

TRANSCRIPT OF SPEECH DELIVERED BY:

1. Chief Justice Warren

AT A GATHERING IN THE COURT OF APPEAL

on

MONDAY 30 JULY 2012

of

BARRISTERS, SOLICITORS, LAW OFFICIALS AND OTHERS

TO FAREWELL THE HONOURABLE JUSTICE HANSEN

UPON HIS RETIREMENT FROM THE BENCH

WARREN CJ:

I acknowledge the presence at the Bar table this afternoon of the Chairman of the Victorian Bar, Ms Melanie Sloss, and the Senior Vice Chairman of the Bar, Ms Fiona McLeod. I am most grateful for their attendance this afternoon, together with other counsel.

It is an auspicious occasion as this marks the last occasion on which my dear colleague, his Honour Justice Hansen, sits as a member of the Supreme Court and as a member of the Court of Appeal. It is indeed an auspicious occasion and indeed a very sad one.

I should make some remarks about his Honour as his Honour has, in his usual modest way, declined to have a public farewell. Of course that means that the Chairman is saved having to prepare a speech and I anticipate it would have been a very warm but long speech.

I will speak briefly.

His Honour has been engaged in the legal profession since his articles commenced 46 years ago. He had a very successful career at the Victorian Bar and was appointed Queen's Counsel in 1984. He was a Senior Vice Chairman of the Victorian Bar and acquitted himself with extraordinary distinction. He was a great contributor to the Bar at all times. Indeed, he held very significant positions including Chairman of the Bar Ethics Committee. He was also Chair of the Dispute Resolution Committee and other ad hoc committees throughout his time as a member of the Bar.

His Honour was appointed to the Supreme Court on 6 April 1994. He subsequently came to be appointed to the Court of Appeal on 19 July 2010. His Honour has sat in

all jurisdictions during this distinguished 18 years on the Supreme Court.

During his time in the Trial Division, he was the judge in charge of the commercial list, later the state taxation appeals list and also the corporations list. In those days the lists were very large and his Honour is one of the few judges in the Court to have endured for an extensive tenure – a period of over three years at running the commercial list and at times also the corporations list. I can personally vouch for the fact that is a significant feat.

Immediately prior to his Honour's appointment to the Court of Appeal, he was the Principal Judge of the Commercial and Equity Division of the Court. As Chief Justice, I was most grateful for his Honour's active leadership as he took the Division to greater heights.

His Honour has also been a great contributor outside the Court. He was a member of the Clinical Ethics Committee of Melbourne Health from 1998. He is also former Chair of the Syllabus Advisory Committee of the Judicial College Of Victoria.

His Honour's judgments have always been referred to and regarded as correct and judgments to be closely considered. Indeed, the High Court of Australia, in *Farah Constructions Pty Ltd v Say-Dee Pty Ltd*, rarely, for a trial judge, acknowledged his Honour's commercial judgment in *Koorootang Nominees Pty Ltd v Australia & New Zealand Banking Group Ltd*. The Court was constituted by the Chief Justice Gleeson and Justices Gummow, Callinan, Heydon and Crennan. An unusual feat, as I say.

It is indeed a very sad occasion. Justice Hansen

has been an extraordinary contributor to the Court as he was at the Victorian Bar. He is a colleague who is greatly respected and very much cherished. He will be missed greatly. It is a privilege to sit with his Honour on the occasion of his last sitting in the Supreme Court.

Finally, I observe that in the course of this afternoon, his Honour is wearing the distinctive garments of the black robe. I have to say, as a commercial colleague, I think that is most apposite.

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