



VICTORIAN BAR

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## WELCOME

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**ADDRESS AT THE WELCOME TO HER HONOUR JUDGE AMANDA  
FOX, JUDGE OF THE COUNTY COURT OF VICTORIA  
IN THE CEREMONIAL COURTROOM OF THE COUNTY COURT,  
ON THURSDAY 17 MAY 2018 AT 9.15 AM  
BY DR MATT COLLINS QC,  
PRESIDENT OF THE VICTORIAN BAR**

May it please the Court.

I appear on behalf of the Victorian Bar to congratulate Your Honour on your appointment to this Court.

I acknowledge the traditional owners of the land on which we meet, the Wurundjeri people of the Kulin nation, and pay my respects to their elders past and present.

It is a great privilege to appear to welcome Your Honour as a judge of this Court, one for which you have a great fondness, because so much of your work in the profession over the years has brought you here.

And despite some of your own professed misgivings in your younger days, it is the unanimous view of your friends and colleagues that you will serve this Court with distinction.

Your Honour completed your secondary schooling at Mac.Robertson Girls' High School before undertaking degrees in Law and Arts at Monash University, achieving honours in both.

You were initially ambivalent about studying Law. Like, no doubt, many in this room, you enrolled mainly because you had good enough marks to gain entry.

Having completed the degree, however, you decided to embark on a career in the law, but not before spending a year in India, Nepal and the Middle East.

On your return, you were an articled clerk at Phillips Fox – now DLA Piper – which then had a criminal law practice through which you rotated. From there, your course was set. Crime was the most interesting area you had encountered.

With that in mind, you became associate to then Judge Jim Duggan, of this Court. You stayed in the position for around two years, which included another lengthy trip to India.

Judge Duggan recalls receiving your request to take six months off to travel there. He urged you to take time to think about it. You did, for about a minute, leaving for the subcontinent soon after.

Jim Duggan says you left for six months with \$1,300 to your name, a sum he thought would be entirely inadequate. You returned with \$300 left over. He believes this capacity for frugality might now be of value to the Court when Your Honour goes on circuit.

He describes you as a terrific associate, good company with a quick mind, very popular, great at research, quirky and very individual.

Your Honour came to the Bar in 1997 and were appointed Senior Counsel in 2016.



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I cannot resist mentioning briefly the circumstances in which I met Your Honour, in late 1999. Under the leadership of Ted Woodward, now a judge of this Court, Your Honour and I, together with a number of our colleagues, were briefed to manage a massive discovery exercise for the defendant in a class action. We were acting for a tobacco company. It wasn't fashionable, even then, but we dutifully complied with the cab rank rule—one of the fundamental ethical precepts of our branch of the profession, and traipsed off for some months each day to Owen Dixon Chambers, Moorabbin branch—a demountable room that had been constructed above the floor of our client's cigarette factory. We used to look forward to lunch in the staff canteen every day, of course, but also to Thursdays—which was the day when the menthol cigarettes rolled off the assembly line and our sinuses cleared. As with so many collegiate experiences at the Bar, this was a formative one for the entire team. We have remained close ever since and take joy in Your Honour's appointment.

In your early years as counsel, you were briefed to appear with Stephen Kaye—later Justice Kaye of the Supreme Court and then the Court of Appeal—in the Linton bushfire inquest. Unexpectedly, you ended up with two clients of your own. You were the most junior barrister—and the only woman—among the more than dozen people at the Bar table.

It was a valuable experience, one through which Stephen Kaye mentored you. You were well and truly on your way.

Over the years, Your Honour has appeared not only in this Court but in the Supreme Court and the Court of Appeal. You have appeared for both the defence and the prosecution, a versatility that will stand you in good stead in your new role.

Among the more notable matters in your career were appearing for one of the multiple accused in the Securrency case—a large and enormously complicated matter, complete with international intrigue and threats to Australia's diplomatic relations.

In relatively recent times, a client sacked you—in court—as you made submissions on his behalf. Given his notoriety and the nature of the murder he had committed, you were not entirely sorry.

Your Honour made a very substantial contribution to the life of the Victorian Bar. You were a member of the Criminal Bar Association, and the Ethics, Indictable Crime Certificate, and Legal Education and Training Committees.

Your friend and colleague Ashley Halphen praises Your Honour's capabilities, saying you were always headed for this position.

He describes you as a jack of all trades—both at work and away from it—and says that he has been with you when this has been demonstrated, including on a trip to the Solomon Islands to teach advocacy to local practitioners there.

On the fifth and final day, you and he were opposed to each other in a demonstration moot. The verdict was duly rendered by the students. I understand from Ashley that it true to say that Your Honour has never won a case in the Solomons.

He also remembers a trip to Mount Buller where chains were required on the tyres as you ascended the mountain. It was late on a Friday night and it was freezing. Your Honour leapt out of the car and fitted the chains with ease. Ashley, by contrast, did not know where to start.

This performance was then reflected on the slopes. Your Honour is a much better than average skier, despite last year suffering a serious injury which kept you from your usual January trip to the Japanese slopes.



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Your Honour is also known for your love for adventurous travels. India has been a repeat destination. You once drove from Spain to Timbuktu in an old Pajero as part of a charitable endeavour.

Your friends say, with understatement, that going to pretty dangerous places on pretty tight budgets is your preferred mode of travel.

All agree that Your Honour has traits that serve you well in all your endeavours – among them intelligence, discipline, and tenacity.

Your Honour's friend and colleague, Simon McGregor, with whom you were at university, notes that despite your successful career path, you were demonstrably terrified of moots and public speaking in those days, and banned your friends from attending such events to offer moral support. Unsurprisingly, you rose above your nerves and actually did very well.

Your Honour has mentored three readers. They speak of your willingness to spend whatever time was required to assist them, even after they had signed the roll.

One of your readers, Adam Chernok, says you have a humane streak that will shine through as a judge, and you won't need to pretend to be the smartest person in the room.

Another reader, Lucy Line, considers you to be a shining example of what women at the Bar can achieve. She says you have a very sharp mind and will be wonderful as a judge.

Others describe you as bright, tireless and compassionate. It is thought Your Honour will run a tight ship from the bench.

Jim Duggan says you embody the "three Cs" that make for a good start as a judge—you are competent, conscientious and courteous.

You often say you have seen the difference it makes being in front of a really good judge: everything is easier, fairer and smoother.

I have no doubt that Your Honour will be one of those judges.

On behalf of the Victorian Bar, I wish Your Honour joy in your appointment and long, satisfying, and distinguished service as a Judge of this Court.

May it please the Court.