

I applied for admission to the Victorian Supreme Court as a barrister and a solicitor of that Court. On the due date I appeared before the board of examiners and was told that they were still awaiting certain particulars in relation to my application from England. I must reappear before them next February.

While I was still waiting to see the board of examiners I met a fellow aspirant for admission. His name, I learnt, was Ivor Misso. Misso was from the Ceylon Bar, and a member of the Middle Temple. He, like me, was deferred to reapplying in February. Still it was nice to know someone whom I would know when my admittance finally took place.

The big day finally arrived for seeing the board of examiners again and this time I was issued with a certificate from them that enabled me to apply to the Supreme Court on the next admission day.

I was fortunate in obtaining the services of Mr Eugene Gorman QC to move my admission in Court. He had as his junior Mr Hazledon Ball ("Hasy"). Gorman had known Mr Wilbur Ham KC, Geoffrey's uncle, very well. When the ceremony was over I was a barrister and solicitor of the Supreme Court of Victoria.

Gorman invited Geoffrey, Ball and me to lunch with him at Menzies. In the meantime he said I must run upstairs and quickly sign the Supreme Court Roll. It was on that he said and not my Bar Roll seniority, that I would gain my Court seniority. He advised me to sign the Bar Roll as quickly as possible.

I had succeeded in obtaining Mr William Kaye, as he then was, as my master and Mr Dever as my clerk. Kaye had a large running down practice. He did some cases outside that but the bulk of his practice was in the former field. I also applied to sign the Bar Roll when that time came. It surprised me that I should be required to read again but that was the rule that applied at the time. All persons who signed the Bar Roll must read with a junior barrister for six months.

Although in theory the Bar had been founded on the English Bar and although the Victorian Bar wore English wigs and robes, not only was the law slightly different, but also everything else ran dif-

*A Most Peculiar Child* is the title which Allayne Kiddle, the third woman to sign the Victorian Bar Roll, gave to her autobiography of which she said:

This narrative is not intended to be an historical record. Nor does it pretend to resemble the actual events to which it refers. For, although we speak of recollecting the past, all we really remember is our perception of former happenings at the time of their recall. Once we censor those moments by deleting them from our memory, or transforming them in such a way that they no longer bear any relationship to past events we embark, whether we realise it or not, on the writing of fiction.

Kiddle, as she preferred to be known, was born in Sydney and educated at the University of Sydney and at Kings College Law School in London. She then sat for the Bar finals and joined the English Bar. In 1959 she was admitted in Victoria and signed the Roll of Counsel. At the time, because she came from the English Bar, most of us assumed that she was English.

What follows are extracts of her reminiscences of the Victorian Bar, from *A Most Peculiar Child*.

ferently from, yet somehow the same as, the UK. It was as though the two were concentric circles, but the circles were made from different material.

I had forgotten that at the English Bar the practising Bar in England consisted for the most part of Englishmen and women. In Victoria, it consisted of some men who were English in descent, some who were Scots, some who were Jewish and many more who were of Irish descent, the latter if not a largest group were certainly the most vocal.

Of women barristers there was only one, Mrs Joan Rosanove. Joan had been at the Bar practising exclusively as a barrister for ten years when I appeared. Before that time she had been a solicitor and practised chiefly in the field of divorce. Having been admitted as a barrister and solicitor of the Court and not having signed the Bar Roll she had been able to

go into Court in wig and gown. Whereas, in Victoria, those who wished practise solely as barristers, gave up their right to practise as solicitors for as long as their name remained on the Bar Roll. I believe Joan was admitted to practise in the Supreme Court in 1919, so she had a great deal of experience as a divorce barrister, if not at the Bar, certainly as a solicitor, when she signed the Bar Roll in 1948.

I liked Mrs Rosanove very much, but I did not want to read with her, for two reasons. I did not want the women to be separate part of the Bar from the men and also I was not a divorce practitioner. Although as a common law barrister matrimonial matters fell within the ambit of common law, I did not want to specialise in that field as Mrs Rosanove had done.

By and large being at the Victorian Bar was a lonely experience in the days when I was doing my reading. I did not go to court with my master as I

had done in London; during conferences, although I remained in the room with my master when these were taking place, not only did I not speak, but also there was very little discussion with my master when his clients had left. For the most part my work consisted of writing opinions for my master, statements of claim and other matters relevant thereto. I spent endless hours sitting and listening to applications in the Practice Court, with a copy of the Annual Practice before me, so that I could follow what was taking place.

Thanks to my master I was briefed on several occasions. These were mostly at outlandish suburban Magistrates' courts. I shall always remember the first brief I had in Melbourne. I believe it was at the North Melbourne Magistrates' Court. The matter consisted of an application in chambers. I arrived at the court in plenty of time. I remember the clerk appeared very surprised that I arrived so early. He asked me to wait outside on the verandah.

The courthouse was just an ordinary weatherboard house sitting on the side of a hill with a verandah running along the front. As I sat and waited for the magistrate, I looked across the road towards an open paddock. A motley mob of sheep was grazing in it. As I watched I thought to myself, the High Court was nothing like this. While I was thus dreaming the clerk

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emerged from inside the courthouse and told me that the magistrate would now see me. I followed him into a large room, in which there was a kitchen-like table, with a man sitting at one end, swinging back on his chair. There were several other men lounging around on different chairs. I thought I was in some sort of ante room where I must wait until the magistrate could see me. But no! A voice suddenly emerged from the man swinging on the back of his chair. He asked me when I was going to begin my application. I was so surprised to learn that this was the magistrate that I almost forgot why I had come to this outlandish place. I succeeded in what I had to do and departed. It was certainly different from London!

At another time, at yet another Magistrates' Court, I was offered a lift back to chambers by the barrister I was opposing. He said he must call into his home first to collect a few things. I asked him if he had a telephone and he said yes he did. He was curious as to why I wanted to use his phone.

"I must telephone my clerk," I said, "and tell him the results of the case and that I am returning with you to chambers."

"Do you always do that?" he questioned.

"Oh yes," I said. "Don't you?"

"No" he said, "I shall tell him when I see him."

I rang my clerk who, from his response to my message, was just as mystified by my call as my learned colleague. This was the first thing we had to do in London so that our clerk could notify us if there were any important messages that we should attend to straight away. Life was certainly different down under. I was learning fast how things were done the Aussie way.

When I was first interviewed by Mr Kaye he said, "My name's Bill", and then asked me what my name was. The clerk on the other hand, called me "Snooks" or anything else he fancied at the time. So that took care of what we called each other. I thought this all very peculiar. My colleagues at the Bar, I am sure, thought I was very peculiar as well.

Apart from Misso and a chap called Brussey from England, I knew no one. Brussey had been a solicitor in England and when he came to Victoria, after a short time in a solicitor's office, he decided he would come to the Bar. Very early in the piece, while I was still reading, there was to be a large cocktail party at Menzies, given by the Bar, for two American judges. Brussey asked me if I was going and when I

said I was, he very kindly offered to escort me. He called for me at Bill's chambers and as we were walking out of Selbourne he was called by another chap for a quick word. He came back very amused and I asked him what was so amusing. He then informed me that the person who had called him was the Chairman of the Bar who had told him that he couldn't take his wife to this particular function. Brussey explained to the chap that I was not his wife but a member of the Bar.

The meeting opened with the usual, "Gentlemen". My presence at the function was completely ignored. At the party I met a very nice man who informed me he was

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a judge and that he was going to England within the next couple of days. He had to see someone there in chambers.

"The sister of this chap lives next door to me and I promised her that I would look her brother up. Perhaps you know him?" he asked. "Well there are many sets of chambers in London," I said, "I really only know the men in my own set. Who is the barrister whom you have to see?" I asked.

"I cannot recall," he said. Nor could he remember whose chambers he was in, or where he had to go. It was all written down at home! In spite of this lack of communication on chambers in London, we enjoyed a long chat on other matters. I discovered he was a judge on the Workers Compensation Board. He said he would tell me who his friend was when he returned. His name was Judge Dethridge.

Before he returned, however, another, to me, strange event occurred at the Bar. There was a notice on the notice board that Garfield Barwick was going to speak at a club in the city and any members of the Bar wishing to attend were to notify such and such a barrister. I notified this gentleman that I intended to go. I thought that was all I had to do. I was called to Stuart Collie's chambers and told very politely that I could not go.

"But why?" I said, "I am a member of the Bar and the meeting is for members of the Bar."

"Nevertheless," he said, "you cannot go. You may go as a representative of the *Winkle Weekly*, or the *Jiving Journal*, but you cannot go as a member of the Bar."

"That is monstrous nonsense," I replied. "I have no intention of going as something I am not, when there is no reason why I cannot go as a member of the Bar."

He then said "I believe the reason is that it has something to do with Barwick's language."

"He is supposed to be one of the best speakers in Australia," I replied. I deliberately misunderstood what he was trying to convey, so that he would come out with the truth. "Ah," he intoned, "I, aha . . . intended to say his language is not all that it might be."

"You mean he swears," I suggested. "Well, something like that," he answered.

"And because of that I am to be treated like a nineteenth century woman, even though I am a member of the Bar?"

"Well you can tell the Bar Council I intend to go. I am not some delicate swooning type to be protected by the Bar. In fact I find the whole thing amusing."

"Well, if you insist, then go."

"I most certainly will," I said.

I did go and I enjoyed hearing Barwick speak. His speech was exemplary. I really believe that it is possible that the club may have objected to having a woman on the premises because the place where Barwick was supposed to speak was later changed.

The news quickly filtered around the Bar that I intended to go to the Bar dinner. This caused a goodly amount of gossip at the Bar.

"You don't really mean to say you are going to the Bar dinner, Kiddle?"

"I most certainly am. It is the Bar dinner is it not and I am a member of the Bar?"

"Y-e-s but".

"There are no buts about it. I shall see you there."

In the end there were two women present at the dinner. Mrs Rosanove, when she heard I was going said that she would call and pick me up. I thought it very nice of her to come with me. In those days we sat at dinner in order of seniority; we were, therefore, unable to sit together. Joan didn't come again after the first time. I thought that a pity; these men really did need teaching a lesson or two. I even took a cigar that night when one was offered to

me, but did not smoke it, I took it home and gave it to Geoffrey instead.

By this time I had ended my pupillage. Normally I should have left my master and gone in to my own chambers. However, there was a shortage of chambers at Selbourne. I stayed with Kaye until the Bar had found alternative accommodation for me in other premises.

When I did move, I moved into a suite of four rooms in a building, more or less opposite Selbourne, in Chancery Lane. There was already one barrister ensconced. The other two rooms were empty. The chap who was in residence was a nice fellow. His name was Garrick Gray. We didn't see a great deal of each other. Shortly we were joined by two others, Berkeley and Nash. They shared a room. Later we were all joined by a fourth man, who would begin most of the trials he was in with four or five preliminary points (Garth Buckner). In its own way our group of five people resembled a small set of chambers in London, but we had no clerk with us and had no direct telephone line to him. Most of the barristers had their own secretaries. To cap everything else we were cut off from a direct line telephone to our clerks, whom we physically had to walk to see.

I decided that I would like to change my clerk from Dever to Foley, and with that in mind I asked Misso, who was on Foley's list, to ask Mr Foley to call and see me. Foley came but Foley could do nothing because he said, "It wouldn't be etiquette."

Very soon, most of us in those chambers had very little work. We had experienced one Bar meeting in which it was decided that we should have more clerks. We had also been invited to say how many of us would be prepared to change clerks if this became a reality. There were no clerks present, but clearly the clerks heard the names of those barristers that were changing clerks if this happened. Three of us in our little set decided to change and from then until the time we did so, we received very little work from our present clerks. We were obviously on a freeze list.

I spent a great deal of time trudging up and down Little Collins Street, determined that no clerk was going to put me out of business. Instead I arranged with Stott's for full-time tuition (mornings only) in typing, on the clear understanding that if for any reason I couldn't come, then that was that. After lunch I practised in chambers on my own typewriter. I did pleadings and papers for friends. In this

fashion I proceeded very well with my typing. I also learnt how to do Australian pleadings. In the summer vacation I went to Stotts each afternoon and studied speed writing. I was well equipped for the change over by the time we moved into Owen Dixon Chambers.

As for the public house on the corner next door, we should buy it, as we might want to expand at sometime. It was decided that the Bar could not possibly run a hotel and so the County Court ultimately bought the corner block and later the building went shooting skyward, demolishing as it did so a wonderful view that I had from my window before the building was erected.

The change was a great deal more humorous and more complicated than we thought. There were those that said there were not sufficient lifts for the building. It would never do to have the baker coming in the front door as he did with the name Dixon on top of his baker's cart. Then there were those who wanted rooms on the first and second floors because it wouldn't be so far to walk up or down if the lifts failed. We were too far from our clerks; we should have a clerk on each floor like they did at Wentworth Chambers in Sydney. In fact it seemed there was very little that was correct about the building.

We only went to nine storeys, and the top floor was the barristers' common room and dining room. We did not have a Bar dinner there, but we did have smaller dinners from time to time and we honoured Sir Charles Lowe at a dinner, for presiding on the Bench for such a long period of time. Subsequently, he retired from the Bench. At the time of his retirement in 1964 he was 84. When we moved into Owen Dixon Chambers we were all most curious to see the other barristers' rooms. My chambers were called Kiddle's boudoir, because I had curtains on my windows.

Trouble soon loomed. It seems that the architects and builders and the wise men in charge of operations at the Bar had all failed to ask, or failed to remember, that barristers are not like people in business firms, all coming to work at the same hour and going at the same hour. We were like will-o'-the-wisps. We came and went as we pleased. There was only one master key for the front door and this was securely locked. In front of that was a huge grill. No one could get in or out without disturbing the caretaker, Mr Brown. Pandemonium ran riot. Things must be fixed and quickly. Failing that something dire would happen. No one was exactly sure what would happen, but it was dreadful, diabolic almost.

To make matters worse when one did get in the lift, one was probably struggling with the loaves of bread trying to get to the 9th floor. Never was there so much wailing and gnashing of teeth. In time it was found we all did get in and out of Owen Dixon chambers. The problem of the bread was solved. At last it was time to consider the opening of the building.

In the meantime I received a most delightful note from Judge Dethridge, the man who had to meet a barrister in London and couldn't remember his name. He did find his instructions and did find his way to chambers. He not only found the man he was searching for, but also he found his friend was a member of my old chambers. All the members of my old chambers wanted to know about, once they heard he was from the Melbourne Bar, was their friend, Kiddle. The barrister he was looking for was my very dear friend, Roger Davies.

In his note the judge said he was guilty of having said he knew me, when he really could not claim such a privilege. Could he meet me for lunch one day to rectify the situation?

The two of us met shortly after and we had a most delightful lunch and he was able to pass onto me all sorts of news about all my friends in my former chambers. It was so good to have first-hand news of them. None of them ever wrote. He told me that they were all obviously fond of me, and wished me well here in Australia.

And so, back to the opening of the building. I did not expect to do anything for the opening at all, except attend with the rest of the crowd. In that happy frame of mind I floated along for a short time. Then one day the axe fell. I was invited to see a man whom I called "Mr Pickwick", in his rooms. His name was Sir Reginald Smithers. He had another barrister with him whom he introduced as O'Driscoll. The two of them looked at me and

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Smithers said, "Kiddle, we would like you to do the flowers for the opening."

"Oh no," I said, "I am very sorry, I couldn't possibly do what you want. I can't arrange flowers at all."

"Of course, you can," he said again. "All women can arrange flowers. My wife does them excellently, but unfortunately she is overseas at the moment."

"What your wife can do and what I can do are two totally different things," I replied. "I really am hopeless at arranging flowers. Can't you ask the secretaries to do the flowers?" I urged

"No. We definitely want you to be responsible for the flowers."

"O'Driscoll will see that everyone at the Bar will bring vases to your room, with their names on the base. He will also organise the flowers. That way it will really be a Bar function."

I left for my home that night quite disturbed about the entire matter. I cannot really arrange flowers, although I certainly know when flowers are well done and when they are not. When I arrived home I told Geoffrey what had happened that day.

"Can you imagine how awful they will be if I do them?" I moaned. That little outburst was no good at all.

"I have never known you do anything badly, Vicky. So you just have to set your mind to it and get cracking."

I was doomed to be the laughing stock of the Bar. That I was determined not to be, so I had a wonderful idea. If I cannot do it myself, then I must organise a group of people, not from the Bar, whom I will supervise and I know can do them well.

I can't tell you how I felt during the next few weeks when a motley collection of vases arrived in my chambers. Then as the day grew closer, a miscellaneous collection of flowers arrived. There was really nothing wrong with the flowers but people brought what was in their gardens with no idea what vases they were going into. O'Driscoll came to our home and took lilac from our tree. He gave the tree such a good prune while he was about it, that for sometime I really thought he had killed it.

My crew of willing helpers and I worked until very late the night before the opening and in the end the result wasn't too bad at all. We sprayed the blossom with hair spray and put aspirin in the water and then we stood off and looked at our work again. A touch here and a touch there and it was as near perfection as any collection of assorted flowers and vases could be. I thanked my friends and went home to bed and to sleep.

## Some of Ms Kiddle's contemporaries at the



*Hartog Berkeley (1960).*



*William Kay (1960).*



*Ivan Franich and Barry Beach (1960).*

The great day dawned. Mrs Rosanove, as the most senior woman barrister, was asked to make the presentation to the guest of honour. My friends who had scarcely noticed me in Selbourne Chambers now thought that "Their Kiddle" should have been the one chosen. It had taken a long time, but I had finally won most of them over.

Each year at that time, there was an art show, called the Myrniong, which was held at the Athenaeum Gallery. The artists, for the most part, were either Doctors or barristers. Invitations were sent to each member of the Bar. We all tried to attend if we were not otherwise engaged. They were pleasant affairs and

we mingled with both the artists and ourselves.

Prior to the opening at one of these events, I was standing next to a man whom I found very entertaining and exceedingly handsome. I had no idea who he was. Included in the art, in addition to those along more classical lines, there were a number of very modern paintings. I pointed to one of the modern ones and asked him what he thought about it. He was non-committal in his reply. Then I asked him if he had contributed any work to the exhibition to which he said, yes, as an invitational exhibitor. Further questioning elicited the information that the painting I questioned him about was his exhibit. It was not for

## Bar, as she captured them with her camera



*John Phillips and Jack Lazarus (1959).*



*Gerry Nash (1960).*

sale. I had no idea of purchasing it as my home was not one that could be described as modern and I had absolutely nowhere to put it. Sometime after that we parted, but not before he told me his name. He was a judge, he said, in the County Court. His name was Judge Gamble.

That was not the end of the painting. About a month later when I was sitting in chambers and working on a brief, the Chairman of the Bar came to my chambers and said, that His Honour Judge Gamble would be delighted to make me a gift of his painting, however, I must collect it from the gallery.

Painting, I thought. I was completely at a loss. I had forgotten about Myrniong.

Then I remembered. Oh, what would I do with it? Then I looked around my chambers and thought well it could go in here, all the other furniture is modern. There is a place above my brief cupboard where it would probably look very nice.

First it was necessary to have it framed. The painting had not been done on canvas. It appeared to have been painted on to three-ply wood. It had no frame at all. It was, I was later to learn, an example of dribble painting. When framed it looked much better.

Shortly after that, His Honour died. Two of his fellow judges from the County Court came to my room on their way to the common room, and said, "May we

look at Freddie's painting please, Kiddle?" Then each in turn, pulled out their handkerchiefs and wept profusely into them, muttering as they did so, "Poor Freddie, poor Freddie." Then they left.

It had quite a contrary effect on my clients. They would walk in, sit down and then, as clients do, look around at all the "books"; when they saw the painting they would look extremely startled. At least it took their minds off their problems.

Hazledon Ball, apart from the fact that he was the same Hasy who had appeared as junior counsel for me at my admission, I had also met subsequently in Gibby's coffee lounge in the pre Owen Dixon Days. In these early morning discussions I learnt, over a period of time, that he had always wanted to be an artist. His father, so he told me, said to him when he left school, "Here is one hundred pounds. Do anything you wish for the next twelve months. I am not going to pay university fees for you in that time. If at the end of twelve months you still wish to be an artist, fair enough. If, on the other hand you want to go to the university and train for a career, then I shall pay for that." For the next twelve months he took off as an ordinary able seaman on a steamer and had the time of his life. At the end of the year he returned to his father and said, "I would like to go to the university to do law."

He did law and he was a very good lawyer, but he still painted in his spare time. Each year at the Bar cocktail party they had in those days an art show in Selbourne, in which all the work was done by members of the Bar. Over our many cups of coffee Hasy tried to encourage me in submitting some work towards the art show.

"But Hasy," I replied, "I am no artist. I cannot paint, or draw."

"Rubbish," said Hasy, "anyone can paint that puts their mind to it."

So I tried and took these works of art into Hasy and said, "There, are you satisfied? I really can't paint."

Much to my surprise he said, "We must really have these in the show."

"Are you mad?" I retorted. "They are dreadful, you know it, I know it and Geoffrey knows it."

"Not at all," he replied, "they are very good."

He then took the couple of paintings and ultimately they were submitted as part of our annual art exhibition.

Geoffrey and I were at the cocktail party and we had a great deal of fun watching the people suddenly come upon

these “great works” of mine. At first they didn’t know what to make of them, then they wondered who had done them. Then finally they commenced discussing them, there was no sense in anything they were saying. But they believed it, or thought they did. I do not think I have ever had such an amusing time. Nor did I submit any work in the future. Geoffrey and I had a good laugh about the entire evening. I saw Hasy many years later. Again it was at a Bar cocktail party. He had a wonderful set of paintings along one wall of the Owen Dixon Chambers common room. He died shortly after the party.

However, I shall never forget him. He was a kind man and a gentleman.

The barristers were not surprised now, if I came to the Bar dinner; they would say to me before the event, “Coming to the Bar dinner Kiddle?” and I would reply, “Wouldn’t miss it for quids.”

Master Collie was there and still worried. He came to me at the Bar dinner and said, “Allayne, would you please tell me what you are wearing, my wife likes to know. Last year I told her you looked very nice and your dress was made from crêpe de chine. She told me I was silly and said, “Crêpe de chine is only worn under dresses.”

So I told him that this year I was wearing a long black figure-fitting dinner gown in guipure lace and that the year before I had been in a dress made from pale yellow chiffon. He carefully wrote all that I said down.

The members of the Bar were much more friendly towards me in Owen Dixon Chambers than they were at Selbourne. I think it was Owen Dixon Chambers that brought about this change. We were all on different floors which meant that we rubbed shoulders with each other in the lifts and we had a common room. Many of us met there for morning tea and coffee, we also had lunch there. So we were not as isolated from each other as we had been at Selbourne Chambers.

Also, I believe that the real change came about for me in the common room at Owen Dixon Chambers. I was sitting there, one afternoon, having a cup of coffee. I was sitting at the same table as the men, but not of them. They were discussing the cricket. I was at the time mentally lost in a case of my own, which was causing me some difficulty. Suddenly one of them said, “You must be pleased with the results Kiddle?”

“The results. What results? And why should I be pleased?”

“Why? Because England is winning the

Test that’s why.” “Oh,” I said, “but I’m not English. I am an Australian.”

“I thought you came from the Pommy Bar.”

“Well, yes I do. But that doesn’t make me English. I just happened to study law there.”

“Oh,” they said. “Well don’t worry, we will soon teach you how to conduct a cross-examination here. English barristers have no idea how to cross-examine.”

“Really, I’m surprised to hear that,” I replied, “since they invented the system.”

I have an idea that after that discussion the word trickled around the Bar that I was an Australian. In any event, my luck with the men at the Bar changed from then on.

A short time later at a dinner given to Barwick by the Victorian Bar to honour his appointment as Chief Justice of the High Court of Australia, the Chairman of the Victorian Bar again said “Gentlemen” when addressing the members of the Bar. I was there and admittedly I could not see why the Chairman could not say “members of the Bar”. However, I did not bother to say anything. After the dinner, before the speeches were given, it seems that one of the barristers present complained to the chairman about his lapse of normal good manners.

When we all reassembled for the speeches the Chairman rose to his feet. Before introducing the next speaker, he said that a complaint had been made to him that I had been ignored in the address. He apologised for overlooking my presence. The next speaker he introduced was His Honour Mr Justice Barry, who commenced his address to Barwick, after the formal announcements, with Members of the Bar. Then Barwick rose to respond. He followed Mr Justice Barry’s normal spiel, and followed it with “Gentlemen” pause, at which there was a gasp, “and My Fair Lady.” For the latter salutation he received a round of applause. I suppose today the feminists would object to that by saying it was prejudiced and he was trying to put me down. He happened to be a most charming man and I didn’t mind at all. He then followed that by saying “I know all the best Chief Justices of the High Court come from Victoria.” (He was from the New South Wales Bar.) There was an audible gasp from the audience, when he said that. All in all the evening was a great success. I couldn’t wait to rush home and tell Geoffrey all about it.

I was approached by one of the secretaries and asked if I would help to get them a room for resting in when they did

not feel well, or for changing their clothes, if they were going somewhere after work, etc. A common room for the secretarial staff was what they required. Such a thing sounded reasonable to me and I said I would use my best endeavours to see that they obtained what they wanted.

It was not at all simple to the Bar Council. They raised objection after objection. This was not an ordinary office building I was told. Each barrister was self-employed. Furthermore each barrister employed his own secretary. The Bar Council did not have to supply such a room to the secretaries. The Bar was not the Shell Oil Company.

I pleaded with them for some weeks; they finally said I could have a room for the secretaries provided the secretaries themselves furnished the room.

I informed the secretaries of this success and the Bar Council ruling, and they were as delighted as they were agreeable to the ruling. We then had a number of meetings in my chambers setting up a committee etc. and furnishing the room. I was taken to see it once it was finished. I remember the committee gave me a very nice silver filigree brooch to thank me for my efforts. It was not necessary, but I certainly appreciated them thanking me the way that they did. I understand that today the room no longer exists. It was still flourishing when I left the Bar. I can only wonder why it disappeared. It was, I thought at the time and I still do now, a necessity.

All in all, I was much happier at the Bar by this time than I had been when I first went there. I still found life at the Bar very lonely compared with life at the English Bar. As for the men of the Victorian Bar, however, I found them a “good bunch of guys”. Those whom I approached for help all gave it freely. Some members of the Bar were exceptionally good to me. They will know who they are. I value their friendship to me as much today as I did at the time.

There has been much talk in recent years of prejudice against the women. I can only say that I did not find either the Benchers or the members of the Bar prejudiced. In fact I found them the very reverse. If the solicitors were prejudiced, I do not know. I did not find them so. But then I do not look for prejudice and I do not find it. If they had been, I would not have blamed them, because, by and large, they had no women when I went to the Bar, except Joan Rosanove, and she had a very specialised practice. It is quite clear that she herself did not suffer from

prejudice insofar as matrimonial matters were concerned. Having had nothing but men to brief, in all other matters, for years and years, I would say they were just slow to change over to the fact that they now had a choice.

In 1966 my daughter Anne was married. I was very run down myself with the constant drain on my health caused by Geoffrey's frequent illnesses, and Anne with her late teenage traumas. I knew that if I didn't do something and do it soon, I would become very ill. Geoffrey agreed with me that I should return to London where I could do a Master of Laws. He would follow me later, when I had found a flat and settled down to life in London.

My college was again the LSE. Geoffrey joined me in London later. His health was now much worse and he had retired from the estate agency business that he had gone into after selling Steam Plains. Geoffrey arrived in London some six months after I left Australia.

I found academic law a little strange after life at the Bar. However, I had too much to do to worry about the differences for long. It was a two-year course. If we were University of London law graduates with an Honours degree at LLB standard, we could try and attempt to do it one year. That was my aim.

I found a small flat in Knightsbridge, which was admirable for my purposes until Geoffrey arrived. The block had a gem of a housekeeper who serviced all the flats. Apart from its size it would have been ideal for the two of us. When Geoffrey arrived in London, it so happened that a very small flat became vacant on the top floor. We rented that for my study, and lived in the lower flat on the ground floor.

Before Geoffrey arrived, I was awakened by a sharp ring on the telephone one morning. I was surprised because it was about two or three a.m. It was Geoffrey telephoning from Melbourne to tell me that Mr Opas, one of our silks at the Victorian Bar, with whom I had appeared as his junior, twice or three times before, wanted to know if I would appear with him in an action to appeal for a hearing before the Privy Council at the Privy Council in the Queen and Ryan. I can remember saying to Geoffrey, "Who is Ryan?" He then refreshed my memory about Ryan and I said, "I don't know. First I am doing this degree, second I am flat out doing it, third I am on the non-practising list, and fourth I cannot do any other work unless I have the permission of my College." Geoffrey should have been at the Bar himself

because he argued most persuasively in Phil's favour.

"Oh well," I finally said, "since it is a question of the liberty of the subject, tell Opas to find out if it is okay for me to appear with him, or do I have to transfer back to the practising list? If the latter you had better attend to that for me. I cannot appear as a member of the English Bar because I am not in chambers here. In the meantime I shall seek permission from my College. I cannot do anything until tomorrow morning."

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I was beginning to wake up now, and trying hard to remember what I could about Ryan. I couldn't remember a great deal except that he together with another fellow had broken out of Pentridge gaol and had finally been recaptured. I obtained permission from the University to accept the brief and within the week I had received a letter from Opas that it was okay for me to appear with him. Instructions from his solicitor quickly followed.

I was expecting Opas to arrive in London on a Monday and he changed his plans, without informing me, to escape the press in Melbourne. While I was working on my views of the Ryan case on the Saturday, before the date of his arrival, Opas telephoned me from London to say that he had arrived. I mention this to scotch the rumours that I raced out to the airport to meet him and flung my arms around him. A TV film was shown of me supposedly doing this. I am not in the habit of flinging my arms around anyone in public, let alone a silk, whom I scarcely knew.

The day of the application for the appeal arrived. Although overcast it was warm. I decided to catch a taxi to the Privy Council where I was to meet Opas. On the way to the front door I grabbed a letter, which I thought was for me on the hall stand. This I read in the taxi. I didn't understand what I was reading, I looked

again at the front of the air letter, and saw that I had opened by mistake a letter addressed to Geoffrey, who was en route by ship to London at this time.

By now we had reached the Privy Council and I put it away to attend to at a later moment. I had been instructed by Opas to obtain certain law reports for him from the Privy Council library. None of them was there. I was in quite a flap about this, until I saw Opas, and explained to him.

"Oh," he said, "the usher has taken them into court for me."

Mr B.L. Murray, the Solicitor-General, for Victoria was appearing for the prosecution. He was already in the robing room with his junior when I arrived. I said good morning to them both.

Later my clerk arrived. I was very pleased to see Donald. I handed him my brief, and in due course he followed me into the Privy Council Chamber and placed my brief on the table.

It is a very strange feeling appearing before this particular tribunal. It is not a court but the judicial appeals committee of the Privy Council. There were five judges sitting on this application for leave to appeal to the Privy Council. Sitting there and looking at them, I was reminded of Bowen J's dissertation, that a man's indigestion, in an action, was as much a question of fact as any other. I couldn't help wondering whether these gentlemen had come up from the country that morning or, was London their normal home? I particularly mused as to the condition of their indigestion. What did they know about our judges, particularly those being quoted in the Ryan trial? Had it been an English trial they would have known all the judges. Known the good from the not so good, etc.

I had been told by Opas that although it was only a petition for leave to appeal sometimes their lordships decided that they would hear the appeal at the same time. Prior to the proceedings commencing their Lordships sent a message that they would not be doing so on this occasion. I thought that a somewhat ominous statement.

There are several accounts of what Opas said other than the press reports. Those wanting to learn what the arguments were could do no better than to read the account written by Opas himself, in his autobiography *Throw Away My Wig*. Another book that fully covers the Ryan trial and the petition for leave to appeal is Patrick Tennison's *Defence Counsel*.