

barrassment led their forces to destroy everything as they retreated: rations, crops, towns and villages; and then a bombing campaign of total destruction was unleashed. It continued for over another two years (including for over a year when the only outstanding issue at the ongoing peace talks was in relation to prisoner repatriation), 'systematically bomb[ing] town by town' and killing about three million mostly non-combatants. It seems likely that biological weapons were deployed; and atomic strikes were only very narrowly avoided. The expressed purpose was to induce 'a more cooperative attitude at the truce talks', but a more accurate description quoted by Pembroke was a 'war by tantrum'.

And so American defeat in the Korean conflict led to its mistakes being repeated in Vietnam and, later, Iraq. The war crime of the American bombing went unpunished and America has continued to refuse to sign various international treaties. President Trump's suggestion that America no longer wishes to be the world's policeman is hardly consistent with its maintenance of military bases around the world and its insistence that peace in Korea can only be achieved by a conflict (military or diplomatic) between the United States and North Korea. It is clear that peace in Korea requires, rather than an increasing involvement of the United States, the encouragement of increasing rapprochement between the North and the South (building on measures such as the unified ice hockey team at the 2018 Winter Olympics and the leaders' recent handshake) and a withdrawal of American forces.

A treaty between the United States and North Korea of whatever type will never be sufficient to ensure peace in the Korean peninsula: Korea should never have been divided and it needs to be reunified.

This is a book that is extremely and consistently easy to read, but with sufficient well-sourced detail to leave the reader better informed on what has become one of the essential topics of the day. I was at various times astonished, angry, worried and in despair at what Pembroke describes as 'the ignorance and intransigence of some men and women'. It was never anything other than enjoyable and thought provoking; and its scope, content and timing is such that it should be read by anyone with an interest in the current situation in Korea or indeed in America's ongoing efforts to shape and dictate events across the globe.

Reviewed by Anthony Cheshire SC



Rather His Own Man - Reliable Memoirs

By Geoffrey Robertson

Each year, I make a point of warning the new readers on the Bar Course that whatever intellectual stimulation they may provide, their own cases are not interesting. Anyone who has ever attempted to entertain a dinner party with tales of equitable estoppel or the second limb in *Barnes v Addy* should, by now, have realised that to be the case, or else lack self-awareness and, most likely, invitations to dinner. Criminal barristers often make better dinner companions since their cases are generally more factually interesting, but the content is not always well-received or appropriate; and the caricature of the ageing silk with his war stories has always been one of the worst offenders.

Geoffrey Robertson is a wonderful exception. He has had an extraordinary and successful career. Although born in Sydney, he made his name in London, arriving only a few years after Germaine Greer, Clive James, Robert Hughes and Barry Humphreys. As such, it would be easy to dismiss *Rather His Own Man - Reliable Memoirs* as the pompous (a word he uses to describe himself) war stories of a tall poppy ex-pat.

That, however, would be completely inaccurate and unfair. These are the rollicking adventures of an exceptional talent with an unwavering commitment to human rights allied with, one suspects, a large dollop of good fortune. Add in a bucket of popcorn and it might even make a good film - I suspect Robertson would choose George Clooney, a personal friend, to play him.

Brought up in Eastwood with a love of tennis (Lew Hoad and Ken Rosewall) and

cricket (Alan Davidson, Richie Benaud and Ian Meckiff), Robertson describes his family as 'a middle-class family in a middle-class house in a middle-class suburb, with a Hills hoist in the backyard and a small car in the carport'. They took the Fairfax *Sydney Morning Herald* rather than Packer's *Telegraph*, which was taken by the 'working-class neighbours' or Murdoch's *Daily Mirror*, which was taken by 'those with no class at all', including 'the men in our street...who beat their wives'.

Good Leaving Certificate results, including coming second in the state in history, led to Sydney University, university

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politics (including as SRC president) and friendship with people such as Michael Kirby, Richard Walsh (the editor of *Oz* magazine), Gareth Evans, John Bannon (former premier of South Australia), David Marr and Jim Spigelman. His position as editor of the Law School magazine *Blackacre* included a successful campaign for the setting up of a new Law and Social Justice course.

His law career began at Allen Allen & Hemsley in 1966 and included a telephone call from John Kerr (then a judge of the Commonwealth Industrial Court) seeking his assistance in the defence of his son, who had been arrested at an anti-Vietnam rally. Kerr then introduced him, at 'a small dinner party', to the then chief justice of Australia, Garfield Barwick. Talent and the contacts he had made at university propelled Robertson on.

After a bizarre CIA-funded Far-East Student Leader Scholarship in California (including catching up 'with an old friend, Nick Greiner'), a Rhodes scholarship led him to Oxford and then the Bar. He became involved in the successful defence in the *Oz* obscenity trial and by 1974 he was fulfilling his 'boyhood dream to appear, wiggled and gowned, addressing a jury beneath the Old Bailey dome on which stands the iconic golden statue of

Lady Justice'. An encounter with a judge in court convinced him to abandon his Australian 'nasal vowel sounds' in order to be able to say 'Fuck Art, Let's Darnce' (as printed on an allegedly indecent T-shirt) and thus be understood.

The war stories follow thick and fast: defending Gay's the Word bookshop on charges of importing indecent literature; defending the managing director of Matrix Churchill, which had been accused of smuggling arms to Saddam Hussein, which it had in fact done, but at the instigation of MI6; defending journalists accused of revealing the government eavesdropping powers of GCHQ; defending *Gay News* on a charge of blasphemy for its poem 'The Love That Dares to Speak Its Name'; defending Peter Wright in the Spycatcher trial; defending the brothel-keeper Cynthia Payne; defending IRA suspects; defending a drug dealer who had been entrapped by the police; defending the *Guardian* from a libel action brought by Mohamed Al-Fayed in the Cash-for-Questions scandal; defending the *Sunday Mirror* from a privacy action brought by Princess Diana; defending Mike Tyson from his exclusion from the United Kingdom; advising the Greek government in relation to seeking the return of the Elgin Marbles from London; representing former Labour party leader Michael Foot in a libel action against Rupert Murdoch personally for a headline that claimed that Foot had been a KGB agent; and acting for Human Rights Watch in upholding the validity of General Pinochet's arrest in London.

Robertson's practice in human rights took him to courts all round the world and included many death row cases, including establishing the important principle that keeping a prisoner on death row for a prolonged period was torture, which meant that the death penalty had to be commuted.

There are various pleas for reform, including a plea for refugees to be welcomed; a proposal to introduce a Magnitsky law so that the overseas assets of tyrants and corrupt officials could be frozen; and a suggestion that Barack Obama should be the next head of the Commonwealth, for which he is eligible by virtue of his father having been born in Kenya.

Robertson's career and his proposals for reform might suggest a rebel, but he is also a part of the establishment. He is a founder and head of Doughty Street Chambers, which has a philosophy of commitment to the legal aid system and a model of half their cases being on full commercial rates in order to support the other half being pro bono. He was appointed as a Recorder (a part-time Judge), a bencher at the Inns of Court and a five year term as an appeal judge at the United Nations War Crimes

Court. There are limits to his membership of the establishment: the title to these memoirs derives from the comment of a permanent secretary that torpedoed a proposal to appoint him to an important European judicial position: 'But...he is... rather his own man, isn't he?'

So what has driven Robertson this far and apparently continues to drive him on? It is clear that there is a passionate sense of human rights and justice, but where does that come from? Although able to trace his ancestry back to a possible link with Kaiser Wilhelm, there does not appear to be any

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clue there. There is a hint in the structure of this book, which begins with the story of his father crash landing his Wirraway aircraft on the roof of a home in the small bush town of Chiltern and ends with the death and funeral of each of his parents.

Robertson paints an affectionate portrait of his parents, marked and largely defined by the war and the depression. His father's career in the bank eventually left them well off, but his father would still walk miles rather than pay for a taxi for himself and his mother is described by Robertson as being self-effacing and teaching by quiet example and giving to others. He sums up his philosophy as 'I could never do anything of which my mother would disapprove'.

We are probably all shaped by our parents, but the mechanism by which we adopt certain characteristics from them and reject others is seldom clear and is certainly not in the case of Robertson. Thus, while his mother had no time for 'the limelight', Robertson is clearly very comfortable there and it would probably be fair to say that he craves it and delights in it.

A dazzling array of girlfriends, including Bel Mooney (a journalist then married to Jonathan Dimbleby), Jeananne Crowley (an Irish actress), Jennifer Byrne and Ni-

gella Lawson, were followed by marriage in his 40s to Kathy Lette and an introduction to many famous names from the London arts scene. In the final paragraph of the book, he records that in 2017 he and Lette 'decided to uncouple' and how he 'had already taken a skinny dip in the fountain of youth, falling in love with (and, amazingly, being fallen in love by) a much (but not too much) younger professor of law from Eastern Europe'.

That sudden revelation led me back to his self-description as pompous and not suffering fools, traits of which I realised there had been no hint in the book. Although titled *Reliable Memoirs* and no doubt reliable, they are perhaps missing some of the depth of emotional intimate reflection (which generally differentiates a memoir from an autobiography) that might enable the reader fully to understand the man.

That is not to detract from what is a fabulous and enjoyable read that I would recommend to lawyer and non-lawyer alike, but I hope someone out there is planning a full and in-depth biography. In the meantime, this book could perhaps have been titled more accurately (albeit perhaps less catchily): *Professional Reflections and War Stories with Hints of What Makes Me Tick*.

Reviewed by Anthony Cheshire SC