

Opponents were always a rather annoying feature of life at the bar. The tactics they employed of course varied markedly. One tactic that sticks in my mind was used in a large commercial case in which I was led by a silk. The silk decided to allow me to do the cross-examination of the expert witness to be called by the other side. I prepared assiduously for what was for me a very big occasion. I made endless notes which laid out my opening gambit, and covered all the permutations and combinations of answers that might arise from it. The big moment finally arrived. When the senior silk on the other side completed his examination-in-chief and sat down, I rose with all the gravitas I could muster, ready or so I thought, to launch into my penetrating opening questions.

I think it was whilst I was giving the witness the requisite preliminary steely glare that panic first set in. My hands were groping for my notes. My eyes had to leave the witness to conduct a frantic search for the notes which were nowhere to be found. It was only after catching sight out of the corner of my eye of the smile on my opponent's face – and it seems he was not known as 'the smiler' for nothing – that I realised that a little shove here and there from him had sent the notes into a completely obscured position behind the lectern.

This setback to the cross-examination was followed about half an hour later by another. After what I thought was a reasonably effective

start to the cross-examination, the court adjourned for its mid-morning break. Counsel trooped into the judge's chambers for morning tea. No sooner had we sat down than the judge, referring to the witness I had just started to cross-examine, said to us all, as if there could not possibly be any disagreement, 'Well, she really is a very impressive witness, isn't she?'

His Honour paid particular tribute to members of the Eleventh Floor Wentworth / Selborne, where he had chambers for 31 of his 32 years at the bar, and to his friend of long standing, Rein J, a friendship commencing when as a solicitor Rein J briefed Macfarlan JA in the early 1980s, flourishing when Rein J read with his Honour on admission and continuing since. His Honour said

As a former pupil of mine, Justice Rein will no doubt have been pleased to note when my commission of appointment to the Supreme Court was read a little while ago that he was recorded as being senior to me. As his former pupil master it will however be my duty to point out to him that that seniority only lasted the few seconds it took the principal registrar to read out the following commission of my appointment to the Court of Appeal.

The Hon Justice Julie Ward



On 29 September 2008 the Honourable Julie Kathryn Ward was sworn in as a judge of the Supreme Court of New South Wales.

Her Honour was educated at Newcastle Girls High School; in keeping with a record rich with academic achievement her Honour graduated dux of her year in 1976.

Her Honour then studied arts at the University of Sydney, before graduating in law in 1982, with first class honours and the university medal. Her Honour spent the first year after graduation as associate to Sir Nigel Bowen, the first chief justice of the Federal Court. Her Honour then resumed worked at Mallesons Stephen Jaques – having previously been employed by that firm as a summer clerk.

Two years later her Honour travelled to Oxford, where she completed a two year BCL course in one year, graduating with first class honours.

Her Honour then returned to Mallesons. In 1988 she became the firm's youngest ever partner.

Over the next 20 years her Honour built a formidable and well deserved reputation. The chief justice in his opening remarks noted:

You have for several decades been one of the most senior litigation solicitors in this state.

Bathurst QC, senior vice-president of the New South Wales Bar Association, remarked:

Your Honour quickly developed a justified reputation as one of the outstanding litigators in this city if not in the whole country.

Mr H Macken, president of the Law Society of New South Wales said:

Your Honour is an outstanding litigator and widely regarded as one of the most eminent commercial lawyers in the country. Your sharp legal mind has helped make New South Wales the centre of commercial litigation in the Asia-Pacific region.

In his address Bathurst QC was able to speak from personal experience of working with her Honour:

It was always a pleasure to be briefed by your Honour. This was not, I hasten to add, merely because of your insistence on a good bottle of champagne at the conclusion of any case, but rather for the fact that any brief delivered by you was always meticulously prepared, precisely identified the issues and contained a clear summary of the arguments both for and, equally important, against your client's position. Your Honour's expectation of barristers was not unreasonable. You expected that they had read the brief, formed a view and were prepared to debate the contrary proposition. No doubt your Honour will expect the same of those who appear before you in court, and I'm sure you will not be disappointed.

The president of the Law Society spoke immediately after Bathurst QC, and his remarks had a poetic touch:

From time to time we are lucky enough to experience days of miraculous wonder, days where the sun could not possibly shine more brightly or the blossoms on the trees appear more vibrant, days when the air we breathe is pure, unadulterated oxygen. Today is one of those days; a golden day and a red letter day for the profession.

We delight in high achievement and success of our members. We rejoice when the courts secure the best of the best to adjudicate disputes. We have confidence when we have reasons to be confident. Today all of those things have come to pass for the solicitors of this state.

District Court appointments

His Honour Judge Michael King SC was sworn in on 17 June 2008.

His Honour was called to the bar in September 1976, and commenced practice from 9th Floor Frederick Jordan Chambers, reading with Jeffrey Miles, later the chief judge of the Supreme Court of the Australian Capital Territory. His Honour joined Forbes Chambers on its establishment in 1989. His Honour was appointed senior counsel in 2006.

His Honour practised principally in the criminal jurisdiction, both prosecuting and defending, and appeared at numerous commissions of inquiry, as counsel assisting and for witnesses, including the ICAC inquiries into the unauthorised release of confidential information, the Public Employment Office, the Department of Corrective Services, the inquiry in respect of 'Relationships between certain Strathfield councillors and developers' and the Wood Royal Commission. At his Honour's swearing in, the president of the Bar Association noted his Honour's reputation as a thorough and skilful trial advocate and for mastery of the details of his cases.

Her Honour took up theme of the solicitors' branch of the profession in her own speech, referring to the importance of that branch contributing to judicial office:

I think it is important for the continuing strength and depth of the solicitors' branch that solicitors can aspire to judicial office. I see the advantage of appointments from the ranks of those who practised as solicitors as lying in the different perspective they bring to the court. Having practised law perhaps somewhat closer to the coalface than members of the bar, they have an understanding of the commercial context in which transactions are conducted and in which disputes arise. They also have a real understanding of the difficulties of preparing cases for court and which can be encountered in meeting those always so reasonable court deadlines.

Her Honour thanked many who she said had helped or guided her over the years: her parents, David and Elaine Ward, and parents-in-law; her sister and nieces; professional mentors including Sir Nigel Bowen; her colleagues past and present at Mallesons, including their very skilled and supportive secretarial staff; and in particular her husband Bruce and children David and Hilary.

