

supported her greatly throughout her career. On being admitted, she joined Arthur Phillip Chambers where she stayed to the end.

Robyn gained strength from her move to the Bar and was a strong, enthusiastic member of her chambers. If jobs needed to be done, such as installing a new telephone system, Robyn could be relied on to organise it. She always had time for others, willingly helping and counselling colleagues and taking a special interest in those newer to the profession. Her trademark initiation of a conversation was: 'Tell me something interesting'.

While all of those at Arthur Phillip Chambers and in the profession generally greatly miss her cheery countenance and her winning ways, we are grateful to have known Robyn, to have learnt from her, and to have the gift of the many memories she has left.

We are grateful that Robyn was part of our lives.

Robyn died on 18 January 2003 after a long and courageous fight with breast cancer and requested that we consider the NSW Cancer Council rather than send floral tributes.

George Hillary Smith QC (1923-2003)

The following is an edited version of the eulogy delivered by his Honour Judge Stephen Norrish QC on 26 March 2003

Dorothy, Vicki, Greg and Rob, family and friends of George.

When I was asked by Greg on behalf of Dorothy to speak today I was deeply honoured but also immediately daunted by the task. Although I propose to only speak about the legal career of George, it was a significant part of his life and it overlapped in many ways with his personal life. My immediate concern was how could I do justice to a man who always did justice to those with whom he dealt particularly when required during his judicial career. As a judge he was

intelligent, he was insightful, he was wise, he was compassionate. These qualities were a reflection not only of his capacities as a judge, but his qualities as a man. It should be pointed out compassion is not encouraged nowadays in some quarters as a judicial quality.

He achieved so much but was a modest self-effacing man, slow to anger or frustration, always prepared to see the best in others, slow to judge unkindly. He disdained pomposity and had tremendous reserves of irreverent humour. Much of what I feel about George, and what I know about him by way of reputation was confirmed by my research for this eulogy.

The bare details of career do not tell the full story of his life.

The achievements as a lawyer and a judge were impressive enough but he had many other interests. Some overlapped with his love of the law. He held family life dearest to his heart. He had his charitable works to occupy whatever spare time he had. He loved theatre and music. Even 'conversation' according to the latest edition of *'Who's who'*.

George was educated at Sydney High School. He had service with the 2nd AIF between 1942 and 1945. He studied law at Sydney University, graduating on Australia Day 1949, with my dear friend and mentor Ken Glass (who passed away 18 months ago at the same age as George).

He completed his articles of clerkship at Dawson Waldron Edward Nicholls but was clearly made for a career at the Bar.

The overlap between law and his personal life is exemplified by his love for Dorothy, her love of him and the close support they gave one another throughout their married life.

George was called to the Bar on 10 February 1950, two months and 23 days before I was born. He was an original member of 3 Wentworth Chambers in 1957. Barrie Thorley and Phillip Twigg, two judges of my court (and present today) were colleagues on that floor, as was John (later Justice) Slattery QC, amongst many other legal luminaries.

He had a distinguished career at the

Bar. His contemporaries uniformly speak of his brilliant legal mind and his persuasive skills as an advocate. In fact most speak of their surprise that it was not until 25 November 1971 that he took silk. For many years before taking silk he was regarded as one of the best, if not the best, junior at the Bar. He had skills in equity and common law. He served on the Bar Council in 1960 to 1961 and 1968 to 1971.

George was appointed to the District Court on 16 October 1972. The chief judge was James Staunton QC.

The Sun newspaper (a reliable source of information, no doubt; I suppose that is why it is no longer published) detailed the speeches at his swearing-in. It reported George's swearing-in with the breathless headline 'Almost a 'High Court Bench'', a reference to the presence of Sydney High School alumni present such as Harold Glass QC, representing the Bar Association.

Apart from wit, whilst on the Bench George regularly displayed qualities of legal learning, erudition, incisiveness, courtesy and mercy for which he was widely renowned and universally respected. During his career on the Bench he served as deputy chairman of the Medical Disciplinary Tribunal. He also found time apart from family commitments to serve as president of the NSW Asthma Foundation (of which he had been previously a director) and was appointed its life governor in 1985. His interest in these matters arose from concern for the welfare of his own children and others as well as the encouragement of Dorothy who recently was awarded an Order of Australia for her tireless work for charitable and community causes.

On the Bench his work was greatly supported by Dorothy. She travelled with him when family commitments allowed. Her company was a source of strength and enjoyment in an environment when loneliness and isolation can dominate one's thinking. He made friends with the profession on both sides of the ledger (so to speak) in crime and in the civil jurisdiction. I note the presence of his good friend Bob Lord QC who I know admired George greatly for his wit, his sense of justice and his *bon homie*. They

travelled extensively together in the days of real circuits in the southern part of the state.

I made mention earlier of his greater modesty. One story reflects this. When on the Bar Council he stood aside in 1971 in expectation of his appointment as silk. He did not regard it as fair or proper that he should keep another member of the outer Bar from serving on the council upon his own elevation to the inner Bar.

He served on the Guardianship Board with distinction between 1992 and 1996. He took that appointment after his work as a consultant with Blake Dawson Waldron on retirement from the Bench. He maintained a regular stream of witty correspondence to the letters editor of the *Sydney Morning Herald* until recently.

The community, litigants and legal friends were privileged to have a man such as George Hillary Smith serve the legal profession and the judiciary in this state. He would be an asset in any legal system in any part of the world but as the fates proclaimed it, it was our privilege to have him with us here in Sydney, not only to enrich our lives, but to enrich the lives of all with whom he dealt. We should all be grateful. We will all miss him greatly. Those of us left behind will do our best, albeit no doubt unsuccessfully, to match his contribution.

On behalf of all of his legal friends I wish to convey our deepest sympathies and condolences to Dorothy, Vicki, Greg and Rob, their families and George's wider family.

Bob St John QC (1925 – 2003)

*By The Hon Justice R N Madgwick**

For all the bad press barristers have lately had, the Bar has enough decent people to justify its pride in its traditions of independence, courage, generosity in defending the poor and oppressed, and public service generally.

Few, however, exemplify these traditions as well as Robert James Baldwin St John.

Bob was the second of three sons of a North Coast small farmer, who had more principles than money. As a boy, Bob did the milking before school. Barefoot, on frosty winter mornings he would hop between fresh cowpats to keep his feet warm as he brought the cows in.

He left Coffs Harbour High School in war-time, a sportsman and scholar. Bob followed his elder brother Bill into the Services, enlisting in the RAN as a rating in 1943, barely 18. Declining officer training, he served as a gunner on HMAS *Warramunga* for the balance of WWII, taking part in the Battle of Leyte Gulf and the invasion of Lingayen. He was never keen on war thereafter. His reminiscences centred on such larrikin activities as being caught selling liquor to American sailors. Later, he served with the occupation forces in Japan (including driving trams in Tokyo).

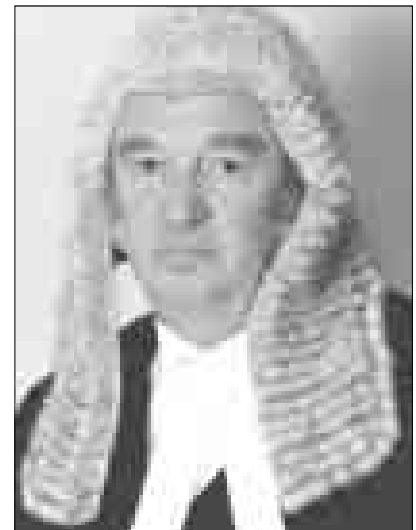
Demobbed, St John studied at Sydney University Law School in the surge of bright and ambitious scholarship ex-servicemen. A boxing blue, he was 1950 inter-varsity middleweight champion, though he also fought in light-heavy and heavyweight divisions. Early on, he outpointed his lifelong friend, Harry (later Judge) Bell. They agreed to fight thereafter in different divisions. St John said there was 'no point in coppers knocking each other about'.

He worked his passage to England and, along with such as Kep Enderby and Des O'Connor, took a Master of Laws degree there. He worked as a solicitor in London and married his first wife Ann (also from Coffs Harbour) before returning to Sydney in 1955 to go to the

Bar, intending to practise company law.

Fortunately for many, he soon moved to other work. He had a big common law and especially criminal law practice. In the latter field he stood out for his dignity, erudition and practical shrewdness. Judge Aaron Levine, who presided in the famous *Heather Brae Clinic* trial of qualified doctors for performing abortions, credited St John (who appeared for one of them) with the advocacy that saw the jury set the doctors free. The case eventually led to a more rational approach in New South Wales to the whole abortion issue.

Influenced by George Orwell and the Andersonians of the old Newcastle Hotel crowd, St John helped to found the NSW



Bob St John QC

Council of Civil Liberties (CCL) in 1963. The early lights included Bob Hope QC, Ken and Berry Buckley and Dick Klugman. The CCL was formed to assert what are now commonly called human rights. The then NSW police force was often thuggish, and benighted censorship policies were the order of the day. The CCL arranged for sympathetic lawyers to appear free of charge in police brutality and censorship cases. St John personally fought many of these. Some of the interesting people he defended became family friends and enriched his children's lives. He succeeded Hope as the council's president. In character, Bob's contribution to CCL fundraising was to host huge bush barbecues. He roasted pigs and Ann cooked camp-oven damper.