



**SUPREME COURT
OF QUEENSLAND**

**Dinner in honour of Mr Tony Lee receiving
honorary membership of STEP Worldwide**

Customs House, Brisbane
Wednesday 17 April 2013, 7 for 7.30pm

**The Hon Paul de Jersey AC
Chief Justice**

It is an easy task to speak tonight in honour of Tony Lee. He carries his academic scholarship with urbanity, and its generous application has produced real community benefit – within my own experience Tony’s courageous redirection of the Viertel Trust in particular, to which I will return.

To so many of us here, Tony was the absolutely marvellous lecturer, inspirational as only a few were at the University of Queensland Law School in the 1960s. Though even adverting to the lesser lights must not be allowed to dim perceptions of the contrastingly brilliant contribution of the guest we honour.

May I again recount my favourite Lee anecdote, Tony’s invitation to the Succession Law lecture class on the day man landed on the moon? Some years ago, my contemporary John Byrne, having then only recently seen the movie “The Dish”, reminded me of 16 July 1969, the day of the Apollo 11 moon landing. We eager students duly assembled that day for Mr Lee’s succession lecture. He surprised us rather by immediately offering to cancel the lecture, so that we could disperse to watch the imminent moon landing. But ever fair and equitable, he proposed first that we should vote on the issue. If, as I rather suspect, Tony personally preferred to watch the historic event on television rather than give a lecture, voting was objectively a risky course to propose: could he be sure his devoted students would pass up an hour of his inspiring tuition? Well maybe in 1969 he was not quite the self-confident Tony Lee we see today. We in fact – churlish and ungrateful boys and girls – chose to pursue our secular interest and *did* vote unanimously to watch man on the moon!



Dinner in honour of Mr Tony Lee receiving
honorary membership of STEP Worldwide
Customs House, Brisbane
Wednesday 17 April 2012, 7 for 7.30pm

The Lee variety of legal scholarship, presented in an easy, compelling, but not “compulsory” environment... we were not required to attend a lecture on 16 July 1969, although I venture that Tony Lee’s lectures were the best attended in the UQ Law School of the 60’s.

I left the Law School with my fondest feelings reserved for succession law. I cannot recall my marks, but Tony presented the course in a captivating way, and I think wills and estate cases are those which I still, after 42 years in the profession, find the most interesting.

Tonight’s recognition reflects Tony Lee’s enduring international significance, evident in the eminent fellow members he joins.

The stellar array of presenters at his eponymous Equity Lecture presented annually in Queensland also corroborates that State-wide, national and international reach.

In the development of the law, Queenslanders of Welsh origins have had substantial impact. One would naturally begin with the third Chief Justice of Queensland, Sir Samuel Griffith, who hailed from Merthyr Tydfil, and whose legendary contribution is so well-known it need not be rehearsed. Then we should not overlook Lord Atkin of Aberdovey, born in Brisbane, but whose maternal grandmother was Welsh, remembered for his leading judgments in *Donoghue v Stevenson* and *Bell v Lever Bros*, and his colourful dissent in *Liversidge v Anderson*.

Tony will be diffident that I ally him with that heroic duo. But his contribution to jurisprudence is of high order, and that is reflected in the honour STEP now bestows upon him.

As co-author with Professor Harry Ford of a leading textbook on Australian trust law, he was one of the first seriously to engage with Australian case law in the area. It is ironic



Dinner in honour of Mr Tony Lee receiving
honorary membership of STEP Worldwide
Customs House, Brisbane
Wednesday 17 April 2012, 7 for 7.30pm

that at a time when many of his contemporaries were beset by cultural cringe and continued to rely on English texts, it took a Welshman to appreciate Australia's rich legal heritage.

He also influentially assisted the Queensland Law Reform Commission in rewriting both the Trusts Act and the Succession Act in the 1970's, with then Dr Bruce Macpherson assisting closely with the former. He also worked on a model trustee code for all Australian states and territories in the 1980's, but unfortunately nationally uniform laws were not to eventuate.

It is important to acknowledge that Tony's influence extends beyond the academic.

True it is that he has powerfully influenced many of us in our appreciation of the intrinsically abstruse field of trusts, and without descending to the sometimes self-important traits of other high profile colleagues in the field.

Beyond that, Tony has achieved really good things for the people.

As Chairman of the Queensland Cancer Fund in the decade to 1998, I was outraged at the trustee company's flouting of what I considered Queensland philanthropist Charlie Viertel's clear intent to benefit the cancer cause through the Queensland Cancer Fund, and two other Queensland charities. Tony's own concern pre-dated mine. I chose, in hindsight ham-fistedly, to go to Melbourne and confront directly the Melbourne trust manager, and that was abysmally unsuccessful. But with exquisite aplomb, Tony proceeded to rework the administration of the Trust so as to secure deftly what Victoria had strongly opposed, and what I had dismally failed to accomplish. In the result, Queensland charities came at long last to reap the benefit which devoted Queenslander Charlie Viertel had plainly intended. Queensland, and countless beneficiaries within our citizenry, should be very grateful to Tony for securing that outcome.



Dinner in honour of Mr Tony Lee receiving
honorary membership of STEP Worldwide
Customs House, Brisbane
Wednesday 17 April 2012, 7 for 7.30pm

Recalling Rudyard Kipling's much-lauded poem, *If*, it is a high calibre person indeed who can both "walk with Kings" and simultaneously "not lose the common touch". Tony easily meets this description. Serving as Dean of Law at the same time as future Governor-General Sir Zelman Cowen was Vice-Chancellor of UQ, he also enjoyed a good rapport with luminaries Harry Gibbs, Gerard Brennan, Walter Campbell and Bill Pincus: they all sat with him on the Law Faculty Board. At the same time, he was approachable and humble to all who knew him, students especially included.

At the Equity Lecture annually, many of us relish renewing our acquaintance with this scholastic, diverting and altruistic Welshman.

And acknowledging especially his contribution to the goals of STEP Worldwide, it is a matter of enormous pride that we acknowledge tonight Tony Lee's admission as an Honorary Member of STEP