

The Class of 1989

By Rodney Brender

Not the title for a revamping of the highly successful teen soaps *Class of 1974* and *Class of 1975* watched avidly by pre-Neighbours teenagers back when Kylie was in nappies, but what the Americans would call the graduating readers' group of March 1989. Rodney Brender goes down memory lane with the readers of 14 years ago.

In late 1988 George HW Bush was elected president. Ferdinand and Imelda Marcos were indicted on racketeering charges. And a few months later in Sydney, a small group gathered in the basement of the Selborne/Wentworth building at 8 to 9am and 4 to 5pm each day to undergo the Bar Practice Course.

Most of the readers had some experience in the profession, usually as a solicitor. They held high hopes of a rewarding and glittering career at the Bar, no doubt tempered by some apprehension about the examination they would face in the next 12 weeks - a pass/fail ethics exam, and also the mock hearings to be endured before a real judge. For those wishing to get through with a minimum of work and inconvenience, the course compared favourably with the College of Law conducted in Sydney in the mid-1980s. For those wishing to learn from some of the leaders of the profession, it was a useful if not intensive experience. For entertainment value however, on most days it was comparable to a slow afternoon at the Sheffield Shield, the competition yet to be re-named after a brand of milk.

There were exceptions however. For example, on one afternoon there was the unexpected appearance of an actor briefed by the late Paul Donohoe, who appeared in a bizarre street person's outfit, arriving in the middle of a lecture on some arcane subject, telling us that all barristers were beneath contempt and that we, and particularly that president of ours, 'Barry' Handley, could all stick our books up our jumper, or words to that effect. We then learned how wildly inaccurate affidavits could be, even when drawn by persons seeking to tell the truth, and done relatively soon after a memorable event. I also remember being grilled by Gummow J during a mock appeal and telling his Honour that I would address his questions in what we both knew were non-existent written submissions. His Honour was suitably unimpressed. The highlight of my reading year was the look of relief on my master's face when I told him that I would have no objection to him skipping the master-readers dinner.

Times have changed in the last 14 years. The whole High Court bench of 1988 has now retired. We've had *Mabo*. We've won the Rugby World Cup twice. Politically, the federal government has gone from ALP to Coalition, the New South Wales Government the reverse direction. We've had the Corporations Law, Act and Code (not necessarily in that order). We've had September 11, 2001 and 12 October 2002. We are onto our second Bush in the White House.

Over those 14 years, the group of barristers has progressed with varying success through the ranks of the Bar. A few have taken silk. Some are in the employ of the Crown. They have been a mobile group - averaging perhaps three different chambers in that time according to my unscientific (and statistically unreliable) survey.

Other than the silks, most are rarely briefed with a junior these days. Nor are many briefed with a leader anymore. Their insurance varies generally from \$1m to \$5m per annum. As one would expect, their areas of practice vary widely.

When drawing the survey, I refrain from asking whether they preferred the blonde to the brunette in Abba, or perhaps, if I were to be more up to date, whether their favourite blonde was Britney or Christina.

To be non-sexist, I should disclose that I also fail to ask whether they preferred Benny to Bjorn, or Ricky to Justin (Timberlake, not Gleeson SC). I did ask about favourite judges though. Without disclosing names, sexes or other preferences, Mason CJ, Deane J and Kirby J all received big wraps. In the Supreme Court, Hidden J, David Kirby J, McLelland CJ in Equity, Samuels JA and Greg James J received honourable mentions. Blanch CJ was mentioned by several as well, particularly those practising in crime.

Most barristers of 1989 profess, in 2003, to be relatively happy with their choice of profession. None would admit to regretting their decision to join the Bar and none would express any yearning to go off and be a lion tamer or rock star in their latter years. Most seem happy to continue the path trodden to date, perhaps ending up as a silk or judge, and retiring at about 70.

Despite my best efforts to stir up some controversy, most respondents to my survey supported the Bar's efforts in the areas of continuing professional development, and in the controversy over the Bar's role in disciplining barristers, particularly in respect of taxation matters. I asked them to tell me their highs and lows at the Bar. I remember falling flat on my face, literally, in my haste to get to the Bar table in John Leslie's court, and being humiliated by some of the late but not lamented District Court judges of the old school, but no one else was prepared to share such memories on the record. Their answers were either non-responsive or a little boring - we are not a gushing or imaginative lot, at least not in print. No stories of breaking down witnesses and having them confess all *a la* Perry Mason were told. No titillating stories of being caught *in flagrante delicto* under the desk made the light of day either. It seems we are happy with the odd acquittal in a murder case, winning a High Court appeal or the more metaphysical realisation that we are in the right career and being paid for what we enjoy.

In 1989 Justice McHugh joined the High Court. The US invaded Panama but didn't catch the bad guy immediately. The Berlin Wall fell. Reagan walked out of office alive, the first president since 1840 to be elected in a year ending with a zero

to do so. When we walked out of the readers' course we were walking out to the unknown. Had we our time again, the consensus seems to be we wouldn't change our decision. Most of us would *say je ne regrette rien*.

Circuit Food

The Kaiser Stub'n

On Friday I took the former party of the second part, sadly confined in a nursing home, out to lunch. Nearby was a previously untried Austrian restaurant which had been recommended by one of the Winter Swimmers.

What a pleasant surprise it was! Nestling in McCarr's Creek Road where it meets Mona Vale Road, it has bushland on three sides and is bright and cheerful, with very pleasant views.

Every table had freshly cut flowers and there were fresh flowers in vases around the room. Red and white checked tablecloths completed the Tyrolean atmosphere.

The service was nothing short of excellent with the chef and proprietor and the proprietor's wife all taking part in the waiting. We were scarcely seated at the table when drinks, which included a Bitburger on tap, were offered. The beer came in two sizes: 300 mls and 500 mls and is as nice a continental beer as I have ever drunk. Warm bread rolls followed whilst we chose three entrees: first, the special of the day, fresh warm asparagus with shaved Black Forest ham and a frothy, hollandaise sauce. Next we shared dumplings, stuffed with pork crackling, and salad. The dumplings, somewhere between a squash ball and tennis ball in size, were delicious and filled with the crunchy pork bits. The sauce was, again, creamy but light, frothy and apple cider-flavoured. A real delicacy.

Last we shared veal kidney quickly sautéed with shallots in a tasty brown sauce. These were served with German-style fried potato sliced thin and cooked crisp. To my mind the kidneys were a little bit tough as if they had been cooked and reheated, which is fatal with offal, but overall it was a nice dish.

One glass of Margaret River sauvignon blanc rounded off what was a wonderful meal.

I know Terry Hills hasn't got a circuit court, but if anybody is on a view on the Mona Vale Road, The Kaiser Stub'n is *the* place to go for lunch. Booking is recommended because on the Friday we were there, the restaurant seemed to be filled with local Austrians and Germans.

The Kaiser Stub'n

302 McCarr's Creek Road

Terry Hills

Ph: 9450 0300

Open for dinner: Tuesday to Sunday

Open for lunch: Wednesday, Thursday, Friday and Sunday

Credit cards: All major cards

John Coombs QC

25 March 2003

