
Ceremonial Sitting of the High Court of Australia to mark the swearing in of the Honourable James Joshua Edelman as a Justice of the High Court of Australia,

30 January 2017.

Speech by Patrick O'Sullivan QC,
President, Australian Bar Association

May it please the Court.

On behalf of all the Australian Bars, I rise to welcome Your Honour and to offer the Bar's warmest congratulations on your appointment as a Justice of the High Court.

I too, acknowledge the traditional owners of the land on which we meet and pay my respects to their elders past and present.

Your Honour's appointment is a reflection not just of your dedication to the study of the law, but also of your exceptional capabilities, both in practice and on the bench.

Outstanding educational qualifications and scholarly output

As we have heard, Your Honour brings a breadth of academic knowledge to the Court.

Your Honour's continued academic output is impressive having outnumbered your numerous books, book chapters and scholarly articles over a range of topics. During

your Doctorate, Your Honour was editor of the *Oxford University Commonwealth Law Journal* of which you are now a patron.

A remarkable legal and judicial career with esteemed mentors

Your Honour's achievements as a legal scholar are rivalled by your accomplishments as a practitioner and as a judge.

You have expressed that during the period of your associateship to Justice Toohey, you found him be a wonderful teacher who treated you as an equal. You have shared that he remained a mentor and a confidant for the next two decades.

As we have heard, so too, Malcolm McCusker QC was another mentor with whom you appeared as junior counsel in this court and with whom you discussed and debated many cases during your years in practice.

Your Honour has expressed admiration for the long working hours and commitment shown by various mentors and of other judges. In a Selden Society lecture given by Your Honour in December 2015 on Lord Bingham, you noted that His Lordship embodied many of the virtues of a truly great judge including his work ethic, his brilliance, and the respect he afforded to his colleagues. These are qualities which you have also demonstrated in each facet of your career: in academia, in practice and in your judicial offices.

Your Honour's own mentorship of students and a commitment to teaching law

Your Honour has on many occasions credited senior figures as scholarly and professional influences and you have filled this role for others particularly in your capacity as a teacher.

Your Honour has relished teaching. You have spoken warmly of the example of Peter Birks who even in a class of fifty students could make each individual feel directly engaged.

Your Honour's teaching has been recognised. One of the Excellence in Teaching Awards from Oxford, was in recognition of your work as Faculty Mooting Officer during which time you sought to introduce moot court competitions into the skills program.

Through teaching, you remained connected to developments in legal education and legal training. Your Honour has urged that Law schools should resist specialisation and focus on teaching students how to think about law. Specialised knowledge, you suggest, can come from personal research.

Your Honour has excelled in academia, practice and the judiciary. Your Honour's appointment is rightly seen as a natural progression in an outstanding career.

Bringing the finest judicial qualities to the High Court

When you were sworn in as a Justice of the Federal Court, Chief Justice James Allsop remarked that during your time in the Supreme Court you had exhibited, and I

quote, 'the finest judicial qualities of a practical, fair, patient and efficient judge'. Your Honour, of course, brings these qualities with you to the High Court.

On behalf of the Australian Bars, once again, I extend the Bars' warmest congratulations on your appointment and wish you well in the years to come.

May it please the Court.