



Vale Sir Anthony Mason AC KBE GBM KC

Last night, Australia lost one of its greatest judges and public servants with the passing of Sir Anthony Mason AC KBE GBM KC just shy of his 101st birthday.

Appointed Solicitor General for the Commonwealth of Australia in 1964 at the age of 39, the same year in which he took silk after just 13 years at the Bar, he became a judge of the then fledgling New South Wales Court of Appeal in 1969 before his elevation to the High Court of Australia in 1972. He sat on that Court for 23 years, the final eight of which as Chief Justice. Following his retirement from that position in 1995 at the constitutionally mandated age of 70, he went on to serve on the Hong Kong Court of Final Appeal for a further two decades, sitting on that Court for up to three months a year both before and after the handover of Hong Kong from the United Kingdom to China. The importance of his role in that regard is not commonly appreciated. At the same time, during his "retirement", he served as Chancellor of the University of New South Wales and as Chair of the Council of the National Library of Australia as well as sitting from time to time as President of the Court of Appeal of the Solomon Islands and as an ad hoc judge on the Supreme Court of Fiji. Beyond these official duties, he maintained very close connections with the academy, especially at the UNSW, the ANU and the University of Cambridge. He was held in the highest esteem throughout the common law world which led to award of numerous honorary doctorates including the rare DCL (honoris causa) from Oxford University in 1994.

Together with Chief Justice Gageler AC, Justice Mark Leeming, and Justices Stephen McLeish and Kris Walker AM of the Victorian Court of Appeal, together with many leading barristers and academics, I had the honour and privilege of serving as one of Sir Anthony's Associates for just over a year in 1990-1991 following the completion of my undergraduate law degree. As with those other now distinguished judges, scholars and practitioners, I counted my year in Sir Anthony's chambers as one of the most important and formative of my professional life. To observe at close quarters this master judicial craftsman at the peak of his powers was an opportunity as rare as it was invaluable. To be exposed to his spirit of intellectual curiosity and genuine openness of mind even as he occupied such an exalted and important position as Chief Justice of Australia was a particular privilege. To observe pellucidly clear and coherent statements of legal principle emerge from his pen to guide the legal profession was an example to which to aspire. And to be exposed to his rapier wit coupled with his voracious appetite for discussion of the law, the legal profession, politics, sport and world affairs, maintaining a close friendship with him and the late Lady Patricia Mason, together with his other Associates, over more than three decades is something that I will both miss but always value.

A very fine Australian has left our midst but his impact and legacy will continue.

Andrew Bell AC
Chief Justice of New South Wales
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