



VICTORIAN BAR

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## WELCOME

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**ADDRESS AT THE WELCOME TO THE HONOURABLE  
JUSTICE JOSHUA WILSON, JUDGE OF THE FAMILY  
COURT OF AUSTRALIA IN THE FAMILY COURT OF  
AUSTRALIA IN COURT 4A ON LEVEL 4 OF THE OWEN  
DIXON COMMONWEALTH LAW COURTS BUILDING,  
305 WILLIAM STREET, MELBOURNE,  
MONDAY, 18 MARCH 2019 AT 4.30PM  
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's appointment to this Court has been warmly greeted by your colleagues and friends, and in particular by members of the Victorian Bar.

Your Honour came to the Bar in the March 1987 Readers Course and read with Ross Robson – now retired, but formerly Justice Robson of the Supreme Court of Victoria.

You came to the Bar from a largely commercial background: two years as Associate to Mr Justice Ken Marks, the judge-in-charge of the Commercial List, and before that, six years at Arthur Robinson & Co, now Allens Linklaters, coming to specialise in commercial litigation.

Throughout your time at the Bar, Your Honour worked tirelessly. In the Foreword to your book "All this Horsehair Is Making Me Itch" — incidentally, a title that betrays your Honour's generation: nowadays any reference to horsehair in connection with barristers is more likely to cause young barristers to scratch their heads with confusion or to think of Flemington in the springtime—Justice Robson noted that you started work at 4 o'clock in the morning, and did not finish until late in the evening—that from the outset at the Bar, your energy was legendary.

Almost immediately, Your Honour was briefed by major firms in substantial commercial matters including construction, bankruptcy, competition, corporate insolvency, real property, and securities and investments disputes.

You swiftly became a junior-of-choice. At the height of your substantial and demanding practice as a very senior junior, and not long before you took silk, Your Honour completed a Master of Laws degree at Melbourne, and then a Doctor of Philosophy degree at Deakin.



Indeed, on the day that your appointment as silk was announced, you learned that your PhD thesis had been accepted and you had qualified for the degree, thus acquiring simultaneously both pre-nominals and post-nominals.

Your PhD thesis was on the law of extradition, drawing on, among much other research, experience that you had gained while working on the infamous Mokbel extradition case, where you appeared before Justice Gordon, then of the Federal Court.

Your PhD supervisor, Professor Mirko Bagaric, suggested that your thesis might take you eight years, possibly longer, to complete. Perhaps you misheard him, or perhaps you took it as something of a challenge. You managed to complete your thesis in eight months.

Your Honour's appointment has been widely applauded by those who knew you at the Bar. Your Honour is known for your capacity for disarming humour and garrulous charm; qualities to which litigants appearing before you in the Federal Circuit Court have also been exposed. A recent litigant went so far, after the conclusion of their matter, as to send you an email to thank you for the "firm but fair" manner in which you managed their case.

Your Honour's contributions to the Victorian Bar and to the community of the Bar were outstanding.

Your Honour was an active member of many Bar Committees, beginning in 1988 (the year after you signed the Roll) on the Bar Fees Committee.

You chaired the Health & Wellbeing Committee, were Deputy Chair of the South Pacific Education Committee, and you served on the International Arbitration Committee, and for many years on the Legal Assistance (later the Pro Bono) Committee.

You also served on LawAid, and in 2010, your outstanding personal pro bono work was recognised by the awarding of the Ron Merkel QC Pro Bono Award.

Outside of the law, Your Honour has many interests: from a black belt in kung fu, to equestrian pursuits, to cycling, to Porsche motor cars. You love to entertain and are said to 'dabble' in cooking.

A constant in your life is your wife, Silvana, herself a member of the Bar and a respected Senior Member of VCAT. Your marriage of 30 years has given you three daughters, all of whom are in the legal profession, pursuing successful careers of their own. You might consider offering your family up for scientific analysis: clearly the lawyer gene runs strongly through the familial DNA. You have two grandchildren whom you adore, with one more on the way.

Your Honour has been sitting as a Judge of the Federal Circuit Court since November 2015 and has embraced the many areas of the law in respect of which that Court has jurisdiction: family law and child support, of course, as well as administrative law, admiralty law, bankruptcy law, consumer law, human rights, industrial law, intellectual property law, migration law and the law of privacy.

Your Honour showed a deep commitment to the endless, and endlessly varied, work of the Federal Circuit Court, putting in the hours required to ensure the efficient and timely resolution of the matters before you. You have been available for whatever was required of the job, going so far as to accommodate litigants at all hours, and even



hearing injunction applications while pacing the streets of Melbourne on your mobile phone, having excused yourself from dinner with friends at a restaurant.

Your Honour has taken a great deal of satisfaction from your judicial work to date, particularly in the family law jurisdiction. Your ability to assist litigants in distress, displaying great empathy and humanity, will stand you in very good stead for what lies ahead.

Your Honour made the transition from being at the independent Bar to being a judge of the Federal Circuit Court with aplomb. In your relatively short time on the bench, you have come to be much admired by your judicial colleagues, not only for your skills as a jurist, but also for the contribution you have made to the development of a cohesive court, underpinned by a collegial environment, which is welcoming, friendly and generous.

Your Honour brought to your role as a judge of the Federal Circuit Court a diverse mix of life-experience and knowledge, a deep concern for society and how it works, and a keen sense of justice; all of which will now inure to the benefit of the Family Court and, in particular, the Australians who come into contact with this Court at the most vulnerable time of their lives.

There is much public debate at the moment about the role of the judiciary and of members of the legal profession. It is to be expected—indeed it is right—that all those involved in the administration of justice, at every level, should be exposed to public scrutiny and, when appropriate, criticism. When criticism is misinformed, however, as too much of it has been in recent times, it poses a threat to public confidence in the administration of justice. So as a leader of the independent Bar, let me say this clearly: the public can and should have confidence in the independence and incorruptibility of our judiciary, and the fearless courage of the advocates who appear before our courts and tribunals.

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

May it please the Court.