



VICTORIAN BAR

WELCOME

HER HONOUR JUDGE JILLIAN WILLIAMS – 27 FEB 2019 – MINAL VOHRA SC

May it please the Court, I appear on behalf of the Law Council of Australia, the Victorian Bar and the Australian Bar Association to welcome your Honour as a Judge of the Family Court. The President of the Law Council, Arthur Moses SC regrets that he is unable to be here today, but sends your Honour his personal best wishes. Your Honour has long been a member of the Family Law Section and I also pass on the congratulations for a well-earned appointment of its Chair, Paul Doolan and the members of the Family Law Section.

So too the President of the Victorian Bar Dr. Matt Collins QC regrets he cannot be here and sends your Honour his congratulations. The President of the Australian Bar Association, and former President of the Victorian Bar, Jennifer Batrouney QC is, of course, with me at the Bar Table.

After a long career as a solicitor in private practice and then a Registrar of this Court, your Honour came to the Bar in 2008 and read with Joe Melilli and your Senior Mentor was Ian Mawson QC. You joined Holmes List and quickly established a thriving practice. Your Honour was not only barrister of choice of many solicitors but also Junior of choice for many Senior Counsel. Andrew Kirkham QC tells me that he does not offer praise lightly but has nothing but the highest praise after leading your Honour. He tells of a case in which your Honour took over as his Junior on the Friday before the case was to start the following Monday. By 9 am that first morning your Honour had mastered the facts and the law and was on top of every detail. Your Honour's draft of the written submissions was so impressive it was decisive in the outcome. His lasting impression remains after all these years of your Honour's dedication, determination and discipline in getting the job done.

I have had the experience of being both opposed to your Honour when you were a barrister and having appeared before your Honour as a judge. Ours can be a very difficult jurisdiction in which to practice. Our clients are going through some of the worst of times of their lives. They rely upon us to represent them and achieve outcomes that will inevitably resonate and affect the rest of their lives. It's a lot of pressure as Counsel and two things really make or break your day. The first is your opponent and the second is your judge. As both, your Honour was and is a great draw.

As a barrister, your Honour was meticulous, prepared, courteous and practical. If a matter could be settled to the advantage of the clients then your Honour did all that you could to ensure this outcome. If it could not, and it had to run, then your Honour's advocacy was effective and, for your opponents, annoyingly persuasive. In 2016, Doyle's Guide to Australia's best barristers, described your Honour as a leading member of the Bar and said:

"Melbourne's Jill Williams who, unlike many of the individuals in the list... also practises in other areas of law, is the big mover in our rankings this year and one of the current favourites of Melbourne's family law community. Advocacy skills, hard work and client service were all featured in the praise of Williams."

To the relief of those of us competing for work against your Honour, 2016 was the year you decided to accept an appointment to the Federal Circuit Court. It made the



VICTORIAN BAR

rest of us doubly victorious. Not only did we no longer have to trump your Honour to get briefs, we now had the pleasure of appearing before you.

The attributes described by Kirkham QC and your instructors in Doyle's Guide, have been translated in your Honour's elevation to the Bench. As a Judge your Honour is attentive, patient, knowledgeable and courteous. You understand and apply the adage that the most important person in the courtroom is the party who is going to lose. For those who do lose their arguments before your Honour, both Counsel and client know the matter was heard fairly and properly and that justice was served. This is a particularly valuable judicial trait in a jurisdiction such as family law. After their day in court, our clients generally need to continue a life long relationship with the other party. They will continue to parent together and eventually grandparent together. If a court hearing is conducted with judicial dignity and civility, as those in your Honour's courtroom invariably are, then those future life long relationships are less likely to be irretrievably severed. Your Honour knows this from your years of practice as a family lawyer, as a solicitor, Registrar, barrister and judge. I will if I may quote your Honour's own words at your 2016 Welcome in the Federal Circuit Court. There your Honour addressed the Court and said:

"My appointment in this Court, in the Family Law jurisdiction, has bought with it a profound obligation and responsibility to make decisions which dramatically affect people's lives. It is my honour and privilege to discharge this obligation, and I hope that I will be able to do it in a manner which enables parties to leave this court with a feeling that they have had an opportunity to put their case to the court with some dignity and that they have at least been heard."

Your Honour has in your judicial career lived up to your early hope. In addition though, to the dignity and care with which you conduct your court, your Honour's extensive experience and knowledge of the law is apparent in your judgments. Your Honour is not often appealed but it was unsuccessfully attempted by the appellant in the 2018 case of Whent & Marband. There were 8 grounds of appeal against your Honour's judgment and all 8 were rejected by the Full Court, which described your Honour's judgment as "entirely correct". Ground 1 they held was not established by the appellant and was rejected. Grounds 2 and 8 could not succeed. Ground 3 revealed no error and could not be made out. Grounds 4 and 5 demonstrated no errors. Ground 6 it was held must fail and Ground 7 had no merit. That your Honour was so very, very correct is apparent in the Full Court handing down that judgment within a speedy 2 months of the appeal hearing. The Full Court clearly found in upholding your Honours judgment that there was not much to discuss between them!

Your Honour's knowledge and experience in family law was recognised by your appointment to the advisory panel for the current ALRC enquiry reporting in March this year.

Your Honour somehow found time for commitments outside of your busy practice. You were the Chair of the Holmes List Committee and during your Honour's time in that position began the bi annual List drinks at Eureka Tower, a highlight of the List's social calendar. You also work tirelessly with family law solicitor, Leanne Abela, to raise awareness of and donations for the charity Fitted for Work, which provides appropriate clothes for job interviews and work for women who cannot afford them. You do so because it is your view that we are privileged with our ability to work and should share our good fortune with others.

Your Honour's calm and pleasant demeanour no doubt owes much to your long marriage to your husband John, or at least that is what he says. Your Honour was in practice with him as a solicitor and at the Bar shared Chambers with him, although he complains you paid no rent! This shows the commitment and enjoyment in each



VICTORIAN BAR

other's company the two of you are lucky to have. His good humour and your shared interests are displayed on his Bar profile where, instead of a long list of his notable cases he writes of himself:

"Works Hard. Doesn't Drink too much. Underpaid. Wife also a Family Law Barrister. Not enough holidays. Golf handicap not low enough. Actually enjoys Family Law."

He'll need to update that bit about his wife being a family law barrister but the rest might remain largely true. It demonstrates the balance that the two of you have managed in a long professional life in an, at times, draining and difficult jurisdiction. Your Honour is also blessed with your children, step- children and grandchild who love you and of whom you always speak with joy and pride.

We at the Bar, and the Family Law profession as a whole are delighted with your Honour's appointment as a judge of the Family Court. We offer to you our very genuine and heartfelt congratulations.
May it please the Court.