



WELCOME

**ADDRESS AT THE WELCOME TO
THE HONOURABLE JUSTICE JOHN SNADEN,
JUDGE OF THE FEDERAL COURT OF AUSTRALIA
IN COURT 1 OF THE FEDERAL COURT OF AUSTRALIA ON
LEVEL 8 OF THE OWEN DIXON
COMMONWEALTH LAW COURTS BUILDING,
305 WILLIAM STREET, MELBOURNE ON
MONDAY, 29 APRIL 2019 AT 09.30AM
BY MATTHEW COLLINS QC,
PRESIDENT OF THE VICTORIAN BAR**

May it please the Court.

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

I also acknowledge the traditional owners and custodians of the land on which we meet, the peoples of the Kulin Nation, and pay my respects to their elders past and present.

Your Honour was born in Melbourne, moving to Western Australia as a small child. You were educated at Hawker Park Primary School and Craigie Senior High School whence you graduated in 1992.

Your Honour undertook law and commerce degrees at the University of Western Australia, majoring in general management and graduating in 1998. You were the first in your family to study law, and pursued it in the belief that it was a solid degree that would prove the foundation for your future career path.

After graduating, your Honour secured articles at Tanya Cirkovic & Associates with Tanya Cirkovic (now Commissioner Cirkovic of the Fair Work Commission). You spent your first years as a solicitor, developing a specialisation in industrial relations law.

Your Honour was drawn to industrial relations law having enjoyed the subject at university, achieving a high mark. Your Honour believes that industrial relations is an area of law that has the capacity to make a difference in the lives of many.

Following a short time at Clayton Utz, your Honour came to the Bar in 2005. You read with Stuart Wood AM QC, who is present in Court today. You chose to come to the Bar at a fortuitous time for one practising in the field of industrial relations. It was the eve of the Work Choices legislation coming into force, giving rise to challenging and interesting work.

After a change of government, there was then the enactment of the Fair Work Act in 2009, a substantial change to the legal landscape in IR. It was not long before your Honour was recognised as one of the best juniors in the field. Your Honour's client list covered the field on the employer side, with both State and federal governments and large corporations regularly briefing you. You have the rare ability to sit on both sides



of the political fence, briefed by governments of all persuasions in a jurisdiction that is inherently political.

Your Honour has been described as “bullish as to legal principle”. As Counsel, you were a jurist in the true sense, focusing on the exact words deployed in a judgment to highlight where a statement of obiter relied on by the other side had not been interpreted correctly. You were never shy of an argument, pursuing your points forcefully but without animus.

You are described as extremely hard working; so much so that you had to hand back around 30 briefs upon taking this appointment, resulting in a couple of your peers disappearing from social circles over the last couple of months under the weight of your former workload. Stuart Wood bumped into one such peer recently and when he asked him why he had not seen him for ages, his response was that he was snowed under with your Honour’s former briefs.

A former instructor recalls that briefing your Honour was a “relaxing experience”, knowing that the client was in very good hands and that you would be well prepared; there was never any concern of missing a deadline if you had been briefed in a matter.

Your Honour has a meticulous nature, particularly with respect to language and grammar. One of your leaders described your written work as the “best he has ever seen”...

... which makes it surprising that your attention to detail and preparedness was absent on one particular occasion. Your Honour was briefed in a large matter where an urgent injunction was to be sought in Brisbane. On the walk across to the Federal Court, the senior barrister who was leading you turned to you and asked, “Where are your robes?” Your Honour’s face was a picture of abject horror upon the realisation that you had forgotten that robing is required for interlocutory hearings in Queensland. Fortunately the senior barrister’s reader was of a similar stature to your Honour and kindly lent you his robes.

Your Honour was a rare creature at the Bar, in that your practice was conducted entirely electronically. Your Honour spent a lot of time experimenting with different technologies, trying to find the best way to make them work for you, your clients and the courts and tribunals in which you appeared. This love of technology extends to your home, where you regularly build and rebuild media centres and sound systems, striving to achieve the best acoustic result to indulge your love of music.

Your Honour has a passion for driving European cars, but there is probably no-one who knows more about the entire history of the Holden Commodore than you. Your encyclopaedic knowledge of trivia extends to other similarly useful topics, such as passenger aircraft, the 80s rock band Guns ‘N’ Roses and the long-running television show, The Simpsons. Apparently, there is a Simpsons reference for just about every life situation.

I cannot profess a similar knowledge of The Simpsons, but my extensive research has revealed that there are two resident judges on that show: Judge Roy Snyder and Judge Constance Harm. Judge Snyder started off as a no-nonsense judge, incensed by incompetent attorney Lionel Hutz, who repeatedly runs over the judge’s son in his car. Judge Snyder has softened over the years, sometimes letting Bart off the hook with unimpeachable legal reasoning: “Boys will be boys”. Judge Harm, on the other hand, was reportedly modelled on the reality TV judge, Judge Judy, and has a tough-as-nails approach towards the dispensing of justice, sometimes sentencing offenders to being placed in the stocks in public, and keeping a model guillotine on the bench alongside her gavel.



I hope your Honour might take your inspiration for life on the bench from somewhere else.

Your Honour is a dedicated family man. Your wife Fiona, and your two children, Chloe who is 9 and Thomas who is 6, are all here in Court today. They are the bedrock of your career and your greatest supporters.

Your Honour's love of AFL football, particularly the West Coast Eagles, borders on the fanatical. Fortunately, this is shared by your children. In fact, you have combined your love of travel with your love of football, regularly taking trips to watch the Eagles play, whether in Perth or elsewhere. For the last three years, you and your daughter, Chloe, have made an annual pilgrimage by road to Adelaide to watch the Eagles play, a tradition that she will no doubt cherish as she gets older.

I am told that your son Thomas has worked out how to take advantage of your one-eyed obsession with the Eagles. He has deduced that if he wants to watch TV, all he has to do is ask to watch your recording of last year's grand final, which of course saw the Eagles take the flag. It works every time. Sorry Thomas.

On the subject of football, your Honour might recall a long-standing wager with a former instructor of yours. Anna Casellas, a partner at Clayton Utz in Perth, also in Court today, barracks for the Eagles' arch rivals, the Fremantle Dockers. She describes you as a very "annoying and smug" Eagles supporter, particularly since the grand final win last October. Ten years ago, she made a bet with your Honour that Fremantle would win a grand final before the Eagles, with the loser having to shout the winner a very expensive lunch at an exclusive restaurant. She says that you became particularly nervous in 2013, when Freo made the grand final and you tried to enter into some serious negotiations in a futile attempt to hedge the bet. Fortunately for you, the Dockers lost.

Well, here we are in 2019, with the Eagles as the reigning premiers and Ms Casellas' debt yet to be settled. Might I be so bold as to offer your Honour some unsolicited advice? In light of your new job, perhaps it would be wise to relieve Ms Casellas of her obligation to pay up. Ms Casellas, you're welcome.

On behalf of the Australian Bar Association and the Victorian Bar, I congratulate Your Honour. I wish you long, satisfying and distinguished service as a Judge of this Court.

May it please the Court.