

undermined or disparaged, in any way. The warm congratulations of my colleagues in the Federal Court on the news of my intended appointment made me reflect, not only on the quality of their friendship, but also on that respect and comity between the courts of the different polities of the federation. I am deeply appreciative of their friendship, congratulations and graciousness.

I have also been warmly welcomed by my new colleagues, most of whom I have known the whole of my professional life. I am also very appreciative of that warm welcome. I am looking forward enormously to working with them, to returning to some of the work from which I hewed a living as a barrister and to coming to grips with new areas. It will be a big change and a big challenge – but I am looking forward to it very much. One matter of great sadness to me, however, is not being able to compare notes about life on the Court of Appeal with my former master solicitor Kim Santow.

On joining what he described as one of the ‘most respected intermediate courts of appeal in the common law world’, Justice Allsop observed that:

The statistics as to the Court of Appeal workload given last Friday at the farewell of Keith Mason illuminate the important role of this court in the administration of justice in Australia. I admit to doing some mental arithmetic when the throughput figures of the Court

of Appeal and Court of Criminal Appeal were mentioned until, as I looked around, and recalled the terms of the letter that I had written to the governor-general, I realised that it was probably too late to be concerned about the precise arithmetical answer I was seeking. I would find out soon enough.

I am conscious of the magnitude of the task before me to follow in the footsteps of the seven former presidents of the Court of Appeal. In particular, I am conscious of the responsibility in following such a truly great judge and scholar as Keith Mason. He is a great loss to the judicial system, but, academe’s equivalent gain. I had the good fortune to be his junior when he was solicitor general for New South Wales on a number of occasions before 1994. Sitting as a junior at the bar table, knowing the argument and being proximate to the court and the telepathic lines of communication from bench to bar, one is able to judge the skill of the appellate advocate and the respect in which he or she is held by the court. It is probably the best place to assess such matters. The deep respect and fixed and unswerving attention that his sophisticated, but clear and simply-expressed submissions always attracted from the High Court bench made me admire enormously his outstanding intellect and skill. That admiration has increased many fold in reading his work since 1997, being the work of one of the finest appellate judges ever to have graced the bench of any Australian court.

Recent appointments to the District Court

There were three new appointments to the District Court of New South Wales in the first half of this year.

The appointment of Judge Paul Lakatos SC was announced late last year, and his Honour was sworn in on 4 February 2008.

His Honour had a diverse practice, appearing before disciplinary tribunals, the Industrial Relations Commission and including coronial and ICAC inquiries, inquests and Police Integrity Commission hearings. He served as counsel assisting coronial investigations, including the inquests into a police shooting at Tumut and two fatalities at Macquarie Fields and, with Johnson J (until his Honour’s appointment) represented the ACT Government during the Bushfire Inquiry. His Honour had worked with Johnson J in the Public Solicitors Office, along with Howie and Johnson JJ, Murrell and Payne DCJJ, and many other senior and junior counsel.

Their Honours Judges Leonard Levy SC and Michael Elkaim SC were both sworn in on 15 May 2008.

His Honour Judge Levy SC had practised at the Bar for over 30 years, specialising in medical, criminal and disciplinary cases, and appearing

in a number of significant cases of cerebral palsy litigation. In addition to his successful practice, he had served as a director of Counsel’s Chambers Limited, and had made a significant contribution to the profession through his involvement in Bar Association committees and various Supreme Court consultative committees for Practice Note development. In addition, his Honour was a member of the British Royal Society of Medicine and a member of the Editorial Advisory Board for the journal, *Clinical Risk*.

His Honour Judge Elkaim SC began practising at the Bar in June 1980. He had graduated in Law at the University of Rhodesia and then studied, amongst other things, air and space law at London University, graduating as a master of laws. One of his Honour’s first major briefs was in the Advance Airlines of Australia Inquiry, as a result of his knowledge of air law. His Honour’s practice more recently was mostly in common law, including significant appellate work. In his speech at their Honours’ swearing in, the attorney general noted that his Honour Judge Elkaim SC was known as an advocate whose easy-going charm could disarm unsuspecting witnesses during cross examination, to such devastating affect that an allegedly injured plaintiff would happily admit they’d never hurt themselves at all, and then thank him for asking.