



VICTORIAN BAR

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## WELCOME

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**ADDRESS AT THE WELCOME TO THE HONOURABLE  
JUSTICE STEWART ANDERSON,  
IN THE FULL COURT OF THE FEDERAL COURT OF  
AUSTRALIA IN COURT 1 ON LEVEL 8 OF THE OWEN  
DIXON COMMONWEALTH LAW COURTS BUILDING, 305  
WILLIAM STREET, MELBOURNE  
BY DR MATT 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 completed your schooling at Scotch College – almost to the detriment of your start at the Bar, as I'll explain shortly – before taking up a place at Monash University to study economics. Your Honour branched out into law, graduating with a Bachelor of Laws in 1983.

Your Honour was admitted to practice in March 1985, and then worked as a solicitor in commercial litigation at Molomby & Molomby (now K&L Gates). While at Molombys, your Honour undertook further studies, completing a Diploma of Commercial Law at Monash University, graduating in 1987.

Your Honour came to the Bar at the end of 1987. You were Simon Wilson (now QC's) first reader. Simon took quite some persuasion to take you on. He felt pretty strongly that you would not be a good fit as his reader, because you had been to Scotch College, not his alma mater, Melbourne Grammar. But that was only a minor part of the reason for Simon's reluctance. After meeting with you, his main concern was that you seemed to be excessively polite, another matter he attributed to your Scotch education. He asked whether you were absolutely certain that you wanted to be a barrister, because you seemed to lack the killer instinct. You quietly assured him that you had thought a lot about it, and you did (want to be a barrister that is, not have the killer instinct). He took you on, and thus began a professional and personal relationship that has now endured more than 30 years, during which you acted as Simon's junior on many occasions.

I too have known Simon for more than 20 years, and have both been his junior and opposed to him. I spoke to him last week and he said something to me that I have never heard him say before. He said, "I was proved wrong in every respect". I hoped he was referring to something else, but he was speaking of your Honour. He said of your Honour's advocacy style, "an iron first in a satin glove."



The line has its origins, of course, with Napoléon Bonaparte, who counselled that one should conceal one's "iron hand in a velvet glove". He is also credited with a wealth of advice for new judicial officers, such as "Nothing is more difficult, and therefore more precious, than to be able to decide", "Take time to deliberate, but when the time for action has arrived, stop thinking and go in" and "The truest wisdom is a resolute determination". But quotes from Napoléon can only be taken so far. After all, this is also the man who said, "The art of policing is, in order to punish less often, to punish more severely" and "A Constitution should be short and obscure." But I digress.

Another thing I know from personal experience is that Simon Wilson has a habit of tutoring his juniors while they are on their feet in Court, even when they are no longer his juniors and have become his opponents. Your Honour was recently opposed to your former mentor and he found it impossible to stop himself from muttering "assistance" to you from the other side of the lectern. As it turns out, he might have done with some assistance from your Honour: you went on to win the matter.

At the Bar, Your Honour developed an extensive practice in commercial law, appearing in many cases at trial and on appeal in State Supreme Courts and the Federal Court of Australia. Your Honour provided advice and representation to clients on matters traversing the gamut of commercial law, from corporations law, to banking and finance, superannuation, property, contracts, equity and trusts.

Your Honour often acted for public company directors and officers at examinations conducted by the Australian Securities and Investments Commission and inquiries conducted by the Australian Prudential Regulation Authority into the conduct of participants in the Australian financial system.

One of your Honour's first large matters as a junior was acting for the directors of the State Bank of Victoria in the Tricontinental Royal Commission, led by John Middleton QC (now the Honourable Justice Middleton of this Court). The matter went on for a long time. So long that Middleton J determined that counsels' fees in the matter would need to be increased, which he brazenly raised in conference with the client. Your Honour turned a whiter shade of pale and nearly passed out in horror; no doubt because of that excessive politeness that Wilson QC had observed in your Honour.

Your Honour acted in numerous Royal Commissions: for the State of Victoria in the Longford Royal Commission, as Counsel Assisting in the Metropolitan Ambulance Service Royal Commission, and for executive officers of the Emergency Services Telecommunications Authority in the Bushfires Royal Commission.

Most recently, your Honour appeared on behalf of Mercer Superannuation (Australia) Limited at the Hayne Royal Commission into misconduct in the banking, superannuation and financial services industry.

Your Honour comes to this Court with vast experience in very large commercial matters; you will be well placed to preside over large matters in this Court and counsel should be warned that, having seen every trick in the book, you will easily be able to out-wit the 'poachers' now that you have turned 'game-keeper'.

Your Honour was an 'old school' barrister in the very best sense of that term; prepared to turn your hand to any matter, possessing a real common law quality and able to maintain an absolutely unflappable presence (except when discussing your fees perhaps). You were always happy to pick up a brief, even at the last minute before trial, and make a success of it. Your Honour is known to be an incredibly hard worker and a fierce advocate; a formidable opponent who is tenacious and takes no prisoners.



Like all of the best barristers, however, your Honour left adversarial combat at the Bar table. You have a great ability to talk to anyone and put them at ease, disarming them with a well-timed compliment, another quality which, deployed well, will no doubt be an asset to your work as a judge.

Your Honour's contribution to the profession also merits mention. The cohesive college that is the Victorian Bar is founded on the generous investment of time and expertise by current members for the benefit of future generations of barristers. We are the custodians of an institution for the benefit of those who come after us, including those who are yet to join. Your Honour has invested much; your contribution to the Bar has been a staple of your career, always giving your time willingly and generously.

Your Honour was mentor to eight readers. You took a reader every year from achieving the minimum 10 years' call until your Honour was appointed silk in 2005. All of your Honour's readers have gone on to have successful careers of their own, including Justice Michael O'Bryan, who was welcomed as a judge of this Court just a month or so ago.

Your Honour is described as fantastic mentor who is incredibly generous with your time and knowledge. Your Honour always went to great lengths to promote your readers, even assisting some to secure rooms on your floor of chambers so that your Honour could provide ongoing support.

Your Honour has also given your time freely to the institutions of the Bar: as a member of the Bar Council, as a director of Barristers' Chambers Limited, as a longstanding member and Senior Vice-President of the Commercial Bar Association, and as the Bar's appointee to the Supreme Court Commercial Causes Users Committee, among others.

Your Honour has many and varied interests outside of the law, including a love of very fast, Italian motorcars, particularly of the variety that is emblazoned with the distinctive black and yellow badge of a dancing horse, underneath the green, white and red stripes of the Italian flag.

Your Honour also has a love of travel, something you share with your close friend, Justice Paul Anastassiou, another recently appointed judge to this Court. The two of you attain a milestone birthday later this year – I won't say which one. I can only assume that you are doing this to avoid the paparazzi, but rumour has it you are travelling under the pseudonyms Pavros and Stavros. Stavros, incidentally, is a name derived from the Greek word for cross, as in the cross of the crucifixion. Justice Anastassiou: Pavlos is a bit less exalted, it is just the Greek word for Paul.

Your Honour has achieved many great things in your career but it is your family that is most important to you. You have been married to your wife, Bronwyn, for over 30 years. Bronwyn is a respected paediatrician at the Royal Children's Hospital and together you share two children, James, who works in the banking sector and Sarah, a physiotherapist, all of whom are here in Court to celebrate with you today. Your Honour and your wife Bronwyn share a love of overseas travel and restoring heritage listed homes; most recently a spectacular restoration of the former home of Victoria's first Attorney-General, Sir William Stawell, with a garden worthy of a cover spread in a glossy magazine.

I join with your friends and colleagues in congratulating you on this appointment.

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.