



VICTORIAN BAR

WELCOME

ADDRESS AT THE WELCOME TO THE HONOURABLE JUSTICE STEVEN MOORE, JUDGE OF THE SUPREME COURT OF VICTORIA IN THE BANCO COURT OF THE SUPREME COURT, ON THURSDAY 26 JULY 2018 AT 9.15 AM BY WENDY HARRIS QC

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.

Your Honour's appointment to this Court has been greeted with much joy and admiration among your friends and colleagues, as well as gratitude that Your Honour made it back safely from a Russian volcano in order to be here today. More on that shortly.

Your Honour's earliest journeys, though, were around Australia. When you were a child your family lived in five states. Your father, a role model for hard work and tenacity, worked his way up from the shop floor to executive positions in the automotive industry. He did this by taking opportunities wherever they arose, taking the family along.

In the early years of Your Honour's secondary schooling, the family settled in Melbourne. You completed your schooling at Camberwell Grammar.

Your Honour undertook degrees in Law and Economics at Monash University, both with Honours, and completed at a somewhat leisurely pace. You became a lecturer and tutor in economics while completing your Law degree. You spent one memorable and very social year as the music editor of the student magazine, *Lot's Wife*. And you were very active in student politics. Those in your circle in those days included Justice Niall of the Court of Appeal, and a young Bill Shorten.

Your Honour already had an interest in industrial law and completed articles with David Shaw at Holding Redlich, before becoming an employee solicitor at the firm.

After two years, Your Honour was headhunted by a client, becoming the legal officer at the Transport Workers Union. You did this for another two years.

Your Honour came to the Bar in 1998, reading with Mordy Bromberg, now Justice Bromberg of the Federal Court. His Honour recalls that when you started with him, your father said to him, "He's a really good boy. Will you look after him for me?"

Justice Bromberg says you haven't needed much help along the way but, to the extent that he can claim any credit for Your Honour's success at this time, he feels your dad might owe him a beer.

Justice Bromberg describes Your Honour as one of his favourite juniors and, clearly, he wasn't alone in that view.



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Your Honour built a practice largely in the field of industrial law, always sure to follow the cab rank principle. In this sometimes divided area of practice, Your Honour felt it important to accept briefs both from employees and their representatives, and from employers.

Industrial law often takes a deeply human element and combines it with legislative, common law, and policy considerations. For Your Honour, this is the attraction.

Of the many matters in which Your Honour was briefed as a junior, one that stands out is the landmark WorkChoices case in the High Court.

Your Honour appeared for the State of Victoria, as part of a team of stellar public law legal talent, including then Solicitor-General Pamela Tate SC, now Justice Tate of the Court of Appeal, Mordy Bromberg SC (Justice Bromberg as he now is); Mark Moshinsky, now Justice Moshinsky of the Federal Court; Geoffrey Kennett, now SC; and Dan Star, now QC. With seven plaintiffs up against the Commonwealth it was – and remains – the most heavily-populated Bar table in Australian legal history.

You also appeared in the Cole and Heydon Royal Commissions.

Your Honour was appointed silk in 2014.

As a QC, Your Honour appeared in one of the first sham contracting matters heard in Australia. You also represented one of the parties in the so-called Penalty Rates case in the Fair Work Commission. It is a perfect demonstration of the intersection of human, legal, policy and political considerations in industrial law.

Your Honour has had two readers. Natalie Blok speaks of your calm and measured manner, and your careful and thoughtful responses to her questions. Darren Bruno describes Your Honour as measured and diligent.

It is remarkable how often Your Honour is described in very similar terms.

That venerable eminence grise of the industrial Bar, Herman Borenstein QC has led and appeared in cases alongside Your Honour a number of times and says you were always assiduous, thorough and helpful.

This reputation for meticulousness emerges consistently from the reflections of those who know and worked with your Honour. Not only did Your Honour read with Justice Bromberg but over the years you have appeared with him, as his junior, and before him. He also describes you as thorough, earnest, dedicated to the task at hand, measured, and displaying highly desirable judicial characteristics.

The word likeable also comes up over and over again. One colleague says he doubts Your Honour has an enemy in the world.

Justice Richards of this Court describes Your Honour as a most congenial colleague to have in close proximity. Through various quirks of fate, Her Honour should know.

You were both involved in student politics, albeit at different universities. You started at Holding Redlich within a year of each other and were both influenced by David Shaw.

You were both in Douglas Menzies Chambers for a time, eventually in rooms next door to each other. When Justice Richards moved to Joan Rosanove Chambers, Your Honour and a few colleagues soon followed. Again, you were in adjoining rooms.

You took silk within a year of each other. And now, just 11 weeks after Her Honour was welcomed to this Court, here you are. One can only assume that Your Honour will now be keeping a close eye on Justice Richards to try to divine your next move!



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Many of your colleagues also speak of Your Honour's devotion to your family – your wife Andrea and your three sons. Your Honour has always tried to make time to be involved as a father, while shouldering a heavy workload.

As I mentioned, you and your family have recently returned from Russia. You went there to fulfill two very specific aims.

For many years, one of Your Honour's clients was the Professional Footballers' Association – the union for Australia's soccer players. A passing interest in the game became an obsession in 2006. You happened to be in London while the World Cup finals were being played in Germany. Australia had qualified for the event for just the second time.

You were offered tickets to a promising fixture – Australia versus Japan in Keiserslautern. The 3-1 victory has gone down as one of the greatest matches in Australian football history. Fans still speak of it with joy and reverence. You have been hooked ever since.

So it was that you made it your mission to attend this year's World Cup finals in Russia. I only hope the spectacle made up for Australia's results.

And before returning, you indulged another passion – that is, having extreme adventures in obscure and hard-to-reach places. For some of us, a quiet beach and a pile of books will more than suffice, at least if it's accompanied by some passable local wine. Your Honour, in contrast, travelled to Kamchatka in far eastern Russia, to climb an active volcano. You descended to go sea kayaking in the northern Pacific Ocean. It might have been summer, but it should be noted the region's northern border runs above the Arctic Circle. I'm doubtful about the quality of the local vino. But, each to their own.

And so it is, given these perilous passions, that we are doubly pleased to see your Honour on the bench today.

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.