**Speech by the Hon Justice Price AO, Chief Judge at his Honour Judge Robison’s Bench Farewell on Monday 13 March 2023.**

1. **PRICE J:** This special sitting has been convened to farewell a much admired judicial colleague, Judge Chris Robison. May I extend a very warm welcome to you all present this morning. I particularly acknowledge the presence of members of Judge Robison’s family; his wife Leonie, sons Lachlan and Callan, and Callan’spartner Danielle. I am also privileged to welcome the Chief Justice of New South Wales Andrew Bell, the President of the Court of Appeal Julie Ward and Justice Beech-Jones, the Chief Judge at common law.
2. Judge Robison, you have served the Court with distinction for 28 years. You came to the Court in 1995. At that time, Paul Keating was the Prime Minister and Bill Clinton was the President of the United States. For those present who have an interest in sport, Mark Taylor was the captain of the Australian cricket team and the Canterbury Bankstown Bulldogs won the Rugby League Premiership. Neither the *Civil Liability Act 2002* (NSW) nor the *Crimes (Sentencing Procedure) Act* *1999* (NSW) had been enacted. The challenges which these important legislative changes introduced would confront you in future years.
3. I merely mention these matters as they emphasise the length of your service to the people of NSW. Whilst I intend to focus upon your contribution to the work of the Court, I will briefly mention that you came to the Court after being a partner of the firm Ellitt and Law and after distinguished service to the Law Society of New South Wales. You were appointed a judge at a relatively young age. As a term of endearment, you were referred to by the profession as the “Boy Judge”.
4. Upon your appointment, you quickly embraced all the work of the Court. You have presided in difficult trials in the Court’s civil and criminal jurisdiction. In recent times, you have ventured into the Coal Miners’ Workers Compensation List and the Special Statutory Compensation List. Your enthusiasm for new judicial adventures was not diminished by pending retirement.
5. You have the extraordinary ability to deliver *extempore* judgments even in the most complex and hard fought cases. In my almost 9 years as Chief Judge, your name has not appeared in the Reserved Judgment List. One of your *extempore* judgments found its way to the High Court of Australia. In *Strong v Woolworths* *Limited* (2012) 246 CLR 182, which concerned the difficulty in “slipping cases” of establishing a causal connection between the absence of an adequate cleaning system and the plaintiff’s injury when it was not known when the slippery substance was deposited, the plurality (French CJ, Gummow, Crennan and Bell JJ) referred to your extempore reasons for judgment quoting at [11] the following passage from it. You said:

“If other people could see [the grease mark] apart from the plaintiff after the event, then it begs a serious question as to why it was not seen by an employee of [Woolworths] in those particular circumstances and it should have been removed either by [Woolworths] or [Woolworths] alerting the cleaner to remove it which was entirely open to [Woolworths] to do and if that had been done the plaintiff simply would not have come to grief. I can put it no more simply than that.

So therefore [Woolworths] is guilty of negligence.”

1. Unfortunately, Woolworths appealed to the Court of Appeal. The appeal was allowed, the judgment was set aside and the proceedings were dismissed. I hasten to add that the Chief Justice and the President were not members of that Court. In the High Court, the orders of the Court of Appeal were set aside and the appeal allowed.
2. I am reliably informed that the restoration of your judgment entitled you to membership of a very exclusive club of judges, known as “CARC”, the Court of Appeal Review Club. Membership of the CARC consists of those judges who have been overturned by the Court of Appeal and restored by the High Court. The existence of this club will neither be confirmed nor denied but Justice Slattery, who is present this morning, admits to being a bronze member. I am also reliably informed that the Chief Judge in Equity is a gold member.
3. May I now mention your dedicated service to the community. You have been a member of the Rural Fire Service for many years. Your extensive background in firefighting was mentioned by the President of the Law Society when you were sworn in as a Judge. In fact, it was mentioned that you were the only member of the Court who had been rated and approved as a driver of a fire-fighting personnel carrier. Since that time, you have held senior rank with specialist training in communications and air traffic control.
4. During the terrible bushfires in 2019, judges would hang on your every word in the judges’ dining room when you predicted the catastrophes that would occur if the Gosford Mountain fire jumped the Hawkesbury River over to the upper North Shore. When you travelled on judicial visits to China, you were known by your fellow judges to inspect the fire escapes and firefighting facilities in the hotels you were staying at and relate the result of your enquiries to the rest of them, who were not so interested.
5. Your contribution to the Court cannot be properly understood without mentioning the person that you are. Your warm personality coupled with a quick intellect and willingness to listen made you the judge who your colleagues would consult when issues both judicial and personal needed to be discussed. You are a consummate gentleman. These characteristics, together with your commitment to the work of the court and dedication to justice, endeared you to all of us who have served with you.
6. You leave this Court being held in the highest esteem by your colleagues and by members of the legal profession. During your judicial career, you have demonstrated the best qualities expected of a judge. Thank you for your service to this Court. On behalf of your colleagues, I wish you and Leonie a very happy future. We will miss you.