

SPEECH OF WELCOME TO HIS HONOUR JUDGE DAVEY  
UPON HIS APPOINTMENT TO THE COUNTY COURT OF VICTORIA,  
IN THE 8TH COURT, ON MONDAY, 11TH APRIL, 1994

IF YOUR HONOUR PLEASES I APPEAR TODAY ON BEHALF OF THE VICTORIAN BAR TO WELCOME YOUR HONOUR AS A JUDGE OF THIS COURT AND TO CONGRATULATE YOU ON YOUR APPOINTMENT.

YOUR HONOUR WAS BORN ON THE 25TH SEPTEMBER, 1938 AND WAS EDUCATED AT MELBOURNE CHURCH OF GRAMMAR SCHOOL WHERE YOU WERE ENROLLED IN 1948 AT GRIMWADE HOUSE, MELBOURNE GRAMMAR'S PREPARATORY SCHOOL.

IN 1952 YOU BEGAN AT THE SENIOR SCHOOL WHERE YOU DISTINGUISHED YOURSELF AT AUSTRALIAN RULES FOOTBALL, PLAYING WITH THE FIRST XVIII, OBTAINING FIRST COLOURS FOR THAT SPORT.

IN 1955 YOU BECAME CAPTAIN OF BRUCE HOUSE AND A PREFECT. YOU ALSO COMPLETED YOUR STUDIES FOR MATRICULATION. IN 1957 YOU ENROLLED AT THE UNIVERSITY OF MELBOURNE IN A COMBINED COURSE FOR COMMERCE AND LAW. YOU QUALIFIED FOR THE DEGREE OF BACHELOR OF LAWS WITH HONOURS AND GRADUATED WITH THAT DEGREE ON THE 2ND AUGUST, 1961.

DURING YOUR YEARS AT UNIVERSITY YOUR ATHLETIC AND SPORTING ABILITIES WERE AGAIN RECOGNISED AND YOU GAINED IN 1959 A HALF BLUE FOR WEIGHT LIFTING AND IN 1960 A FULL BLUE IN RUGBY UNION. YOU PLAYED IN THE STATE RUGBY UNION TEAM FOR VICTORIA IN 1960-61.

YOU WERE NOT ONLY FIT BUT ALSO STRONG IN UNIVERSITY DAYS. IN COLLEGE YOU RESIDED IN A MODERN BUILDING IN WHICH STUDENT ROOMS OPENED ONTO A LARGE CENTRAL CORRIDOR ABOUT ONE METER IN WIDTH. YOUR HONOUR WAS ABLE BY PRESSING YOUR ARMS AND LEGS OUTWARD AGAINST BOTH CORRIDOR WALLS TO LEVER YOURSELF UNTIL

SPREADEAGLED WITH YOUR BACK AGAINST THE CORRIDOR CEILING. IMPRESSIVE BUT WHY ONE MIGHT ASK? BECAUSE, IN THIS POSE YOU COULD FREE ONE ARM SUFFICIENTLY TO KNOCK ON THE TOP OF THE ADJACENT DOOR. THE HAPLESS OCCUPANT WOULD EMERGE, LOOK RIGHT AND LEFT, SEE NOBODY THEN HAVE YOUR HONOUR DROP FROM CEILING LIKE A TARANTULA. IT IS TO BE ANTICIPATED THAT YOUR HONOUR'S CAREFULLY PREPARED AMBUSCADES OF STUDENT DAYS WILL BE REVISITED ON ANY COUNSEL WHO MAY MISTAKE YOUR HONOUR'S COURTEOUS DEMEANOUR FOR LACK OF INTEREST IN COUNSEL'S POINT.

YOUR HONOUR ANTICIPATED THE BLUES BROTHERS AT UNIVERSITY BY WEARING TO LECTURES BLACK SHIRTS, SILVER TIES, DARK GLASSES AND A PORK PIE HAT. THIS EARNED YOUR HONOUR THE SOBRIQUET "FRED THE HOOD". I AM RELIEVED TO REPORT THAT THAT NICKNAME WAS OVERTAKEN AT THE BAR BY ONE GIVEN YOUR HONOUR BY AN INSTRUCTOR - "FEARLESS FRED".

YOUR HONOUR'S REPUTATION AS SOMETHING OF A BOLSHEVIK IS WELL ESTABLISHED; WHAT IS LESS WELL-KNOWN AND I NOW REVEAL IS THAT YOUR HONOUR IS THE PROUD OWNER OF A PERSONALLY AUTOGRAPHED PHOTOGRAPH OF FIDEL CASTRO. AS YOUR HONOUR'S FLAMING YOUTH RECEDED, YOUR HONOUR PUT IT ABOUT THAT THE LETTER SIGNED BY YOUR HONOUR AND SEVERAL OTHERS, WHICH PRODUCED THIS HANDSOME GIFT FROM CASTRO, WHICH APPLAUDED HIM ON HIS "HISTORIC STRUGGLE TO LIBERATE THE CUBAN PEOPLE" HAD BEEN SENT IN JEST ONLY. YOUR HONOUR' CREDULITY (LIKE OURS ABOUT THIS LETTER) WILL BE SEVERELY TESTED WHEN HEARING PLEAS IN MITIGATION FROM THE CRIMINAL BAR.

ON THE 21 OF MARCH 1961 YOU BECAME ARTICLED TO JOHN DAVID MOIR OF THE FIRM GILLOT MOIR AND AHERN AND ON THE 6TH APRIL, 1962 YOU WERE ADMITTED AS A BARRISTER AND SOLICITOR OF THE SUPREME COURT OF VICTORIA. DURING 1962 YOUR HONOUR WAS A RESEARCH

STUDENT IN CRIMINOLOGY AND COMPANY LAW AT THE LONDON SCHOOL OF ECONOMICS.

YOU SIGNED THE ROLL OF COUNSEL ON THE 3RD DECEMBER, 1962 AND IN 1963 COMMENCED READING WITH CHARLES FRANCIS. AT THE BAR YOUR HONOUR BUILT UP A PRACTICE INITIALLY IN THE MAGISTRATES' COURT AND EVENTUALLY IN THE COUNTY COURT IN THE AREAS OF PROPERTY DAMAGE, PERSONAL INJURIES AND BUILDING LAW.

DURING 1965 AND 1966 YOUR HONOUR COMPLETED A BACHELOR OF COMMERCE DEGREE AT THE UNIVERSITY OF MELBOURNE AND QUALIFIED AS AN ASSOCIATE OF THE AUSTRALIAN SOCIETY OF ACCOUNTANTS.

ON THE 11TH NOVEMBER, 1971 YOUR HONOUR HAD YOUR NAME REMOVED FROM THE BAR ROLL TO ENABLE YOU TO WORK AS AN IN-HOUSE COUNSEL TO THE JOINT VENTURE CONSTRUCTING THE GREENVALE NICKEL PROJECT AT TOWNSVILLE, QUEENSLAND.

AFTER THE COMPLETION OF THAT PROJECT YOUR HONOUR PRACTISED FOR A SHORT TIME AS A SOLICITOR WITH ARTHUR ROBINSON AND CO.

ON THE 8TH AUGUST, 1974 YOUR HONOUR RE-SIGNED THE BAR ROLL AND HAS CONTINUED TO PRACTICE AS COUNSEL FROM THAT DATE. YOUR HONOURS PRACTICE SINCE THAT TIME HAS BEEN MAINLY IN THE SUPREME COURT AND FEDERAL COURT BOTH AS COUNSEL AND AS AN ARBITRATOR IN BUILDING AND PROPERTY LAW ARBITRATIONS AND LATELY AS A MEDIATOR FOR WHICH YOUR HONOUR HAS RECENTLY UNDERTAKEN FORMAL TRAINING. YOUR HONOUR HAS ALSO PRACTISED IN CRIMINAL LAW ESPECIALLY IN PROSECUTIONS OF WHITE COLLAR CRIME.

IN 1983 YOUR HONOUR WAS ADMITTED AS A BARRISTER AND SOLICITOR IN THE NORTHERN TERRITORY.

IN NOVEMBER, 1992 YOUR HONOUR WAS APPOINTED QUEEN'S COUNSEL. DURING YOUR HONOUR'S YEARS AS A JUNIOR YOU HAD FIVE READERS OF WHICH I WAS THE FIRST. YOUR OTHER READERS WERE WARTSKI, LANCY, DE WINE, SEXTON AND POTARE.

AT THE TIME OF YOUR APPOINTMENT YOU WERE CHAIRMAN OF THE LEGAL RESOURCES COMMITTEE OF THE BAR COUNCIL. ONE OF ITS PARTICULAR FUNCTIONS WAS TO INVESTIGATE AND REPORT UPON RE-SITING THE BAR'S LIBRARY. THOSE FAMILIAR WITH THE TERRITORIAL FERVOUR WITH WHICH MEMBERS DEFEND THEIR PATCH CAN APPRECIATE THE THANKLESSNESS OF YOUR TASK AND THE THANKFULNESS WITH WHICH YOU NOW RELINQUISH IT.

FINALLY I SHOULD MENTION THAT NOT ONLY DID YOUR HONOUR ANTICIPATE THE BLUES BROTHERS, BUT YOU ALSO ANTICIPATED ABORIGINAL RECONCILIATION. YOUR LOVE OF PARTICIPATING IN SPORT LED YOU TO PLAY TOUCH RUGBY WHILE APPEARING IN DARWIN IN THE FEDERAL COURT. ON A PARTICULAR DAY THE RUGBY TEAM'S NAMES WERE POSTED AND YOU WENT ALONG MERELY TO WATCH. HOWEVER, ONE OF THE OUTSTANDING ABORIGINAL PLAYERS FAILED TO SHOW UP; SUBSTITUTION WAS NOT PERMITTED SO YOUR HONOUR WAS PERSUADED TO ASSUME HIS NAME AND PLAY AS HIM, AND DESPITE A CERTAIN LACK OF RESEMBLANCE BETWEEN HIM AND YOU THERE WAS NO COMPLAINT.

YOUR WIFE JANE IS HERE TODAY AND DOUBTLESS SHE AND YOUR CHILDREN TAKE GREAT PRIDE IN YOUR HONOUR'S ACHIEVEMENT.

THE VICTORIAN BAR CONGRATULATES YOU AND WISHES YOUR HONOUR WELL. IF YOUR HONOUR PLEASES.

**S.M. CRENNAN**  
CHAIRMAN