

**Speech by the President of the Australian Bar Association
Matthew Howard SC on the occasion of the welcome for
the Hon. Justice Steward to the High Court of Australia
1 February 2021**

May it please the Court.

It is my privilege to appear on behalf of the Australian Bar to add its welcome to your Honour following your appointment as a Justice of this Court.

The Australian Bar Association acknowledges the relationship between the land on which barristers work around our country and the First Nations' people of Australia. I pay my respect to their Elders, past, present and emerging.

The appointment of any Judge, but especially the appointment of a Justice to this Court, is a significant event in the life of our society.

We are fortunate in Australia that appointments to this Court are rarely controversial and do not provoke the political convulsions we see in some other places.

May I suggest respectfully, that is the product of the respect and acceptance which this Court has from the society it serves and from the Executive which appoints. It is also a product of the unquestionable calibre of appointments made, including your Honour's.

It is three years to the day that your Honour was welcomed to the Federal Court.

At that time, it was observed that your Honour's conspicuous abilities as a leading silk and your personal qualities augured well for the successful discharge of your new calling.

Those high expectations were more than met. Those same abilities and qualities, now tested in the Federal Court, have brought us to this significant occasion.

The Welcome by the Bar three years ago spoke to your Honour's intellect and ability as a lawyer which was evident from the beginning.

In your chosen field you were the junior of choice before taking silk after only 10 years at the Bar.

As a silk your standing saw you briefed in many of the most significant revenue cases both in the Full Federal Court and in this Court.

Your Honour was Chair of the Victorian Tax Bar and it was a sign of your international standing that when you organised the specialist tax stream for the ABA's international conference, your Honour was able to attract the most senior experts from around the world to speak.

Your Honour found taxation work fascinating. I have it on good authority that your Honour is so talented a public speaker that other people have also been led to think that the area is interesting.

In addition to the description of your outstanding abilities, what was also notable from the Welcome three years ago was your colleagues' deep affection and admiration for you. That has been more than obvious from the reaction of the profession across the board to your Honour's appointment.

Your Honour has been appointed to fill the seat left vacant by the retirement of Justice Nettle; whom I acknowledge is present in the Court today.

He, in turn, had filled the seat on the retirement of the Hon Susan Crennan QC. So your Honour, to put it in the vernacular, has: "Big shoes to fill".

A friend of yours, whom I will not name, has suggested to me that I might remark on the similarities you share with your immediate predecessor - although, on review, it appeared to me that the suggested similarities may need some qualifications.

Firstly, it was said that you both love English cars: your predecessor loves working on them and has a pit in his garage – your Honour likes driving them.

Your predecessor loves ocean sailing – your Honour apparently, has a sailing jacket and has been in a trailer sailboat.

Your predecessor has run marathons and your Honour, it was suggested, may have seen one once.

Nonetheless, the Bar expresses its confidence that your Honour will fill those judicial shoes.

Events around the world have emphasised both the importance and fragility of institutions.

Your Honour is motivated by duty and service. You have a profound respect for institutions and their preservation for the benefit of the society they serve.

Your Honour brings your immense abilities and learning to the performance of that service and to the enhancement of the strength of this Court, as one of the great institutions of this country.

The Bar congratulates your Honour, again, on your appointment and very much looks forward to appearing before your Honour in this Court.

May it please the Court.