

Bullfry cleans up his act

The exophthalmic eyes were bright, blood-shot, rheumy, and shining, the colour of his cheeks was real and broken-veined after years of Barolo, breaking close to the surface from the faltering pump of his ageing heart. His body hovered delicately on the doorstep of old age—he was almost seventy, time was nearly up, and the hoar-frost was settling slowly upon him. (And yet, demographically, he was still in the largest cohort of barristers by far).

It was time to channel his inner Marie Kondo. You 'must keep only those things that speak to the heart, and discard items that no longer spark joy.' He opened the far cupboard in his chambers with trepidation. What terrors lay therein concealed? Cases unremembered; old witness statements better left unexamined – all the dreary forensic detritus of so many an immemorial year.

But, when he foregathered with boon companions for a coffee in Macquarie Street even in these morbid times, while much is taken, much abides. As Epicurus had foretold, there was no better way to spend an equable hour than chatting with old comrades in arms about the foibles of deceased jurists, mimicking their habits of speech, and the triumphs and disasters one had rejoiced in, when appearing before them.

And, if he couldn't muster the enthusiasm to rejuvenate his room during a COVID quietus, he never would.

Released from the cupboard, indeterminate items cascaded to his feet – assorted and outdated legal texts, back sheets, briefs, loving cups, two old and tattered volumes of the CLR's, plaques from regional law societies for delivering a CPD lecture, an old meerschaum pipe and a half-empty box of stale Coronas, two bottles (empty) of Barolo, three jabots in execrable condition, and at the last, an old wig.

Was there any point in keeping a third edition of *Butt on Land Law* (inscribed with a noble remembrance from its author)? The amount of learning involved in each and every edition was truly staggering. And yet modern publishers greatly preferred to foist upon the profession loose-leaf series, written mostly in-house by young

underpaid researchers and minions and former Tipstaves.

There was far more to be earned by them by sending out an 'update' every two months to a 'subscriber' than attempting to cajole an acknowledged expert to spend a sabbatical at his desk, assimilating 32 new cases on the entitlement to a right of way and reducing it all to two simple sentences with footnotes. And, sadly, the production of a hornbook of immense erudition (not to speak of 'merely' writing a new edition of a masterpiece) garnered no academic eclat whatsoever! Hunger Games were sweeping the legal campuses – COVID-19 border restrictions and the consequent collapse in the delicious cross-subsidy of foreign student fees meant that many senior players had had to reapply for their own professorships!

And what of the CLR's? These days you simply could not give them away except perhaps as an item of décor for those new into chambers. He thought back to a conversation he had had with the late Rodney Parker QC many years before – the latter had proudly shown him his fully-annotated set of CLR's, indexed assiduously year after year – 'Completely noted up and worth a fortune! It's all part of my superannuation!' – and now, because of modern technology, not even of value as kindling for the weekend B-B-Q!

How quickly had modern technology overtaken the profession. Was it, perhaps, the Minsky moment that all had long feared – did the final closure of Silks represent the tipping point? – 'when what could not continue as it was, did not'? The delicious rent-seeking (and opportunities for socialising) in court which had been the Equity Division's regular call-over all now gone to be replaced by the sterility of a computer interaction with a disembodied Registrar. Something that might formerly have justified a trip for a junior or reader from Chambers for half a day with three or four matters 'to mention' and a lunch with comrades to follow, now reduced to a matter of minutes in front of a lonely laptop.

As well, the vicissitudes of cross-examining via the internet for hours on end, or working



out which member of the appeal court had the asterisk, was proving very wearing to ageing eyes.

The changes on practice wrought by technology and 'distancing' meant that many now preferred to practise from a back shed in the garden at home and keep merely a door-tenancy in the hope that some passing solicitor would arrive with a brief.

He called in Alice – she had taken the mandatory PPE protocol to heart and



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was clad from neck to knee in a fetching polystyrene jumpsuit, topped by an orange rubber facemask (but surely the matching snorkel was a COVID accessory too far?).

'This is way past its time, I'm afraid'.

'But didn't that once belong to your old pupil-master? It must be all of eighty years old'.

'That's just the problem. I rarely need to wear a wig at all – my burgeoning PCA and AVO practice at the Waverley Local Court

doesn't call for it, and some sort of beetle has been making sport with the lining of this one'.

And, a tear in his eye, he had handed her the wig with a mental *salve atque vale* to it, as advised by the Kondo technique.

As the wig (strangely reminiscent of the forelock of some dead marsupial) was dragged off, Bullfry could picture the glassy eyes of its former owner, staring at him with the humble reproach of things that are thrown away, got rid of – all of a piece with

that little, little, time, the dead themselves are borne in mind.

A few minutes later what remained of it was flung into a corner of the courtyard visited every day by the dustman. During the flight down from the window its form recomposed itself for an instant; in the air there seemed to be a great advocate, a balding rhetorician, his right forefinger raised in imprecation as if to a common-law jury. Then all found peace in a little heap of livid dust. **BN**