

Appointments, Retirements and Honours

Sir Eugene Gorman, K.B.E., M.C., Q.C.

Eugene Gorman, C.B.E., M.C., Q.C. was created a Knight Commander of the Order of the British Empire in the Queen's Birthday Honours in recognition of his manifold public services. Sir Eugene Gorman retired from active practice at the height of his powers as an advocate over twenty years ago, but he has retained his rooms in Equity Chambers and he remains an influential, if seldom seen, member of the Victorian Bar.

Mr. Justice Beattie

On the 1st day of September, 1966, the Attorney General for New South Wales announced the appointment of the Honourable Mr. Justice Alexander Craig Beattie, who had been a member of the Commission since the 16th May, 1955, to be President of the Industrial Commission of N.S.W. in succession to the Honourable Mr. Justice Stanley Cassin Taylor upon his retirement from that office. His Honour became the Commission's 4th President since its establishment 39 years ago.

He was born on 24th January, 1912 and was educated at Fort Street Boys' High School and at the Sydney University, where he graduated Bachelor of Arts in 1932 and Bachelor of Law in 1935. He was admitted to the Bar in 1936. During the Second World War he served with the Armoured Corps in New Guinea and Borneo and attained the rank of Captain.

Before his appointment to the bench he had an extensive practice in the industrial jurisdiction in which he had specialised, acquiring a thorough knowledge of the working of both the Commonwealth and State industrial systems. As a member of the Commission, His Honour has acquired a reputation for the significant judicial characteristics of courtesy, patience and thoroughness.

His appointment to this important office has been widely welcomed and on 8th September the Industrial Commission sat in Court Session to inaugurate His Honour as President of the Commission. On this occasion at which the Attorney-General the Honourable K. M. McCaw spoke, representatives of the Bar, the Law Society of N.S.W., employers organisations and trade unions attended.

His Honour as a member of the bench participated in many important decisions of the Commission and was appointed to conduct the Inquiry into Apprenticeship in New South Wales, an inquiry in which he is still engaged.
J.F.D.

Mr. Justice Menhennitt

Clifford Inch Menhennitt Q.C. was appointed to the vacancy on the Supreme Court of Victoria left by the retirement of Sir Norman O'Bryan. He had been an Acting Judge of the Court since April. Before then Menhennitt Q.C. was but an infrequent visitor to the Supreme Court. He made his reputation at the bar as the pertinacious advocate of the causes of inter-state transport operators and the Commonwealth before the High Court and the Privy Council. But during the six months of his temporary membership of the Supreme Court bench he revealed learning and skill in the conduct of trials in matters far removed from his previous fields of practice.

Mr. Justice Menhennitt was born in 1912. He was educated at Scotch College and the University of Melbourne where he won the E. J. B. Nunn Scholarship and Supreme Court Prize in the final honours examination in 1933. He was admitted to practice in 1935 and became a member of the solicitors firm of Alexander Grant, Dickson & Menhennitt (now Alexander Grant, Dickson & King) where he remained, except for a period as a temporary civil servant during the war, until he came to the bar in July 1946. He took silk in 1957. He has been active in University affairs for many years as lecturer and member of one of the governing bodies of the University of Melbourne. Since 1965 he has been Warden of Convocation of the University. When appointed an Acting Judge he was Vice-Chairman of the Victorian Bar Council and a member of the Executive of the Law Council of Australia.

Sir Norman O'Bryan

Sir Norman O'Bryan attained the statutory retiring age for a Judge of the Supreme Court of Victoria on 16th October, 1966. He was appointed to the bench in 1939 and at his retirement was the only member of the Court to have been appointed before the Second World War and the only member to have seen active service in the First War. He was admitted to practice in 1916 but did not begin at the bar until after discharge from the first A.I.F. He took silk some eighteen months before his appointment to the bench.

As a judge he was forceful without being irascible, good-humoured yet firm. If he had a fault perhaps it was that on occasions he found it hard to subdue the advocate in himself. It has been said that he was the last of the great all-round advocates at the Victorian bar, at home in any court. But valuable as are his contributions to the law reports it was as a trial judge that he excelled.

He retires with his vitality undiminished. The Supreme Court will not seem the same without him but the governing bodies of St. Vincent's Hospital and the Melbourne Cricket Club will continue to profit from his enthusiasm.

Mr. Justice Hoare, C.M.G.

On 16th May Marcus Bertram Hoare, C.M.G., Q.C., was sworn in as a Judge of the Supreme Court of Queensland.

His Honour was born at Cairns in North Queensland, in 1910, and was educated at Brisbane Grammar School. He was admitted as a Solicitor in 1933 and was called to the Bar in 1944, taking silk in August, 1960. In the New Year's Honours List in 1965 he was created a Companion of the Order of St. Michael and St. George. His Honour has been keenly interested in the welfare of ex-servicemen, being a Queensland Vice-President of the Returned Servicemen's League for the past twenty years and Senior Vice-President for the past eight years. His Honour had enjoyed an extensive practice at the bar and had devoted a considerable part of his time to the affairs of the bar, serving on the Committee for many years and being Vice-President of the Bar Association at the time of his appointment.

Mr. Justice Clarkson

Gresley Drummond Clarkson Q.C. was appointed a Judge of the Supreme Court of Papua and New Guinea on the 20th October, 1966. His Honour was an early member of the newly formed Western Australia Bar having joined the Chambers on 16th July, 1963. He took silk on 6th August, 1965. At the time of his appointment he was President of the Law Society of Western Australia and a visiting lecturer in law at the University of Western Australia. His Honour practised at the Bar in most fields, but was especially noted for his work in the industrial field. He is 50 years of age, married with three children, and served from 1940 to 1945 in the A.I.F. during which time he attained the rank of Major and was mentioned in dispatches.

Alan Humphrey Croxford

Alan Humphrey Croxford (signed Roll of Counsel of Victorian Bar 16th February, 1951) has been elected Chairman of the Melbourne and Metropolitan Board of Works and has ceased to practice.

Alan Elmslae Dixon

Alan Elmslae Dixon (signed Roll of Counsel 8th March, 1956) was appointed a Prosecutor for the Queen in Victoria on the 28th June, 1966.

Notes on the appointment of Mr. Justice Lee to the Supreme Court of N.S.W. and of Judge H. H. Gibson to the Workers' Compensation Commission of N.S.W. will appear in the next issue of the Gazette.

QUEENSLAND NOTES**The Chief Justice of Queensland**

On 24th February, 1966, His Honour Mr. Justice Mack was sworn in as Chief Justice of Queensland before the Full Court of Queensland. Mr. Justice Mack is Queensland's eleventh Chief Justice, a fact referred to by Mr. Justice Sheehy S.P.J., who expressed the congratulations of the Judges of the Supreme and District Courts on His Honour's elevation to this high office and expressed the hope that His Honour's occupancy of the Chair would be fruitful for himself, the Profession and the Law.

The new Chief Justice was also welcomed by the Solicitor-General, Mr. W. E. Ryan, on behalf of the Premier, the Attorney-General and the Government of Queensland, by Mr. W. B. Campbell Q.C., President of the Bar Association of Queensland and Mr. J. J. Rowell, President of the Queensland Law Society. Mr. Campbell referred to the fact that His Honour had been a member of the Queensland Bar for twenty years and a Judge of the Supreme Court for sixteen years and said the Bar looked forward with confidence to His Honour maintaining the same close and harmonious relationship with the Bar Association and its members as had been enjoyed with his predecessor in office, Sir Alan Mansfield. He wished His Honour many years of good health, happiness and achievement.

In reply, the New Chief Justice expressed his deep feeling of honour on his elevation to the highest judicial office in the State and the generous and kind words spoken of him. He continued:—

"The obligations of a Chief Justice are heavy and onerous and involve not only ordinary Court work but also the performance of many duties outside Court hours. This allows very little time for other interests, most of which must be abandoned.

"I think that I shall always receive the assistance and the co-operation of both branches of the legal profession. I have enjoyed it and I have been grateful for it during the last 16 years as a Puisne Judge and there is no reason now why there should be any change.

"But, the assistance and co-operation of the Profession is not sufficient for the smooth running of this Court; there must also be co-operation between the Judges. Although each Judge is completely independent of the others, there must exist a team spirit. I am assured of that.

"There is one matter about which I think I should say a few words. It is concerning the apparent confusion in the

public mind about the back-log of work of the Supreme Court in its southern division.

"This pile-up of work is not peculiar to Queensland. It exists in other States of the Commonwealth, in England, and in America. It is world-wide; that cannot be disputed. It is caused partly by the increase of legal work but mainly by the upsurge of motor car accidents resulting in personal injuries.

"However, we have been singularly fortunate in Queensland in that we have a smaller back-log than most countries. For the purpose of easy explanation I may divide the work of the Supreme Court into six jurisdictions or categories. They are: appellate, chambers, circuits, criminal, Commonwealth work (which includes bankruptcy and matrimonial) and civil work. In the last ten years, under the guidance of Sir Alan Mansfield as Chief Justice, work in the first five jurisdictions has, except on isolated occasions, been kept up to date. Our only back-log is, and has been in the sixth jurisdiction, the civil list. We have on this list about 650 cases, but I believe from my experience in this Court that less than half that number will be fought. Some of those cases will never come on. Some are in the process of being settled, some will be settled as soon as they are brought on for trial, and others have been adjourned indefinitely at the request of the parties. To say or imply that 650 cases are awaiting trial can give a very erroneous impression.

"The state of the lists in recent years can be compared with those of New South Wales. The present Chief Justice of that State, on taking his seat as Chief Justice just over three years ago, is reported to have said (I quote from 'The Australian Lawyer', Volume 3, page 169)—

'There are always some 2000 causes awaiting trial, and there are 300 civil appeals as well as vast lists of matters in the equity, probate and divorce jurisdictions'.

"That described the position in New South Wales at that time.

"Last year, of course, we did not make any headway in the sixth jurisdiction, the civil list, but we did not lose ground with regard to the other five. Work in those five jurisdictions is up to date. It must be remembered that last year five Judges were absent for lengthy periods through illness, leave or other duties, and that the Industrial Court and the Land Appeal Court, each presided over by a Supreme Court Judge, had record years so far as quantity of work is concerned.