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THE JUDGES
OF THE
SUPREME COURT OF TASMANIA
DURING THE PERIOD COMPRISED IN THIS VOLUME

The Hon. GUY STEPHEN MONTAGUE GREEN,
Chief Justice

The Hon. SIR GEORGE HUNTER CRAWFORD, Kt.

The Hon. FRANCIS MERVYN NEASEY

The Hon. ROBERT RICHARD NETTLEFOLD

The Hon. HENRY EDWARD COSGROVE

The Hon. MERVYN GEORGE EVERETT

ATTORNEY-GENERAL

The Hon. BRIAN KIRKWALL MILLER

SOLICITOR-GENERAL

ROGER CHRISTIE JENNINGS, Q.C.

MEMORANDA

On 11th December, 1981, at a special sitting of the Supreme Court GREEN C.J. said: This Court has been convened to honour and to say farewell to the senior judge of the Court, Sir George Crawford, who tomorrow reaches the statutory age for retirement. I would like to say how pleased we are that Sir Peter Crisp, who for some twelve years was a judicial brother of Sir George, is sitting on the bench with us today. The Governor, Sir Stanley Burbury, cannot attend today because of the conventions of his office, but he asked me to pass on his warmest good wishes to Sir George and to say how much he valued their professional relationship and his friendship and loyalty whilst Sir Stanley was Chief Justice. Unfortunately, Sir Marcus Gibson was not able to join us, but he wrote me a note and I am sure that he would not mind my repeating part of what he said in it:

> "Please accept my regretful apology and convey my congratulations to Sir George on his record tenure of office, and my personal appreciation of our friendship over the years. May his retirement be a happy one."

Nettlefold J. also very much regrets that he has commitments in the criminal jurisdiction in Launceston which have prevented him attending today. He has asked me to pass on his best wishes to Sir George on this occasion. I would like to especially thank the President of the Legislative Council, Mr Hodgman,* for recognising the importance of this occasion by his presence here today. We are also particularly pleased to see Mr R. F. Fagan,† who for so many years gave such considerable service to the law in this State, and who was Attorney-General until just before Sir George was appointed to the bench. Time will not permit me to refer to anyone else individually, but I do extend a warm welcome to everyone in this courtroom. Your presence here is a tangible demonstration of the very high regard in which Sir George is held. And how well deserved is that regard. For over forty-seven years His Honour has made a tremendous contribution to the administration and to the development of the law in this State, and in addition he has made a very considerable contribution indeed to the life of the whole Tasmanian community. The number and the diversity of the organisations and the areas of endeavour in this State which have benefited from Sir George's

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* The Hon. W. C. Hodgman, Q.C., M.L.C.
† The Hon. R. F. Fagan.

industry and his generosity with his time and experience are truly formidable. He has been either the President, the Chairman or an office bearer of the Board of the Launceston Church Grammar School, the Christ College Board, the Royal Society, the Tasmanian Historical Research Association, the Cradle Mountain-Lake St Clair National Park Board, the Royal Commonwealth Society, the Nomenclature Board, the United Services Institute, the Tasmanian Amateur Football League, Tasmanian Rostrum, and many other organisations. His Honour also served in the A.I.F. during the war with the rank of Lieutenant Colonel, and for six years was the Colonel Commandant of the Royal Regiment of Australian Artillery in Tasmania.

But of course, it is as a lawyer that we are especially recognising Sir George today. His Honour was admitted to the Bar in 1934 and conducted a very busy practice as a barrister and litigious solicitor until his appointment as a judge of the Supreme Court in 1958. A knighthood was conferred upon him in 1972. For the last ten years, he has been the senior puisne judge of this Court. When Sir Owen Dixon was asked to give his permission for the publication of his papers and speeches, which later became the book known as *Jesting Pilate*, he at first demurred, saying that his work could be found in the pages of the law reports. I think that the same could well be said of Sir George's work. The law reports are filled with examples of his Honour's learning and industry. Time and again, by careful research, he has made clear what had previously been obscure, and by intellectually rigorous analysis he has exposed inconsistencies in the law and defects in legal propositions, the validity of which had previously been accepted too casually. But of course, his Honour's contribution has never been negative, and he would always strive to resolve the inconsistencies and to overcome the defects in the law which his analysis had exposed. In short, his Honour has been a most skilled and creative exponent of the high technique of the common law, and as a result, there are not many areas of the law with which this Court deals, which have not been left clearer, more coherent or more developed as a result of his endeavours. But of course, as you all know, the work of a judge of the Supreme Court of Tasmania consists, to a very great extent, of work as a trial judge, which is not recorded in the law reports. Sir George has always displayed what I think must be the ideal combination of qualities for a trial judge—patience and understanding towards witnesses and parties, helpfulness towards counsel, a very considerable capacity indeed for assimilating and organising factual material and a wide experience of life and his fellow man.

I know that this is a public occasion, but I hope that you will forgive me if I intrude a personal note, because in three particular aspects, I would like to publicly acknowledge my own indebtedness and gratitude to Sir George. It was through a conversation which I had with his Honour, which I think he has now forgotten, whilst I was still at school, that I decided to take up the law. Some years later, I had the incomparably valuable experience of having him as my mentor and teacher whilst I served as his associate. And finally, I am deeply appreciative of the loyalty and the unobtrusive but very real support he has given to me since I have been Chief Justice. My experience of his Honour has, of course, not been unique. There would be many, many others—particularly practitioners—who would agree that it would be hard to find a more patient teacher, or a fairer, more helpful, more professional judge.

Upon his retirement, this Court will lose a great judge, and the judges will lose a valued colleague and a good friend. We say farewell with our warmest good wishes for a long and satisfying retirement, and perhaps I should add, a very happy birthday tomorrow.

R. C. Jennings Q.C., S.-G.: May it please the court, and especially your Honour. I have the honour this afternoon, at the request of the Attorney-General, to represent the Crown and to convey to you the sincere thanks, not only of all those who presently represent Her Majesty in this State, but all those who have in the past, to thank you for your twenty-four years of service as a judge of this Court. Not many in this Court today, your Honour, can claim the pleasure and privilege of having worked at the Bar with you, and if you will forgive me, I would like to just pause and recall my first memory of working with you at the Bar. Although the firm in which you were a partner was, for many years, the Launceston agent of my firm, my first clear recollection is in 1954. We argued that case for our respective clients before a Full Court, consisting of Morris C.J., Crisp and Gibson JJ. I am sure your Honour will know and recall, but for those who would like the reference, it is [1955] Tas. S.R. 19. Our arguments are reported fully by the then editor, Mr F. D. Cumbrae-Stewart. The case ended successfully, my client won with costs, and although your client had to pay the costs, you will well recall that the motion to attach him failed.

I tell that personal story, your Honour, because it was during those four days that we argued before the Full Court, and the many hours of preparation that proceeded them, when we worked together, that I first learned of your inexhaustible capacity for hard work, and your painstaking attention to every detail. These

are qualities that have remained with you throughout your years on the Bench, and they were no doubt also present during your twenty-four years at the Bar. Obviously, during that very long time, you grew in the law as it became your life.

I will always remember you also for your unbelievable patience, as his Honour the Chief Justice has said, and for your absolutely imperturbable nature. I well recall your Honour retracing a summing up after you were informed that a particular juryman had fallen asleep one hot summer's afternoon in the stuffy Burnie court.

All counsel who have appeared before you will bear witness to the fact that it has been impossible to take you by surprise. No evidence, however fanciful, no argument however obscure, no outrageous proposition by enthusiastic counsel was capable of causing you to reveal the slightest untoward emotion, whatever your feelings of disbelief, amazement or even boredom. That is a highly desirable judicial characteristic.

Although we say farewell to you as a judge, we do not forget your qualities as a man, and your contributions to the Tasmanian community. In particular, of course, your total commitment to your family and to Launceston, a city boasting a way of life of which you are so justly proud, and also your service to Tasmanian history, by no means confined to your first love, northern Tasmania, a love inherited, no doubt, from your father, the Town Clerk of Launceston.

Your active association with the Royal Society of Tasmania, the northern branch that you created in 1954, the Historical Research Association Committee and the Nomenclature Board, whether as creator, chairman, or member, bears witness to your vital interest in ensuring that our heritage and our history are preserved. You are well known, of course, for your fund of anecdotes which can be drawn on as you drive through our countryside. We trust that they are or will be well recorded. Despite all your Honour's admirable qualities, I am sure you would not wish me to be anything but objective. I am bound therefore to say that you have been known to strike fear, dismay and frustration into the hearts of some young barristers. Even old barristers have been disturbed by your Honour. However, I must plead in your defence that these occasions have never been inspired by any improper motive. No more and no less than your absolute commitment and duty to the law have moved you to the dispassionate remarks that may have produced such unfortunate reactions. I am confident this Court will enter judgment to that effect.

Indeed, recently, your Honour, one of the Crown counsel used words something like this to me: "I've loved appearing before him, because he always kept me on the lookout for the unexpected. There has never been a trial that I didn't learn something from him. His retirement must seriously diminish the satisfaction I will derive from my work in the courts." And that, I think, can be said for all Crown counsel, and indeed, many others who have been similarly assisted over the years by your Honour.

May I wish your Honour, above all, in your retirement, the stimulation of an active mind. We are all very conscious of the courage with which you have endured your decline in physical health in recent years. On behalf of the Crown, I sincerely trust that you will be spared further discomfort and that you will enjoy your life to the full for the rest of your days.

W. P. M. Zeeman: May it please the court, and especially your Honour, Crawford J. I have the honour and the pleasure to address you, Sir, on behalf of the Law Society of Tasmania, which represents all the legal practitioners practising in the State. My pleasure in being able to address you on this occasion is heightened by the fact that as a practitioner who has spent the whole of his professional career in Launceston the task falls to me today to farewell you on behalf of the profession. His Honour the Chief Justice and the learned Solicitor-General have referred to your Honour in various ways as a teacher, a teacher of the law, and if I may be permitted to say this afternoon something that some practitioners present in this courtroom today will have heard me say privately, that what little I have learned about the law, your Honour has taught me more than anybody else, and I say that sincerely as a practitioner, probably practising before your Honour more than any of the other judges of the court, in Launceston. And I thank you for that, and I think it is an experience that many other practitioners have had. Your Honour has had the capacity for analysis, of statutory construction, you have led counsel along, you have taught counsel, in particular, junior counsel. I do not forget the first occasion I appeared before your Honour some twelve or thirteen years ago —your Honour will have forgotten about it, therefore I will not remind your Honour of it. It involved the question of construction of the Real Property Act, which I knew very little about. Your Honour, on behalf of the legal profession in this State, I wish you a long and happy retirement. I thank you for the service which you have given to the law in this State, both as a practitioner and as a judge of this Court for more than twenty-three years. On behalf of the profession, I wish you well.

D. J. Bugg: It is indeed a pleasure to address this honourable Court on behalf of the Tasmanian Bar Association, and your Honour, whilst I say a pleasure, I am also mindful of the sadness of an occasion which finds us appearing before you for the last time. Your Honour has, since your admission to the Bar in 1934, had a warm and close association with all members of the Bar in this State. Your own practice at the Bar commenced before the Second World War. In that war you served your country with distinction, rising to the rank of Lieutenant Colonel. On your return to Tasmania, your practice at the Bar flourished and the distinction you achieved in that practice resulted in your appointment to this Bench twenty-three years ago. Your Honour, an occasion such as this evokes feelings of sadness and disappointment; you are retiring from the active administration of justice in this State and therefore from your involvement with us as legal practitioners. The occasion should therefore not pass without some lighter reflection. You have, as a resident of Launceston, been closely involved with the encouragement and development of the Bar in that city. Indeed, as a judge, rumour has it you have always kept something in reserve for the profession in Launceston. I must admit that I myself was rather sceptical of these rumours until I had the privilege of appearing before you as Crown Counsel for a criminal sittings. Your Honour may understand that I was a little surprised, when in one trial you knew in detail the scene of the crime, an obscure and disused bush track. Your Honour explained that you had bush-walked in the area. My surprise turned to amazement when, in the next trial, you displayed a working knowledge of the deaf and dumb alphabet, with the accused who suffered the unfortunate affliction of being deaf and dumb. At this point in time, I realised the rumours were well-founded. You obviously did keep something in reserve for the profession in Launceston. But your Honour, neither you nor I, with my new-found realisation, were prepared for what was to follow. At 4.00 p.m. that afternoon, as your tipstaff called us to our feet to close your court, with the familiar words "Oyez, Oyez, Oyez", his following invocation "God save the Judge and his Honour the Queen" brought a wry smile to your face, and completed for me, a rather illuminating visit to Launceston. Your Honour, there are occasions which are considered lighter moments within the practice of the law, but I know that I speak for all who practise in this profession, when I say that your approach to counsel appearing before you has always been one which has ultimately helped and encouraged them. We remember you for your conscientious discharge of your duties, your refusal to allow your standards to drop, and your

fearless pursuit of the law as you saw it to be. We wish you a happy and fulfilling retirement.

CRAWFORD J. Your Honour the Chief Justice, your Honours, members of the Bar, other members of the profession, and ladies and gentlemen. I thank your Honour the Chief Justice, Mr Solicitor, Mr Zeeman and Mr Bugg for what you have said about me. I must say it rather surprised me. Many memories are awakened, of course. I have just lived my own life, and if I have helped, I am honoured to have done so. I do thank you for what you said of me. A judge, of course, when he sits, cannot permit anyone to thank him. Several times, counsel have said, "Thank you, your Honour"—it seems to be creeping in—I might say a bit more, that a judge cannot accept thanks. He is just performing his duty, and if counsel thanks him perhaps the party on the other side might think he has got a favour. However, today is a special occasion and I have humanly responded very much, I can tell you, to what has been said of me today, and I do hope that I have earned what was said.

It is twenty-three years, one month, and one day ago when, alone, and feeling rather strange, I was, according to the custom of the court, taking my seat in the old court in Macquarie Street. I was welcomed there by the legal profession. It doesn't seem very long ago, of course. However, today, the custom is different. Our custom is, when a judge is retiring, he must not be allowed to feel lonely and he is accompanied on the Bench as I am today and I am so glad to see so many with me. I am honoured very much by the number of you who have attended today, and it makes me feel very comfortable and warm. I can remember that I said on that occasion, very much as I said at the ceremony in Launceston a few weeks ago, one of the worthiest traditions of our profession is that the senior members of the profession help the junior ones. I am glad to know that I have helped younger members of the profession, but I was only doing what happened to me. I was very much helped by senior members of the Bar in Launceston. I had help from the late Clark J., but he had a disconcerting custom of ringing in the middle of the afternoon, or getting an associate to ring; and I might have had a client with me, and the message would be "His Honour wants to see you at once" and I was young—I used to sprint up to the court, leaving my client still sitting—and he would say to me "Look, I just want to comment on something you did today, I think you could have done it better. That's all I wanted to say to you—good afternoon." And it wasn't once! I was grateful for the help, but I do not think that I have ever done that to any of you—say I wanted to see you "at once".

In retrospect, of course, these twenty-three years have passed far more quickly than twenty-three years would have then seemed in prospect to me. For a judge, at least for me, time has slipped by almost unnoticed, as though moments, in the hours and days and weeks and years of just carrying on one's life as a lawyer and a judge. I know that means concentration, and much reference to transcripts, statutes and case law, reasoning and deciding as best one can. One does these things, of course, when one is at the Bar, and one simply carries on that sort of life when one becomes a judge. There is nothing unusual about that. I am sure that we all of us have done it as barristers or judges.

There have been great changes in the court and its ways in my time. I do not know whether you realise that from 1887 until 1951, which is some sixty-four years, this Court did with three judges. Now we have six, and as well, of course, we have a Master, which we did not have in those days, although there was one very much earlier. And one wonders what has happened. We have a Family Law Court which has taken our Matrimonial Causes work from us, and that is performed by two judges. So, we can draw the inference that if that jurisdiction were still with us, we would need eight judges. The reason, of course, is partly due to increased population, and the other, I think, is due to law reform. I am not against law reform, but that is the cause of it, and I will come back to that later.

When I was young, the judges who lived here, the three of them, used to come to Launceston by train, believe it or not, and I think that those great trunks which you see in the Supreme Court and which still carry some of the judges' robes, were bought so they could be transported by train on those journeys. The judges lost much time in travel, compared with the time now, when cars are faster, roads are faster, and it does not take long to move from here to Launceston or to Burnie. That, I think, has helped in a great saving of time.

I therefore can say to law students, whom I have been hearing over the years saying "What's going to happen to me when I am through—I will never get a job". Look, I have been hearing that for forty years, and there is always work. We are getting more and more barristers at the Bar, and as I have shown, we need more judges. The reason, I think, is largely because of law reform.

I turn to, perhaps, some of the main work which this Court has performed in my time. First, in criminal jurisdiction, I think that the most important work is that this Court, with some assistance from the High Court, and some correction from that Court, has settled most matters of criminal responsibility involved

in crimes more commonly before this Court. I say "settled" hopefully. We often say the law is settled, but only to find out later that we only thought that it was settled. Only in 1975, although I was not aware of it until last year, Parliament, in good faith of course, stirred the mud of criminal responsibility insofar as it is involved in the crime of stealing. They took their lead from the United Kingdom. You who are lawyers will remember that stealing used to be taking something or converting it, fraudulently and without claim of right; and we who were lawyers knew exactly what that meant. Well, the law reform as to that started in England; and Parliaments there and here, in Victoria and in other places, have been prevailed on to substitute for those words the word "dishonestly" in the pious hope that that would be quite clear to juries. Other crimes of dishonesty have been similarly affected. In the United Kingdom, the Court of Appeal has already changed its mind as to what "dishonestly" means—at least three times in the last few years, and the Full Court of Victoria already differs from the Supreme Court, as twice constituted by myself, as to what it means. In Victoria they have held that "dishonestly" means without claim of right —the very words which our Parliament has deleted from the Statute. Well, those who follow will no doubt sit in some Court of Criminal Appeal to come to some decision about it, but I would think that eventually it will be the High Court who is asked to answer that one. But I just give it as an example of how a simple change to a statute, which on the face of it seems to be a good reform, leads to much difficulty, much work for the Bar, much more employment for young law students later and more judges.

In its civil jurisdiction I think that the most important work which this Court has done, with some assistance from Parliament in changing the *Supreme Court Civil Procedure Act* 1932, and some from the High Court, which, I might say, has once changed its mind on the subject, has settled the nature of civil appeals, from a single judge to a Full Court of this Court, and of appeals to a single judge from the Master and of most appeals from inferior courts and statutory tribunals to this Court. I hope that they are settled now. It seems so to me but my prophecy will probably not be borne out. These years have been marked by the increasing proportion of the court's time required to resolve the meaning of our statute law, Tasmanian and Commonwealth law. Casting around for the statute which has in proportion to its length occupied most time of the courts—more time of the courts than any other, I would nominate the *Road Safety (Alcohol and Drugs) Act*, 1970 and its predecessors. I think if we had an annual legal show, judged by barristers, they would give it the

blue ribbon, and a valuable cash prize! However, we have got another statute which has been "showing" for very much longer, and it is very steady in its performance. That is the *Workers' Compensation Act*, which, I think, first was passed by our Parliament before 1910, has been amended many times, and is still quite frequently coming before our courts. There is great encouragement to the young lawyer or the young law student today that there is plenty of work lying ahead.

The procedure in civil actions has been altered, notably by the introduction of pre-trial procedure. Practising members of the profession may have found that the procedure has saved time and expense. If it has led to more settlements than before, it has more than justified itself—you would know whether this is so or not. To me, however, as a judge taking cases in court, I have not been able to observe that the procedure has brought any improvement or less delay in the conduct of trials, which has been a disappointment to me. I cannot recall—there may be some—but I cannot recall any civil trial, except of running-down cases, where the pleadings at the beginning of the trial were sufficient to set out the issues which the parties really want to have determined. This, of course, has led on many cases to adjournments, and adjournments even for days, then further adjournments upon further amendments. In recent times, the only duty—and this is for many years now—the only duty which I have been asked to perform under that procedure is to make orders that actions may be set down for trial despite the failure of one solicitor to sign a certificate of readiness. A judge may, on such application, hold a pre-trial conference forthwith —but that has seemed to me to be futile. If one solicitor does not attend, how can one ever help to suggest amendments to pleadings so that they will show the issues which will be determined by the trial judge or by a jury? It seems to me that no improvement in the standard of pleadings or in the proper application of the pre-trial procedure can be expected unless the court has available to it sanctions to enforce the delivery of amended pleadings which will raise all the issues which the parties really want to raise.

One feature in my time has been the great increase in the number of instances where this Court or a judge is called on to exercise a discretion. The jurisdiction to exercise a discretion has been extended very much. Some of those discretions have been conferred on the court by statute law, for example, those relating to extensions of time for commencing action, taking a step in an action or giving a notice, and those conferred on the court by new statutes such as the *Costs in Criminal Cases Act*

1976 and the *Appeal Costs Fund Act* 1968. There are many others. Many additions to the *Evidence Act* 1910 in the last twenty-five years, which have provided the conditions of admissibility of different kinds of evidence, principally documentary, have provided for the overall exercise of judicial discretion: and this of course occupies considerable time. In addition, the law relating to the exercise of the discretion to refuse the admission of evidence in criminal cases, although otherwise inadmissible, has been greatly extended and refined by judge-made law. All these matters have had an effect on the amount of time required from this Court.

I should also comment on another matter which has struck me, very many times, and that is that, in many cases, counsel have not sought to apply provisions of the *Evidence Act* 1910 added in the last twenty years or so. This may have been intentional. It may have been through a lack of awareness of the existence of the provisions. It may have been that the complexity of the provisions overwhelmed them—they have almost overwhelmed me at times. It could well have been that they have considered that the complexity of the provisions will, if they are invoked, occupy such time and cause such expense that the use of those provisions did not justify it.

I have seen great changes in the nature of the work, as I have pointed out already, the Matrimonial Causes jurisdiction has left us, increased jurisdiction has been given to the courts of petty sessions, and to the courts of requests. In my young days, the jurisdiction of the court of requests in Hobart was ten pounds. Appeals by way of actual rehearing from courts of petty sessions are almost unheard of now in this Court, and, of course, there are not so many trials of actions arising from car accidents because of the statutory tribunal which assesses compensation.

All those changes occurred almost at the same time, and I first thought that we would need fewer judges—I can remember commenting thus to his Honour the Chief Justice. But I soon knew otherwise. Twenty years ago at a criminal sittings here in Hobart, or in Launceston, and I have my book of news cuttings to satisfy me that this is so, there would have been as many defendants unrepresented as those represented by counsel. It was not uncommon to dispose of three or even four criminal trials in a week—and this was so when I was first a judge. Now it is rare to find an unrepresented defendant before the court, and criminal trials are taking very much longer than formerly.

Well, that is a matter of law reform, of course. I am not saying that legal aid is a bad thing, it is a matter of social justice,

but it makes us reflect that all new social improvement costs money and takes further time.

It must remain a matter of community judgment helped by opinions of our profession as to whether any particular reform is worthwhile. Every time a statute is passed increasing the statutory jurisdiction of any court, more time, of course, is required from that court.

A change in human habits can add to the work of the court —the result of human weakness, some would have it, the desire for pleasure, perverse as most would have it, and human greed have led to a traffic in, and greatly increased use of, dangerous drugs, and have vastly increased the work of courts of petty sessions and of this Court.

I mentioned how judges used to travel by train, and I think I should tell you—I have travelled as a judge once by train. I had been a judge only, perhaps, three months. I came to Hobart by plane from the mainland. I had no car, so I enquired how a judge should travel to Launceston. I was told by train. So a clerk from the registry came to see me—it was Mr Eaton who has recently retired as District Registrar in Launceston. He said, "Your Honour, you go down to the station—I have arranged it through the tourist bureau—you just give your name to the clerk in the ticket box, he will give you your ticket—you will get your reserved seat, and you will be shown to it, and everything will be in order." So I walked down in plenty of good time, but I had to wait at the ticket box for about 20 minutes, trying to find out what had happened. I said to the man on duty behind the opening in the box, "My name is Crawford, I am a judge of the Supreme Court—Mr Justice Crawford—I have been told that there is a seat reserved for me and a ticket available for me to go home to Launceston tonight." The man said, "OO?" I repeated it, and he fingered through a lot of papers and said, "Never 'eard of you, mate." I said, "What am I to do?" He said, "Tell me, who arranged it?" and I said, "The registry of the Supreme Court, they told me it was done through the Tourist Bureau." "Oh," he said, "bloody fool you for booking through that bureau. You thoroughly deserve what you've got." I said, "What am I going to do?" He said, "You pay like everyone else and claim it back from the Government." Well, by this time, the train was just about to go, and I was shown to a seat—it was unreserved, of course, and off we went. Well, I had three very cheerful young men sitting next to me in the train—they went as far as Campania, which was perhaps just as well. They had two gladstone bags full of beer—it was a very hot night and they kept offering me a drink. If I had not been a judge I would have been accepting

it. But, nobly I said no, and they got noisier and noisier, of course, but they did not trouble me. Perhaps it was just as well that they did get out at Campania.

Well, with that story I shall come to a conclusion. I am very grateful, again, for what has been said of me today. I am very grateful to all of you for having come—there are so many of you—I am surprised and overwhelmed.

My life in the law has been an interesting life. While I was in practice it was sometimes an exciting life—I have told some of my stories about that and I will not repeat them here. I did miss that excitement for the first two or three years on the Bench, but one soon forgets that and settles down to the sedate life that one must lead as a judge. The only excitement I can remember was about ten or twelve years ago, when I was sitting in the Macquarie Street Court. In the middle of the morning a message came in that a bomb had been planted in the building and that I should see that all people were removed. We all managed to vacate the court with no loss of dignity, and after about half an hour, the word came that it was a hoax and we got back to work. So life on the Bench has been steady and unexciting, but I have made many good friends while at the Bar and while on the Bench, I am glad to say, particularly among young people. I am very grateful to members of the profession much younger than myself, who have often come to me and talked to me. It means a lot to a judge, I can tell you.

I have been associated on the Bench with men of great integrity, high ideals and great learning, considerate and helpful, yet independent in their judgments as they must be. My association with them all has been for me, pleasant, stimulating and fulfilling. I am very grateful for the consideration which I have had in times of need from the former Chief Justice, now his Excellency the Governor, and from his Honour the present Chief Justice. I am grateful for the assistance which I have had from those of you who have practised before me, and from your predecessors. Without that assistance, of course, a judge who works under our system cannot remain independent, remain neutral through the trial, and finally come to his decision after he has heard everything to be said on each side. He cannot perform his work properly to the satisfaction of the public unless barristers do their work properly.

I have been fortunate in my associates—of course there have been twenty-three—one unfortunately died while he had a scholarship in England; that was Stewart Burbury. Two others did not persevere with the law, but all the others have. They have all been different personalities, but all pleasant people, and I have

been very glad to have had them with me. Many, of course, have advanced far beyond the humble station of associate. One has spoken today. I know you cannot all be Chief Justices, you cannot all be presidents of a political party in Tasmania, you cannot all be magistrates, and speaking of one associate, you cannot even marry someone who is about to become a judge. You cannot even, in the course of twelve months, I should think, become engaged, married and pregnant. I had nothing to do with that! I hope she is here today.

I have been very fortunate in the staff in the judges' chambers, here and in Launceston. They have been very considerate, understanding and helpful. I have been very fortunate in all the registrars of the three registries in my time, and the staff of the registries who have been very friendly, helpful and co-operative. They could not have done more when I needed help.

I am very grateful to the members of my family who have with patience cared for me and kept me alive and in comfort, understanding my occupation and, I might say, my pre-occupation at times. But they have removed me from the isolation from humanity in which judges may easily find themselves.

I do thank you for sparing some thought and time for me today. I do not think that I can conclude more aptly than I did when I was speaking in Launceston, by saying that I accept without question, like litigants before this Court must do, the law of the State, including the law which requires my retirement tomorrow, after which my word, which for twenty-three years has been, at least temporarily, the law, no longer will be.

On 12th December, 1981, SIR GEORGE HUNTER CRAWFORD, Kt., retired from his office as a judge of the Supreme Court.