

Hon Geoffrey Miller QC

I am honoured to say a few words about my late opponent, colleague and friend the Hon Geoffrey Miller QC.

Before going further may I acknowledge Rhonda Miller, Geoff's steadfast companion for many years. Geoff could not have been the person he was without Rhonda.

It is difficult to accept that 14 years have passed since Geoff's retirement from the Court of Appeal in 2009.

It is jarring that a generation of lawyers will not know him at all as an advocate, only by reputation. Indeed, there are no doubt many who knew him but fleetingly as a judge. Sic transit gloria mundi.

Geoff was always destined for great things, having been educated at Perth Modern School, before going to the University of Western Australia, from where he graduated as Bachelor in law with First Class Honours.

At university, Geoff was a noted athlete, winning a half blue in 1962 and a full blue in 1963. By a serendipitous turn of events, one of the officials at an athletics meet was a partner in the firm of Boulton Godfrey Virtue, who offered articles to the young Miller on the spot.

Geoff Miller was admitted in 1965 and practiced for a time as a partner at Boulton Godfrey Virtue before branching out into his own firm, specialising in personal injury and criminal law.

He joined the West Australian Bar Association in 1980 and took silk the same year.

It is as Queen's Counsel that older members of the profession best remember him.

He forged a reputation as a formidable cross-examiner. He was always on top of the law in a particular case and had an objective clinical approach. On occasion, Geoff was briefed for the prosecution, but it is as defence counsel and a leading personal injury lawyer that his reputation grew. Although he acted for many of the "big names" around town, no case was too small, and he applied the same energy to a case funded by Legal Aid as to one with a wealthy accused. As an opponent, Geoff was always fair and ethical.

In 1998, Geoff accepted appointment as a Justice of the Supreme Court where he served until ill health caused his retirement in 2009. The last two years were served as a Judge of Appeal.

As a Judge in the criminal division and on the Court of Criminal of Appeal, later the Court of Appeal Justice Miller excelled. In his address at Justice Miller's farewell, Chief Justice Martin remarked:

"During argument, Your Honour has always been quick to let Counsel know your tentative thoughts on any and indeed every issue in the case. In my experience, this was never done in an overbearing manner but rather for the purpose of elucidating the issues and providing Counsel with the opportunity to put argument in opposition to Your Honour's tentative views, which could often be swayed during the course of debate."

Outside the law, Geoff Miller, QC maintained an active interest in many affairs. He was a lifelong supporter of the WA Sporting Car Club and his many high-powered vehicles over the years gave testament to this. Geoffrey Miller could sometimes be found behind the wheel of a vehicle speeding around the Barbagello Raceway.

He was the co-author of "A dangerous life" which he wrote with Chum Taylor, a speedway legend.

Geoff was an active and enthusiastic race goer, often to be found on a Saturday afternoon at Ascot or Belmont racecourses.

On Sundays, he would always be found in church. He was a deeply devout Christian who practiced his faith quietly.

Geoff Miller loved music and Australian art. He led the Supreme Court Art Committee and played a significant part in arranging for the portraits of the Chief Justices that now hang in Number One Court.

During his time at the Bar, Geoffrey Miller mentored numerous young advocates and enjoyed teaching them the art of advocacy.

Geoffrey had a feel for the commercial aspects of law. He was, for a time, a Director of Channel Seven with the late Robert Holmes a Court.

In the days before lawyers were able to advertise, Judge Bowden (as he now is) once remarked that the only person who could walk more slowly than Ron Cannon when there was a TV camera about, was Geoff Miller.

So much for the official biography.

I first met Geoff when he led me for the prosecution in a wilful murder case in 1976 in Port Hedland. Shortly afterwards he and I worked together in the Williams Royal Commission into drug trafficking.

We were on the same defence side of a big medical negligence case. Bart Kakulas QC was for the plaintiff. Ultimately, we settled, our client's paying half the damages each.

Far more often, Geoff and I were opponents in the criminal lists. We fought tooth and nail in many murders, frauds, big drug trials and sexual assaults. If you were in trouble, no one was a better advocate than Geoff. I say this as one who has opposed some legendary names such as Leo Wood, Ron Cannon, Brian Singleton and Jim Mazza.

There were others I encountered of course, Terry Walsh, Malcolm Mccusker, Len Roberts-Smith, Tom Percy, Rob Mazza, Michael Bowden, all of whom were consummate advocates. But Geoff to my mind combined all the necessary qualities of a formidable advocate.

I never kept score, though if Geoff was here, he could tell you how many cases he won, the total amount of damages he recovered in a year and oddly, when a judge, the total years of imprisonment he imposed in any year.

Hon Geoffrey Miller, QC, was one of those towering figures in the law whose influence will live on long after their passing. He was a role model to lots of advocates, always generous with his time and wisdom. He would be delighted that a set of chambers has been named after him, putting himself in the same category as his hero Sir Francis Burt.