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THE SUPREME COURT OF

WESTERN AUSTRALIA

WELCOME TO THE HONOURABLE JUSTICE LEMONIS

FULL BENCH

TRANSCRIPT OF PROCEEDINGS

AT PERTH ON THURSDAY, 3 AUGUST 2023, AT 4.17 PM

**QUINLAN CJ:** The court sits this afternoon to welcome the Honourable Justice Stephen Lemonis as a judge of the court. In doing so we acknowledge the traditional custodians of the lands on which the court sits this afternoon, the Whadjuk people of the Noongar nation, and pay our respects to their elders past and present.

We warmly welcome members of his Honour Justice Lemonis' family who are here. His mother Annie Lemonis, his sister Catherine Stapleton, her husband Brad, and their son Jonathan, and his Honour's sister Claire, and her sons Lachlan and Cooper.

We also welcome the many other distinguished guests here this afternoon, including the Honourable Justice Katrina Banks-Smith of the Federal Court of Australia, his Honour Judge Hylton Quail, President of the Children's Court of Western Australia, a great many of our judicial brothers and sisters from the District Court of Western Australia, Deputy Chief Magistrate Libby Woods, Director of Public Prosecutions Mr Robert Owen, State counsel Mr Alan Sefton SC, Director of Higher Courts Mr Michael Celenza, and Acting Executive Manager of the Supreme Court Ms Racquel Flores, together with many past members of this and other courts, Justice Lemonis' friends and invited guests.

Finally, I welcome those who will address the court this afternoon, Mr Joshua Thomson SC, Solicitor-General of Western Australia, Ms Paula Wilkinson, Senior Vice President of the Law Society of Western Australia, and Mr Brahma Dharmananda SC, President of the WA Bar Association.

Justice Lemonis' appointment fills a vacancy in the court arising from the retirement of Justice Kenneth Martin. Unfortunately, the Honourable Ken Martin KC could not be here this afternoon due to illness, but in his absence, I take this opportunity on behalf of the court to publicly acknowledge and thank him for his dedicated service as a judge of the court for over 14 years.

Justice Lemonis' appointment not only fills a vacancy, of course, it created one. Specifically, a vacancy in the District Court where his Honour served as a judge with great distinction for over four years. It is especially fitting then that we are joined by so many judges of the District Court, both past and present, and trust that notwithstanding that our gain represents a loss to that court, his Honour's appointment to this court serves to strengthen the bonds of collegiate respect and affection that exists between our two courts.

Your Honour comes to this court not only with a reputation as a fine judge in both the criminal and civil jurisdictions of our higher courts, but with decades of legal experience and expertise, particularly in commercial litigation, regulatory investigations, and white-collar crime up to and including your practice as Lemonis and Tantiprasut, the firm that you established with Mintie Tantiprasut from which bears your name still.

Your Honour's early influences in the law, and those with whom you honed your considerable legal skills included a number of the most conspicuous and larger than life personalities in the law in this State that have been produced in recent decades. Your Honour was articled to the late R W Bob Richardson. You spent many years working with Martin Bennett at the first iteration of Bennett + Co, and you worked closely with - on a great number of important cases with Grant Donaldson SC.

Richardson, Bennett and Donaldson SC were all practitioners from whose example and generosity your Honour could, and no doubt did learn a great deal about rigorous and precise legal analysis, and creative problem-solving of difficult legal issues. None of them it must be said could be described as unassuming characters. For the source of your Honour's self-effacing and gentle personality, we must perhaps look elsewhere, and to your Honour's legal pedigree which stretches back over 80 years.

Your Honour's late father, John Lemonis, who has been described as one of the real gentlemen of the profession was admitted to practice in this State on 20 May 1941. I fossicked around the central office today, and I managed to find his signature on the role of practitioners which I can give you a copy of now, your Honour. He appears as number 523 on the role of practitioners, only two positions down I noticed after a young Francis Burt, number 521.

John Lemonis' admission to this court marked an important milestone for the law in Western Australia. He was the first Greek Australian to be admitted to the legal profession in Western Australia as a barrister and solicitor of this court. His own father had emigrated to Australia in 1900 from Kastellorizo. That small Greek island in the Levantine Sea, which is significantly smaller than Rottnest Island, and much closer to Turkey than Rottnest Island is to Fremantle, but whose descendants have had an enormous and undoubtedly disproportionate impact on the life and culture of Western Australia over many generations.

Your Honour's appointment to this court marks then another important chapter in that remarkable story of achievement. As the son of the first Greek Australian lawyer in Western Australia, your Honour is now the first Greek Australian to be appointed as a judge of its Supreme Court. It is therefore fortuitous that having been evicted from court 4.2 at the David Malcolm Justice Centre on account of certain dynastic litigation, we sit this evening in court 1 in which your Honour's father signed the roll of practitioners in 1941, in which he moved your own admission in December 1989, and which your Honour is now welcomed as a judge of this court.

Justice Lemonis, to paraphrase the great Greek poet Constantine P. Cavafy, as one long prepared and graced with courage, and is as right for you who proved so worthy of this appointment, the judges of the Court extend our warmest welcome as you join us in our work. We look forward to the years ahead as you continue your contribution to the administration of justice in this State, and we give you our assurance that you will always have the support of the members of the Court, the registrars at the court, the court staff, and the extended community of the court. Yes, Mr Solicitor.

**THOMSON, MR:** May it please the court. I would like to pay my respects to the traditional owners, the Whadjuk people of the Noongar nation, their elders past, present, and emerging. It is my privilege to appear here today on behalf of the State of Western Australia to welcome the Honourable Justice Stephen Lemonis to the Supreme Court of Western Australia. At the same time, I would like to convey the apologies of the Attorney General who would have liked to have been present, but who had an urgent engagement arise. I extend also a warm welcome to all of your Honour's family and friends who are here with us today, and I would also like to adopt the acknowledgement by your Honour Chief Justice Quinlan of the distinguished guests who were welcomed here this afternoon.

Your Honour Justice Lemonis was appointed to be a District Court Judge approximately four and a half years ago. In that time, your Honour has carried out the full spectrum of the work of that court, from technical civil cases to lengthy criminal trials. I am informed that your Honour has become a well-respected judicial officer within that court. That is a reputation which is rightly deserved.

On my investigation of the judicial record, there have only been a limited number of appeals against decisions of

your Honour, something in the order of less than 10. That itself demonstrates that your Honour's judgments are accepted by the parties who receive them mostly without contest. This shows that your Honour's common sense and sound decisions are recognised by the parties themselves, even the losing parties. Furthermore, so far as I can discover only two of the appeals have been successful. One concerned a matter of complicated statutory construction on which minds might reasonably differ. The other appeal went all the way to the High Court and ended up with a majority of three judges against your decision, and two in favour. Again, it is obviously a matter where reasonable minds might, and did differ.

So I might say that your remarkably clean record stands as a testament to the general acceptance of your Honour's wisdom. Your Honour will now be moving on to a different mode of judicial service. I am rather tempted to say that it may be a more contemplative role than being a District Court judge. However, your Honour will be particularly well suited to the new cases you will be hearing.

Prior to your Honour's appointment to the District Court, your Honour conducted a heavy practice in the Supreme and Federal Courts in commercial and regulatory cases. So in a sense, your Honour will be returning to your old haunts, but now as a judge rather than as a practitioner. If I might suggest, though, your Honour will have picked up invaluable experience as a District Court judge. Your Honour will now be able to turn with equal dexterity to both the criminal and civil work of the Supreme Court. Your Honour's appointment therefore represents a valuable addition to the complement of judges in the general division of the Supreme Court.

I should mention that your contemporaries in the District Court recognised your Honour as a steady and reliable judge who became a go-to person for more junior judges to consult for advice. I am told that they sought you out because of your logical way of approaching a problem. Your willingness to assist others simply reflects your dedication to the service of the law which your Honour brings to all aspects of your judicial work.

While I am certain that the District Court will feel the loss of your Honour's friendship, I am sure that you will bring the same level of collegiality to the Supreme Court. These qualities mark your Honour as possessing the necessary attributes for a successful judicial office. Indeed, in 2015, the Australian Institute of Judicial

Administration published a variety of suggested criteria for judicial appointment. These criteria are divided into five categories: intellectual capacity, authority and communication skills; efficiency; leadership and management skills; ability to understand and deal fairly; and personal qualities.

Applying those comprehensive criteria, your Honour is clearly well qualified to undertake the task of the Supreme Court judge. In particular, from my own personal knowledge, there is no doubt in your acknowledged intellectual capacity, your ability to deal fairly, and your obvious personal qualities. On behalf of the State of Western Australia and the legal community, I would like to thank your Honour for being willing to serve in this new capacity, and I would like to wish you all the best in the discharge of your judicial duties. May it please the court.

**QUINLAN CJ:** Thank you Mr Solicitor. Yes, Ms Wilkinson.

**WILKINSON, MS:** May it please the court. The Law Society joins in acknowledging the traditional owners of the lands on which we meet, the Whadjuk people of the Noongar nation. On the Society's behalf I pay respect to the elders, past and present. It is a great privilege to be here today representing the legal profession and the Law Society of Western Australia to welcome your Honour to the bench of this honourable court. I congratulate and extend a warm welcome to your Honour's family who are present here today, your mother Annie, your sisters Claire and Catherine, your brother-in-law Brad, and your three nephews Johnathan, Lachlan and Cooper.

I also acknowledge your Honour's friends and colleagues present here today, distinguished guests, and members of the judiciary. And we are here today, of course, to celebrate another remarkable lined milestone in the legal career of your Honour, noting that you were appointed as a judge of the District Court in February 2019 after a very long and successful career in private practice.

And I am very grateful to your Honour for meeting me for a coffee and a chat last week. It helped enormously. Writing a speech like this requires a moderate amount of personal knowledge, but our paths crossed only once during our careers when we were both very young lawyers, and that was during the execution of the Anton Piller order. Not the greatest circumstance in which to get to know a person acting for the opposition.

At this moment, I pause to reflect on your admission to this honourable court. This occurred in 1989 in the very room that we are meeting today. As his Honour observed, your father moved for your admission, but it was actually here in this room, and I'm certain your Honour will be thinking about that today.

Your father is remembered as a highly skilled practitioner, and a true gentleman of the legal profession of his times. He was also, as his Honour observed, the first Greek Australian lawyer in Western Australia, and no doubt would be very proud if he was here today. Your father was born in Kastellorizo. A famous, if not fabled island, and it has to be said, and was discussed before you came into the room, that you are the son of a Kazzi, and you have never been there.

Your Honour, bearing in mind your many achievements in your legal career, and your father's background, and his influence on you, it is worth mentioning that you were not actually attracted to the law when you first finished school. Your Honour initially enrolled in a commerce degree at the University of Western Australia, and what led you into commerce was your love of mathematics.

Commerce cannot have been entirely satisfying, because you found your way into the study of law, and it may well be that the combination of law and mathematics helped you gain a competitive edge in your career. The stereotype about lawyers disliking maths is widely held, including by lawyers like me, but the disciplines of the law and mathematics are more closely connected than many lawyers realise.

There is plentiful academic research about the connection between legal and mathematical reasoning. I admire anyone who can merely glance at a long column of numbers or a complex spreadsheet and announce swiftly and confidently there is something wrong with the addition, which I understand from a former colleague is a skill that you possess. Based upon my discussion with you, your Honour certainly found a place for your love of mathematics in your practice of the law.

During your years of study, like many of us, you had a job to help fund your studies. You had regular employment in the family coffee shop in the city for six or seven years working holidays and weekends. You told me that you learnt a great deal about how to work with people during the years of work in the coffee shop. You said it was an

invaluable experience which you are clearly grateful to remember.

After graduating in 1988 from the University of Western Australia, you took articles of what was Blake Dawson Waldron, now Ashurst, and you told me that thereafter you loved the practice of the law, and I believe that you have loved it and been captured by it ever since.

At this point, as has already been mentioned, I must mention a person who was a significant influence in the very early days of your legal career. This was of course Bob Richardson, who was a partner at Blake Dawson Waldron, and you were his articled clerk. You told me you learned a great deal from Bob, including thoroughness and attention to detail, and the critical importance of the ethical obligations of lawyers amongst many other things. I did not know him, and the small amount of research I have done suggests he was an exceptional lawyer, and I know from our conversation that you were very grateful for his guidance as his articled clerk. You commented during your District Court ceremonial sitting that you knew you were on the right track with him. He had invited you into his office, and there was a can of VB on the desk waiting for you.

In addition to your years in the law in Perth, your Honour was later admitted as solicitor of the Supreme Court of New South Wales and worked as a solicitor in Sydney from 1997 to 2001, when you returned to Western Australia to become a partner of Bennett + Co from 2001 to 2003. Your Honour then became a partner of your own firm, Fairweather & Lemonis from 2003 to 2010, and then in 2010 you entered the new partnership with Mintie Tantiprasut in a new firm Lemonis & Tantiprasut, and your Honour remained with that firm until you were appointed to the bench of the District Court in 2019. Mintie very kindly spoke with me about her years in practice with you. She met you when she was a couple of years post-admission, and you and she developed a great working relationship which lasted for 17 years.

Your Honour was known to your colleagues in private practice, including Mintie, as a careful and patient practitioner, willing to hear other points of view, and never strident in professional interactions. You were known for getting on well with the opposition and known for your meticulous preparation, your wide and extensive knowledge of the law, and a tremendous work ethic. You were also known to be unassuming and approachable, and family is very important to you.

Mintie told me that you were a brilliant mentor. She said that you were always giving her a soft nudge when it was needed, but more importantly, giving her confidence in herself and her abilities. She said, this is a direct quote from her:

Steve is so nice. These are words which I have heard repeated to me over and over for nearly 20 years, but that is because it is true. Justice Lemonis is patient, kind, and empathetic. He carries his qualities into his practice of law, showing empathy to his clients when they've found themselves in trouble, and everyone he dealt with in practice.

It sounds from my discussions that your years with her in practice were very congenial and mutually supportive. She told me a couple of really nice anecdotes which I thought I would repeat today. She told me about an occasion when you dropped everything on the go at the office to carry out urgent research for her whilst she was in court. During a trial, Mintie and senior counsel had been asked what she described as "an interesting question" by former Chief Justice Martin.

A quick message on the iPad and his Honour was told, "My researcher tells me that" and there were broad smiles all around because his Honour knew the identity of the researcher. Your Honour is convinced that the plural term "researchers" was used to describe you in court, but I'm told that this is denied.

In another example, she described many social interactions between both your families and regular food deliveries by Mintie's mother to the office for a chosen few, including you. The days of food drops came to end when you moved to District Court. As Mintie said you were no longer on the list. I don't expect that Mintie's mum will be making food drops of your favourite non-spicy pineapple pad thai to the Supreme Court either.

In relation to your years in practice as a solicitor, you told me that to this day you have not forgotten all the pressures, demands and challenges which come with being a solicitor in private practice and that you intend to obtain and be informed by those memories. That would be very good news to your fellow solicitors.

On another personal matter, in addition to what Mintie was able to tell me, you confirmed at your ceremonial sitting at the District Court in 2019 that your Honour is a great fan of indie music and a longstanding attendee of

Splendour in the Grass festivals in New South Wales. Your Honour has a great love of independent music and a strong disdain of commercial music. On one occasion at a Splendour festival, you were mistaken by some younger festival goers for an undercover policeman. I didn't hear anything more about that. I'm not able to provide any more details of it, but it sounded fascinating.

Your Honour, you have an extensive and diverse experience as a barrister and solicitor at the amalgam of crime and civil litigation in the District Court, the Supreme Court of Western Australia, and District Courts of both Queensland and New South Wales, and in the Federal Court and in the High Court of Australia.

Your Honour was well recognised in Doyle's Guide as a leading lawyer in Australia in the area of white-collar crime, regulatory investigations and corporate crime. You appeared as counsel for parties to be examined under an external administration and bankruptcy administration, and in examinations conducted by the Australian Securities and Investments Commission, and the Australian Prudential Regulation Authority and the Australian Taxation Office.

Your Honour dealt with matters arising from the collapse of financial institutions, the giving of false and misleading evidence, to defamation trials. You had without doubt a long and distinguished career where you amalgamated the two - the divide between the practices of criminal and civil law.

And might I suggest that such was suggested that it is no wonder that you came to the attention of the Attorney and others, and that you find yourself here. As was said by Mr McIntyre SC, the former President of the Law Society of Western Australia, when he welcomed you as a judge in the District Court in 2019, it would be difficult to find a match for your Honour's breadth and depth of experience across all of these practice areas which make your Honour exceedingly well suited to judicial office.

It is to the benefit of the community of Western Australia that such a knowledgeable and successful practitioner has now been elevated to the bench. As your Honour embarks on this new chapter in your judicial journey, your Honour does so with the support and admiration of your peers, colleagues and the legal profession. And on behalf of the Law Society and the legal profession of Western Australia, I extend my warmest congratulations to your Honour, and I wish your Honour all the very best for the many years to come as you continue to serve the community

and the administration of justice as a judge of this court. May it please the court.

**QUINLAN CJ:** Thank you, Ms Wilkinson. Yes, Mr Dharmananda.

**DHARMANANDA, MR:** May it please the court. May I also acknowledge the traditional owners of the land on which we meet. On behalf of the WA Bar, it is my honour and privilege to speak at this welcome for the Honourable Justice Stephen Lemonis.

Having already served the administration of justice with merit and distinction as a judge of the District Court of Western Australia, your Honour is amply qualified to now serve the judge of this honourable court. When your Honour was appointed to the District Court you had a very strong reputation as a leading lawyer in commercial litigation, including in the areas of white-collar crime, corporate crime, regulatory investigations, and in insolvency.

May I say with the greatest of respect, having studied your Honour's written decisions in the District Court it's apparent that your Honour's approach to decision-making continued the approach you took in practice. Your Honour addressed each case with clarity, precision and flare, summarising the facts and principles, and reaching a clear and reasoned outcome. It would appear your Honour was guided by some adaptation of the Goldilocks Principle. Each judgment was neither too long, nor too short, delivered quickly with just the right touch ensuring that justice was done, and seen to be done.

From my internet searches, as the Solicitor-General has mentioned, it appears that there were very few appeals from your Honour's judgments, and the appeals were invariably dismissed save for two. That is a testament to your Honour's skill and mastery. *Callow v Peterson* 2021 was one successful appeal from any - from your Honour's judgments. The case as the solicitor has mentioned was about statutory construction. The Court of Appeal held that an action under the Fatal Accidents Act 1959 properly commenced within time by a person could be maintained for the remedial benefit of others even if they could not themselves have brought that action being out of time.

The case would appear to have been masterfully argued on appeal by Theo Lampropoulos SC, a former president of the WA Bar, and a man who is known for spreading goodwill to all of mankind. Your Honour did not have the benefit of Mr Lampropoulos's erudite submissions. The Court of Appeal

construed the relevant provisions specifically by reference to and I quote, "Occam's razor", pruning away, and I quote, "Extra legislative concepts that had been raised by the respondent", not your Honour.

The Court of Appeal's judgment was with the greatest of respect, masterful, just like your Honour's primary judgment. As Chief Justice French said in *Wurridjal v The Commonwealth* statutory construction may involve a constructional choice, but the choice of one over another does not necessarily mean the rejected choice was wrong.

In *White v Bromwich*, a 2019 decision of your Honour, your Honour dealt with an appeal where the deputy registrar had rejected an application for pre-action discovery. Your Honour allowed the appeal, explaining the legal principles with panache. The appellant's counsel was the late and wonderful Greg Pynt, to whom I pay my fond respects.

As a practitioner, your Honour had a wide-ranging practice and was much sought after for your skills, tenacity, and willingness to work tirelessly to represent your clients. Your Honour appeared as counsel, as junior counsel, or as instructing solicitor in many important or high-profile cases where the reputation or the integrity of your client was in question.

Your Honour was sought out because it was well known that if your Honour was involved nothing would be left to chance, and the client would have the best possible representation. Also, your Honour would be empathetic to your client's plight, even in the face of the client's emphatic denial of reality and risk. Your Honour was a great mentor to a number of young lawyers, and you are remembered fondly by your former partners and staff. Your Honour gets along with all and is always even-tempered. I am told that counsel looked forward to appearing before your Honour knowing that they will get a fair go.

I've had a few matters that your Honour was indirectly involved in. I've known your Honour since law school days, and we always had a good and cordial rapport, but may I say I am glad that I did not have a big case against your Honour for fear that my client would have come a distant second by force of your sheer ability and willingness to go the distance and do all the required hard work.

Your Honour was both feared and respected for your perspective and analytical approach, leaving nothing to chance. As has been mentioned, your Honour has a great aptitude for mathematics. That may explain your analytical

and precise approach. In Malcolm Gladwell's *Outliers: The Story of Success*, Gladwell explains that study after study has shown that 10,000 hours of practice is required to achieve a level of mastery in anything. Gladwell demonstrates how the need to practice applies to all, including prodigies like Wolfgang Amadeus Mozart and greats like The Beatles. One of the secrets of your Honour's success is that you have had far, far more than 10,000 hours of excellence in the practice of the art of law. Not many can catch you because you've done the time and now make legal analysis appear simple.

I'm informed your Honour loves watching soccer late into the night, is a Dockers supporter, and is a regular attendee, as has been mentioned, at the Splendour in the Grass music festival in Byron Bay. Apparently, your Honour has VIP status at the Splendour in the Grass and always is able to obtain much fought after tickets. I suspect you're getting close to the magical 10,000 hours in enjoying indie music. I'm also told you love interior design and often give advice about what would be appropriate furniture to buy. I'm not sure these skills will be needed to upgrade the furniture in your luxurious chambers at David Malcolm Centre, but time will tell.

Even though your Honour published a number of decisions in the District Court, I understand your Honour sat predominantly in the District Court's criminal jurisdiction. It would appear your Honour has the versatility and experience to be a judge both in the commercial area and in crime. No doubt that versatility is not gone - has been not unnoticed by listings and the Chief Justice. There is little doubt that your Honour will always have more than enough to do in this court.

On behalf of the WA Bar, may I congratulate your Honour again on your appointment, and wish your Honour the best in this new endeavour. May it please the court.

**QUINLAN CJ:** Thank you, Mr Dharmananda. Your Honour.

**LEMONIS J:** I join in the acknowledgement made by all of the speakers to the traditional owners of this land and wish to express also my great delight that at both this court and at the District Court my colleagues include proud and fine Indigenous people - a trend which should, and I firmly hope, will continue.

To have this welcome ceremony here in this courtroom has a special meaning for me. As has been said it was in this courtroom on 22 December 1989 that I was admitted as

a barrister and solicitor. I have many distinct memories of that day. The occasion was presided over with great theatre by the late Chief Justice Malcolm. My father proudly moved my admission standing just about where Mr Dharmananda is now sitting. And unlike the characteristically careful and precise signature of my father, my signature resembled that of a cardiogram. It certainly never crossed my mind that day that I might be sitting here.

It is an honour to have been asked to become a judge of this court, and I am grateful to the Attorney General and to the government for entrusting me with such a responsibility. It is certainly daunting. That being said, around the same time as my appointment was announced, the new Chief Executive Officer of Qantas was announced. She said that any leadership team has got to have a certain amount of paranoia about the future so I now take a sense of apprehension to be a good thing.

Thank you to the Chief Justice, the Solicitor-General, Ms Wilkinson and Mr Dharmananda for your very generous words. I also thank the Solicitor-General for not mentioning the name of the case that went to the High Court. The mere mention of that word seems to send a shiver down the spine of criminal lawyers.

It is a somewhat awkward experience to have two of these ceremonies. I mean, I am very fortunate that none of those who spoke today spoke at the first ceremony, so perhaps not put in the rather invidious position of having to reconsider what they might have said back then.

Sometimes it's said that the importance of these types of ceremonies is for the community to understand the type of person who is appointed as a judge. I do have my doubts as to how far that thinking can be taken. As is invariably the case, the portrayal of a judge on this occasion is incredibly flattering, but I think life tells us that how someone has dealt with the challenges they have confronted is just as important as their successes. Also my own experience so far has been that a judge must constantly change and adapt to the shifting landscapes before them, which brings me then to the District Court.

It is responsible for administering justice in relation to the vast majority of serious offences committed or alleged to have been committed in this state. The work is fulfilling. Also criminal trials can be edge of the seat stuff, not quite knowing what is going to happen next.

Some of those who come before the court are inspirational, courageously trying to overcome the challenges that life, usually unfairly, has thrown at them.

The work though is unrelenting, often confronting and at times judges, their staff and the lawyers are exposed to material that can only be described as horrendous. The Chief Justice of New South Wales recently said that it takes strength to be a judge but also recognise that such strength must be tempered. His Honour said this:

It takes strength to make difficult decisions. It takes strength to deal with the subject matter of many cases, particularly in the criminal sphere, and it takes strength to deal with the sheer volume of work before the courts but this strength must be tempered by a lived understanding of human nature, compassion, respect and empathy and informed appreciation of systemic social problems and an innate sense of fairness, both in terms of substantive outcome and the procedure by reference to which that substantive outcome is achieved.

The judges of the District Court carry out their work with strength tempered in that way. They are able to do so because of the support, both intellectual and moral, that they provide each other every day and it has certainly been a great privilege of mine to have been a part of that court for the last four and a half years. There are two judges in particular that I would like to mention who were such fantastic mentors to me.

The first has an astonishing understanding of the criminal law, which he is always happy to share. He, however, characteristically eschews any form of praise, so I will simply say thank you, Judge Bowden. The second is not quite as averse to praise and that is Judge Stephen Scott. He set such a fine example to me of what it takes to be a judge, always conducting himself in a calm, measured and pragmatic way.

There is one story I will tell. Over the Christmas period after he had retired, he was at the court to finish off a judgment. The rather formidable Judge Linda Petrusa was the Christmas period judge. It would be remiss of me not to note that as formidable as Linda is, she did once lose a carrot cake challenge with my mother. Anyway, Linda had an urgent matter that had come before her and she was speaking to Stephen about it. I just happened to be there. She had to rush off to deal with another matter and

Stephen and I kept talking about the issue. Stephen then said these words to me:

I'm going to go and find Linda because I don't think we helped her enough.

That was always his approach, as it is Linda's. It reflects the approach of the judges and staff of the District Court and, in my short time here, reflects the approach of this court's Chief Justice. There are so many people from the District Court here and I have received many messages of good luck from those that could not make it. I'm reluctant to name any more names for the fear of missing people out. I would, however, still like to mention a few people who were there when I first started as a judge and who, through their friendship and guidance, made my transition to that court so much smoother than it would otherwise have been.

Thank you to Judges Wendy Gillan, John Prior, Amanda Burrows and Laurie Levy. I've also been very lucky to have such fantastic personal staff, Carly Armstrong and Ruby Hasler, who, thankfully, after a little persuasion, both came across here with me, and also Claudia Martelli and Alissa Sbrocco, who are here, and Erin Duffy, who was my first associate. To go back in time a little, I want to touch on two topics that I spoke of at my welcome ceremony to the District Court in February 2019.

The first was the importance that young and emerging lawyers are given opportunities and support so that they may develop into fine senior practitioners such as those at the bar table today. At the District Court, I was regularly impressed by the skill and preparation shown by many young lawyers, whether prosecuting or defending. Just as importantly, they also showed an innate sense of fairness and a developed sense of the society that we live in.

To use a football analogy perhaps not that applicable in Western Australia at the moment, both the prosecution and the defence bar have very good lists. It is critically important that list management keeps as many of those outstanding lawyers in the profession and gives them every opportunity to develop into fine senior practitioners. I had many outstanding opportunities as a lawyer. I started at Blake Dawson Waldron, working under Bob Richardson, who believed fiercely in the availability of justice for the vulnerable and in the rule of law.

He became and remained a great friend up until his death. I have in my chambers a painting which he did of an Indigenous man, which looks over my desk with a piercing glare, reminding me of those principles. Grant Donaldson was another person whose influence has been significant, not only getting me involved in many significant cases over the years but also regularly, to this day, reminding me of the importance of clear concise thinking and writing.

After I left Blakes, I spent many years at Bennett & Co and then in Sydney before finally establishing my own firms, first with Tony Fairweather and then with Mintie Tantiprasut. The hallmark of all of those firms was they were places of great comradery. A particular feature of the firm with Mintie was our ability to each take on many complex matters yet still retain the feel of what felt like a small family business.

The second topic I want to touch on is what I then called "the grumpy conversation," which is whether - or on the pessimistic front - when I would get grumpy as a judge. I said my goal was that everyone should walk out of court feeling that they had been heard and understood and treated fairly. That remains my goal. I did not then appreciate that the role of a judge can be quite isolating nor the extent to which a judge needs to be quite reserved in their social interactions with the legal profession.

My experience has also been that judges are often treated with such deference and I did say, "often," not, "always". That there is a risk of losing an overall sense of balance. This is, of course, where family and friends come in. When I was appointed to the District Court, I sent a message telling an old school friend, who was a straight-talking farmer. His immediate response was, "Well, we're all stuffed now."

I have always been fortunate to have friends who are as supportive and straight-talking as he was. This includes Grant and Mintie, two people who, dare I say it, will never leave you any doubt as to what they're thinking yet still have your best interests at heart. There are many other friends here from university, from my time as a lawyer, former clients, close friends of my parents and friends from my time on the District Court.

It is, I must say, quite an overwhelming experience to sit here and look around this room and see so many people who have played such an important part in my life. So then to family. As you've heard, my heritage is Greek and Irish. Family is cherished. As a schoolboy, I was given

the great opportunity to work in Dad's family's coffee shops in the Hay Street Mall, which I did until I finished university. It taught me much about people, although they were much simpler days.

As you've heard, Dad's family came from the famed island of Kastellorizo, arriving here in Australia in the early 1900s. They were part of the great exodus, starting back in the late 1800s. When they left by boat for this country, so far away, I doubt very much they could have imagined that one day at the same time, in the place where they landed, the Lord Mayor, the senior judge of the District Court and a judge of this court would all have a familial link back to that island.

Mum's family came here from Ireland in the 1950s, also by boat and also with the hope of establishing a better life. The Irish have a generosity of spirit, which has always been there in Mum and in her family and which has been passed through to my sisters and my nephews. My brother-in-law has that same spirit. I'm delighted they are all here today as they were at my welcome at the District Court. They are all very different people but, if you ever need a hand, they will be the first ones there.

So I sit here now not just because of my own efforts but also because of the good fortune of the opportunities and support that have always been a part of my life, which include the great benefit of education. That good fortune is not lost on me and hopefully it would help me in fulfilling my responsibilities on this court. Thank you, Chief Justice and the other members of this court, for making me so welcome here. And thank you to everyone who has attended here today.

**QUINLAN CJ:** Thank you, Justice Lemonis. And if you ever do decide to go to Kastellorizo, I'm reliably informed that at least one senior counsel and one very senior judge of the District Court will provide accommodation free of charge. The court will now adjourn.

AT 5.00 PM THE MATTER WAS ADJOURNED ACCORDINGLY

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