

Lawyers Association.

Her Honour of course, whilst serving the public and the profession, managed to find time to conduct a busy practice at the Bar as well as relaxing by running appallingly long distances. Some of the cases in which her Honour appeared include *Shevill v Builders Licensing Board*, *Attorney-General of NSW v Quinn*, *Kartinyeri v The Commonwealth*, and *ASIC v DB Management*. Her Honour also appeared as counsel and acted as an assistant commissioner in several ICAC inquiries and inquiries concerning the Thredbo Land Slip and the Glebe Morgue.

Her Honour's presidency of the New South Wales Bar Association coincided with what the current president described as a 'much less happy episode in the history of the Bar, over the rehabilitation of which your Honour ably presided'. That is, the publicity surrounding taxation and other offences of barristers. Walker SC went on to say:

I can speak for the Attorney General ... when I say that it was your Honour's role in rapidly denouncing that which should be denounced, with respect to the failure to honour their civic obligations in relation to taxation of certain members of the Bar, that led both to the rapid governmental, and later parliamentary and continuously professional response of a highly principled and, I know, painful kind over which your Honour so capably presided. The Bar will owe you a particular debt of gratitude into many years to come for the way in which you dealt with that extremely unhappy episode.

Walker SC ended his address by expressing the not uncommon view that her Honour's appointment to the Court of Appeal is 'not a culmination, but a beginning'.

In reply, Justice McColl began by acknowledging the Eora people, the traditional owners of the land on which the Supreme Court is located. Her Honour noted the opportunities afforded her by a 'vigorous, egalitarian democracy operating under the rule of law' which provided public education and scholarships at both secondary and tertiary levels.

As one would expect, Justice McColl had much to reflect upon after twenty years of service on Bar Council. Particular mention was made of the positive work done by the Bar Association's Equal Opportunity

Committee to promote real opportunity for women barristers, as well as the establishment of the Indigenous Barristers' Trust, the Mum Shirl Fund. However, her Honour used the occasion to call for more efforts to redress the unequal participation of women and Indigenous Australians in the legal profession.

In respect of the impact which her decision to accept appointment to the Bench would have on the gender imbalance at the Bar, Justice McColl concluded her speech by noting that:

after 23 years at the Bar, the time had come to give something back to the community which has given me so much. The appropriate way to do that was to move to the engine room of the administration of justice. I was acutely conscious that there was a tension on the one hand between the belief held by many...that the Bar needs women leaders and, on the other, the belief that the profession was well served by women accepting judicial office. These tensions were not easily resolved. They and other matters were the subject of much soul searching on my part. I will leave it to others to decide whether I made the correct decision.

The Honourable Justice Paul Stein

A farewell ceremony for Justice Stein was held in the Supreme Court on 11 April 2003 on the occasion of his retirement as a judge of the court. His Honour had a lengthy, varied and successful practice prior to his appointment to the Land and Environment Court and then the Court of Appeal. This included roles with the NSW Anti-Discrimination Board and as deputy ombudsman. His Honour took silk in August 1981. His Honour appeared in the trial conducted in 1972 of those accused of the murder of Mr Emmanuel, the district commissioner at Rabaul, a trial which was a very significant event having regard to the political and constitutional issues concerning the relationship between Australia and New Guinea at that time. There is an account of these matters in the Bar's history *No mere mouthpiece*.

His Honour was instrumental in the setting up of Forbes Chambers and the later transfer to Macquarie Street of Frederick Jordan Chambers.

Walker SC in speaking for the Bar on this occasion concluded his remarks with the following:

Finally, in relation to your demeanour on the Bench, a submission that cannot ever be made except on an occasion like this. Your Honour is most noticeable for a combination of penetration, humour and gentleness. It is not to be thought that the first and third referred to were in any way in conflict with each other, or contrary to each other because, like Mahoney J of the Court of Appeal, the quietest comment could be the most devastating. It was highly significant for counsel always to recall that, in what I would call the nicest possible way, the somewhat ironic comment your Honour would insist on inserting from time to time into ... discussions, the mildest inquiry as to how this might assist in the adjudicating ... of what some might recall are the merits of disputes.

It is your Honour's great capacity with courtesy, skill and ability to mediate which the Bar will long remember and which it appreciates as an example to your present and future colleagues and successors.