

has received appointments as a member of the Council of the Sydney College of Advanced Education, visiting professor of law at the University of New South Wales, adjunct professor at the Sydney University Faculty of Economics and adjunct professor of law at the University of Technology. He has also been deputy chairman of the NSW Law Reform Commission.

In reply, his Honour referred to his experience in the executive government, stating that his five years as attorney general was gratifying both in terms of the administration of the criminal and civil justice system and the opportunity for legislative reform. His Honour said as follows:

Although the doctrine of the separation of powers might not apply *stricto sensu* to a sovereign state parliament, nonetheless the central doctrine of our liberal democracy is the independence of the courts. This requires the fearless adjudication of matters whatever might be the criticisms that come from individuals, the media or even the executive government in relation to such decisions.

It's important I think there should be an understanding knowledge and respect in the relationship between the executive government, the legislature and the courts...although some of my former colleagues in the legislature might disagree. I accept the view of the American writer Alexander Hamilton whose 1787 commentary on *The constitution of the states* referred to the judicial sphere of government as the least dangerous branch. It is a check against possible excesses of the executive and the legislature.

Justice Heydon recently quoted George Orwell in his Honour's well-publicised *Quadrant* speech on 'Defence of traditional legal institutions'. I would only enter those controversies with great trepidation but I do venture to refer to the English historian EP Thompson who when referring to some of our old legal terms said that the rule of law is an unqualified human good and supported institutions which have proved to be flexible, capable of modification through centuries of conflict and after protracted studies of reform.

The Honourable William Henric Nicholas QC

On 5 February 2003 Henric Nicholas QC was sworn in as a judge of the Supreme Court.

His Honour was welcomed to the court by Murray Tobias QC, speaking on behalf of the Bar. Tobias QC, in an address which has been noted for its comprehensiveness, recounted that his Honour was educated at the Kings School and Sydney University. He was articled to Major General John Broadbent at what was then Stephen Jaques and Stephen. His admission as a solicitor was moved by Mr R P Meagher as his Honour then was. After taking a working passage on a cargo ship to Europe, his job being to paint the hull, his Honour worked as research assistant for the International Commission of Jurists in Geneva. Upon return to Australia, his Honour was an employed solicitor before being admitted to the Bar in October 1966. His Honour evidently spent much of his reading year improving his knowledge of classic novels and foreign cinema. His Honour joined 6 Selborne Chambers in 1971 and rapidly developed a leading practice in defamation.

His Honour had two terms as an assistant commissioner of the Independent Commission Against Corruption and served as a member of the Legal Profession Disciplinary Tribunal and later the Legal Services Division of the Administrative Decisions Tribunal. He was a member of the Bar Association's Arbitrator Panel and a member of the Bar Council. His Honour also served as a director of Counsels Chambers Limited and participated in the Bar Association's Olympic Pro Bono Scheme.

Outside the law his Honour was chairman of the NSW Publications Classifications Board and a trustee of the Centennial Park Trust. In the area of the arts he served as a director of the Sydney Theatre Company, chairman of the Eleanor Darke Foundation/Veruna Writers Centre and a director of the Blake Society for Religious Art. He is currently chairman of the Kimberley Foundation of Australia which promotes research into ancient Aboriginal rock art in the Kimberley region. His Honour has

been for many years a councillor of the Royal Agricultural Society of NSW and a commercial breeder of cattle.

His Honour follows his paternal grandfather Harold Sprent Nicholas to the Bench. H S Nicholas was chief judge in equity.

On behalf of the Bar, Murray Tobias QC warmly welcomed his appointment, saying:

Your Honour has already made a significant contribution to the law and to a large number of other fields of endeavour and to numerous community causes. Your great experience as a jury trial and appellate advocate and your undoubted energy, work ethic and legal skills coupled with your wide experience of the world and life in general can only result in your Honour being a judge of great distinction exhibiting all the wisdom, humility, judgment and common sense and not unimportantly courtesy and humour which your family, friends and colleagues have come to expect from you...

My wife asked me whether she could read this speech in one of its earlier drafts. Having done so, her only criticism which was somewhat devastating was that she thought it read like an obituary. I prefer to think of it as the profession's version of 'This is your life', albeit without the feigned surprised and sudden cameo appearances of long lost and usually forgotten relatives and acquaintances. And indeed, what a full and productive life it has been...

Your Honour now seeks to further that life and continue your effort in public service by commencing a new and exciting phase of your career. You do so with the warmest best wishes of your friends and floor colleagues in particular and the Bar in general.