

## *The Right Honourable Sir John Robert Kerr, AK, GCMG, GCVO, QC*

A Service of Thanksgiving held in the Parish Church of St. James on 6 April, 1991 formally marked the end of the long and distinguished career of a former member and President of our Bar, the Rt. Honourable Sir John Robert Kerr, AK, GCMG, GCVO, QC.

Amongst those present were the Governor-General, the Hon. Bill Hayden, AC, and Mrs Hayden, the Governor of New South Wales, Rear Admiral Peter Sinclair, AO, and Mrs Sinclair, the Chief Justice of the High Court of Australia, the Hon. Sir Anthony Mason, AC, KBE, and Lady Mason, the Chief Justice of New South Wales, the Hon. Mr Justice A.M. Gleeson, AO, and Mrs Gleeson, former Governors-General, Sir Zelman Cowan and Sir Ninian Stephen, former Chief Justices of the High Court, Sir Garfield Barwick and Sir Harry Gibbs, the Prime Minister, the Hon. Bob Hawke, AC, and Mrs Hawke, the Leader of the Federal Opposition, Dr John Hewson and Mrs Hewson and the Hon. Peter Collins, MP, representing the Premier. In addition, a large number of members of the Judiciary, of the Parliaments and the diplomatic corps were in attendance, as well as political representatives of a number of foreign countries. At the invitation of the Secretary to the Prime Minister, I attended to represent the Bar.

The service was conducted by the Rector of St James, the Reverend Peter Hughes, in the presence of the Anglican Archbishop of Sydney, the Most Reverend Donald Robison, AO. Its nature was such as to cause those who had known the late Sir John Kerr to remember incidents in which they had been involved with him. That applied to many who were present, for he was a man of great breadth of interest and his contacts were numerous and widespread.

Philip Kerr spoke movingly of Sir John as a father, a member of a talented household. He stressed the qualities of humility and understanding which he saw as the essence of his father. Donald Markwell, as Australian Rhodes Scholar and Fellow of Merton College, Oxford, spoke of the time after 1975 when Sir John and Lady Kerr had lived in England. There Sir John had done much for Australians studying abroad. He stressed the extraordinary range of interests, the quick mind and the foresight of Sir John. The Chief Justice of the High Court, Sir Anthony Mason spoke of "old silver" (as Sir John was affectionately known at the Bar) in his roles as a Barrister, a soldier and as one who helped to shape policy for the occupied countries in the period which followed World War II. He

outlined the achievements of Sir John as a Judge, as Chief Justice of New South Wales and as our Governor-General. No one who heard Sir Anthony's speech could have been but convinced that Sir John firmly believed that the actions taken by him as Governor-General in 1975 were soundly based constitutionally and necessary in the circumstances which then prevailed. As time passes, the heat subsides and the dust from the political arena settles, more and more commentators seem to accept the correctness of Sir John's decision.

Sir John Kerr had a remarkable career. He was a Balmain boy, the son of a boilermaker. He attended Fort Street High where he took out every available prize and achieved three honours in the Leaving Certificate. This pass won him a University Bursary. He went straight into the Faculty of Law, from which he graduated with first class honours. After a period of military



and diplomatic service he returned to the Bar where he quickly distinguished himself in the common law and industrial fields. His ability to master lengthy and complex matters was legendary. He was one of the original Directors of Counsel's Chambers Limited and remained a Director for 13 years. He worked with Barwick, Manning, Toose and McGuire to ensure that the Bar had a home of its own. When that building was complete he became head of Chambers on 10 Wentworth. He was a member of the Bar Council from 1961 until 1964 and was President in 1964. Meares describes him as full of ideas, innovative, incisive and as having an ability to motivate people. These qualities were

amply demonstrated when, after a short period on the Supreme Court of the Australian Capital Territory, he became Chief Justice of New South Wales in 1972. He revitalised the spirit of the Court, introduced committees which still assist in the efficient dispatch of the court's business and he was active in the planning of the historic precinct between King Street and Hyde Park. In 1974 he was appointed Governor-General. The rest is already the stuff of history.

Sir John Kerr is the paradigm of that success which can be achieved in Australia by those who have intelligence, integrity and industry. The tributes paid to him at his Memorial Service were fitting. They were accepted by those present as the due of a great man, one I was privileged to know, one whom it is hoped will be treated well by history, a man who was a great barrister and an outstanding President of our Bar.

Vale John Kerr.

□ B.S.J. O'Keefe QC