

As is often the case at swearing-in ceremonies, the attorney general referred to his Honour's sporting interests. The attorney said:

You can speak knowledgeably about most sports, but true to your Scots heritage, you have a particular passion for golf. I am not sure why. You openly admit to being the worst golfer at two separate clubs. When I first heard this, I assumed your Honour was being humble, or 'umble. I doublechecked with your colleagues, you were not lying.

You have been a member and then chair of the Bar Association's Common Law Committee for a number of years. In your time, you have drafted numerous submissions to government, proposing changes to the Workers Compensation Act, Motor Accidents Compensation Act and Civil Liability Act. Your colleagues on the committee describe you as a charming man and a fine lawyer. They praise your calm manner and strong work ethic. You have even been known to take a complex

query on common law while putting on the 15th green. That might help explain your golf game.

Justice Campbell responded to the speeches, which he said were 'a testament to the ingenuity of the profession'. He concluded:

I am conscious that today I join one of the world's great legal institutions. It is great not only because of its nearly 200 years of continuous service in the administration of justice and maintenance of the rule of law in our free and democratic society; it is also a great institution because of the accomplishment, scholarship, and conscientiousness of the men and women who constitute it. Contemplating my new colleagues I confess to feeling a little hesitant about my ability to measure up to the high standard which they each set in their service to the people of New South Wales. In accordance with the oaths I have taken today, may I assure you all that for the whole term of my appointment I will strive to emulate their example.

The Hon Justice Richard Button

Justice Button was sworn in as a judge of the Supreme Court of New South Wales on 12 June 2012.

Richard Button SC was sworn in as a judge of the Supreme Court on 12 June 2012, following a distinguished career as a public defender.

His Honour was born in Sydney in 1961. He received his school education at Eastwood Public School and then at Barker College at Hornsby. By the time he had completed school, he already had, along with Latin and ancient history, a firm interest in the criminal law. Button J enrolled in the combined Arts and Law course at the University of Sydney in 1979.

Button J pursued a wide range of interests during his time at university, the first three years of which were spent on campus as a student at Wesley College. Theatre was one such interest. His Honour directed a mostly acclaimed production at Wesley of Alex Buzo's *Rooted*, and appeared as Moon in a student production of *The Real Inspector Hound*. Sporting interests were more off the field than on, particularly following a mild concussion suffered whilst playing rugby for Wesley in a match which, although his debut, proved also to be his swansong. In particular, Button J was an early supporter in Australia of American Football. He was a regular diner at a Mexican restaurant in Chatswood (which he referred to as 'The Gridiron Restaurant'), the

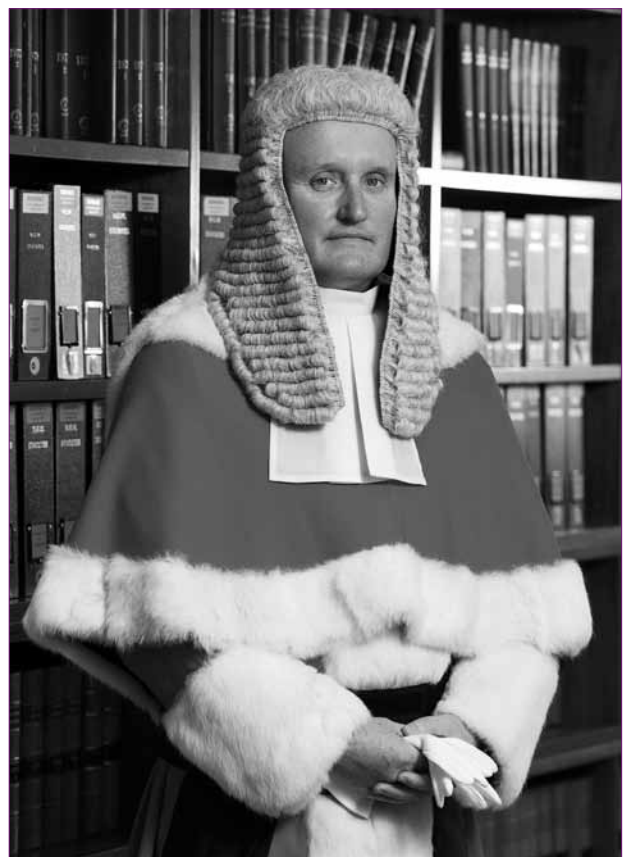


Photo: Courtesy of the Supreme Court of NSW.

owner of which screened NFL games in a back room for other like-minded devotees.

After graduating from the university, Button J was admitted as a solicitor in 1984. His first job was in commercial litigation, working in the Legal Department of the State Bank (then located at 1 Oxford Street, Whitlam Square – the same building in which the public defenders are now located). After 18 months at the bank, his Honour moved into his chosen field of criminal law, as a solicitor employed by Legal Aid NSW. His three years at Legal Aid proved to be an excellent preparation for the bar.

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There was ample opportunity to instruct defence counsel of the highest calibre (including Virginia Bell), and soon enough the chance to personally conduct a jury trial presented itself when the counsel briefed announced, some ten minutes before the trial was to commence, that he could not go on. Before too long, Button J decided that he would go to the bar.

His Honour was admitted as a barrister in 1989. He read with Winston Terracini. There was a variety of work at first, often last minute briefs not only in criminal matters but also family and workers compensation cases, and occasionally small commercial matters. During his remarks at the swearing-in, his Honour recalled one such matter. It was:

some sort of costs argument in the Supreme Court. I prepared myself as best I could, and then at Court met my opponent for the usual pre-hearing discussion. He was obviously an experienced commercial solicitor, and knew a great deal about the matter. I felt that in our discussion I gave a good impression and acquitted myself rather well. As we sat down together, waiting for our matter to be called on, I glanced over as he was making a file note. I could not help noticing that it read: 'Button for the Defendant. Knows nothing of the matter'. To add insult to injury, I do not believe that I was ever paid for my sterling performance.

Button J was appointed as a public defender in 1991

and remained in that office until his appointment as a judge. His Honour spoke fondly of his time there:

Little needs to be said about how happy and fulfilled I was at the Public Defenders – the fact that I stayed there for 21 years speaks for itself. The work is difficult and stressful but very rewarding, the esprit de corps is very high, and the support staff are excellent. The Public Defenders Chambers is an institution with a storied past, a notable present, and a glittering future. It has been my privilege to be a small part of all that.

Button J has the distinction of being the first serving public defender to be appointed to the Supreme Court.

From 1996 until 1998 Button J was seconded as a director of the Criminal Law Review Division within the NSW Attorney General's Department. In this position he had close involvement in various issues of law reform, including the Model Criminal Code project where His Honour had the chance to work with a number of leading judges and academics in the field. His Honour has also served on a number of committees, and has been a representative of the senior public defender on the DNA Review Panel.

After his return to the public defenders, Button J built a reputation as an accomplished advocate, who effectively combined a deep understanding of the principles of the law with thorough preparation of the case at hand. As Bernie Coles QC, speaking on behalf of the bar, succinctly put it:

Your Honour is one of the most highly respected and accomplished practitioners at the New South Wales Bar. You have extensive experience in all aspects of conducting criminal cases. There can be no doubt that your Honour's appointment is an excellent one and the bar congratulates you.

His Honour took silk in 2005, and in 2010 was appointed one of two deputy senior public defenders.

Over the years, Button J conducted a great many trials including murder trials and a very lengthy terrorism trial in the Supreme Court at Parramatta (which His Honour described as undoubtedly the highlight of his career as an advocate), as well as sentence hearings, and countless appeals in the Court of Criminal Appeal.

His recreational interests include sailing, swimming, jazz and dancing, and American Football.

By Rowan Darke