

The Hon Justice Cliff Hoeben AM RFD



Cliff Hoeben AM SC RFD was sworn in as a judge of the Supreme Court on 16 August 2004 to universal acclaim. As the chief justice said on that occasion, 'your appointment comes about after a long and distinguished career at the highest levels of the Bar and a significant element of community service in various areas of activities, particularly in the military.'

His Honour matriculated from Riverview as dux of the school in 1964, and then graduated from Sydney University with a Bachelor of Arts degree with first-class honours in ancient Greek and Latin in 1968 and a Bachelor of Laws degree with honours in 1972. He was later awarded a Master of Laws degree from Sydney with honours in 1984.

He has had a very distinguished career not merely in the day to day practice of the law but also in terms of his public service. He was a member of the New South Wales Bar Council from 1991 to 1995. In terms of military service, he enlisted in the Sydney University Regiment in January 1965 and earned a commission in May 1967. He rose to the rank of major-general, commander of the Second Division, Australian Army Reserve and was awarded the Sword of Honour in qualifying for promotion to lieutenant-colonel. From 1993 to 1997, he was the commander of the 8th Brigade, and in charge of deployment of reservists to East Timor and of the army security for the 2000 Olympics in Sydney. He richly deserved his award of an AM in the military division.

Speaking at his swearing in ceremony, Ian Harrison SC said:

You have had a wide and successful practice from [1976] until approximately 12.30pm last Friday. Your areas of practice revolved predominantly around medical and professional negligence and personal injury litigation. Your interests and skills, however, extended your practice into areas much wider than that. I seem to recall my first case against you many years ago was a Family Provision Act matter in the Equity Division. I remember being very

confused when you kept asking me whether or not 'owner/driver' was admitted.

You are known as a prodigious worker. You have for years churned out detailed and readable advices in a timely way for almost every insurance company or plaintiff's solicitor in New South Wales. You are the only man or woman I have ever met who understood and could explain s151Z of the Workers Compensation Act.

You had an extensive appellate practice, more particularly so in recent years. You were well regarded in that year for your no-nonsense advocacy and commonsense approach. The eleventh floor has been the beneficiary of a series of briefs in unheard appeals which your Honour's appointment forced you reluctantly to relinquish. It would have to be said that your Honour had a reputation as a man who formed a very close relationship with any brief that came into your room. The biggest obstacle in getting you here today was to convince you to loosen your vice-like grip on anything which looked vaguely likely to produce a fee note. Your Honour has a reputation for financial prudence, something which the Scots describe as 'canny'. I have heard members of the eleventh floor use other words as well. Bartley SC wondered this morning how many other swearings-in your Honour was attending today.

Army life has strongly influenced you for the whole of your adult life. As far as I am aware, even to this day, you still get your hair cut by an army barber. But then I probably should have mentioned that under the heading 'canny'. Your daughter told me that your army career even influenced the way you spoke. She reminded me that one time you were travelling in Europe with her, in France, and she asked you what a *bidet* was and you had no hesitation in telling her that it was two days before D-day.

For a long time your Honour wore a moustache. This was generally thought to be the reason for your popularity amongst Greek solicitors. You shaved it when it started to turn white. A white moustache would immediately have qualified you for appointment to the District Court.