of Diverse Women in Law (DWL). DWL is an organisation which has been formed to mentor women of diverse backgrounds in the profession. In that position, her Honour has carved out multiple opportunities for diverse women, including commencing the Court Observation Program.

Serendipitously and aptly, this swearing in ceremony occurred during NAIDOC week. Her Honour spoke powerfully on

the disproportionate rate of First Nations peoples in prisons and the importance of committing to a First Nations Voice in national Parliament. The NAIDOC week theme was "get up stand up show up".

The Banco Court was brimming with high emotion and celebration for this particular ceremonial sitting of the New South Wales Supreme Court. We wish her Honour well. **BN**

SYDNEY

