



## Judges' kids

It seems like they're everywhere these days. Judges' kids.

Once upon a time you had 'Oh, he's the son of Judge Such-and-such' or 'he's Justice Whatsi's young fellow,' but these days of course you'll hear 'She's the daughter of Judge Such-and-such' or 'Her mother is Justice Whatsi.'

This is wonderful, I'm sure, for the families involved but it can be a little awkward at times for those of us from rougher stock.

Who hasn't been caught in a corridor comparing notes with a colleague to the effect: 'Who are you in front of?'

'Old Blockhead.'

'Oh,' says the colleague, as a junior who was listening-in eases away.

'That's Old Blockhead's daughter,' whispers someone in the know.

'Oh dear.' Oh dear indeed.

It's not always bad news though. One young chap with a well-known surname was introduced to us recently and after the meeting we agreed: 'Well he seems like a delightful fellow.'

'Yes. Nothing at all like the old man.'

It can't be all fun and privilege for the offspring of the elevated. At least some must experience that nagging feeling that they should really go out on their own and make a name for themselves. Maybe join a different floor to mummy or daddy's or specialise in crime or family after the elders made their name in commercial or constitutional.

Perhaps they should have their own society? A monthly meeting where they can gather, compare notes and cast judgment on others.

'They do,' said a friend. 'It's called Bar Council.'

But cynicism aside our profession is not alone in witnessing generation after generation don the wig and gown. The aristocracies of France and England did it for centuries.

The doctors, the real estate agents, the captains of industry also often follow their elders.

And if you send your little darlings to a certain school, a certain university and certain overseas colleges then you're probably going to get a certain result.

And it's not all bad.

I've heard reports of the offspring outperforming professionally their parents on the bench.

Perhaps exposure to professional development and best practice guidelines has created a younger generation determined to break the cycle of judicial bullying and put a smile on the frustrations that can often be felt on that side of the bench.

Perhaps at home the younglings have endured similar conduct as children at the dinner table and decided that when it's their turn they will put forward a softer veneer. A smile. Maybe a gentle nod.

Maybe hearing the old man referred to as Old Blockhead has caused the odd Blockhead Junior to pause and ponder: 'Maybe I don't want that reputation. Perhaps some friends would be nice.'

Whatever the cause I think we can safely conclude that the children do not always inherit the sins of the fathers. Nor are generations hence marked down for the sins of generations past.

There's a lot to be said for following in the footsteps of others especially in our profession where there is a high degree of public service.

I do fear for the child who is promoted to an inferior court compared to their elder. What must it be like to be appointed to the Local Court when daddy sits with the Supremes or an appointment to the District Court when mummy sat on the Court of Appeal?

What does that do to a child, albeit a child in middle-age? Do they cop it at home? Is Christmas an even more painful experience?

What of the child who surpasses the parent with promotion to a court superior to where their forebear sat?

Is there a sense of pride or resentment?

Some of us may recall that period in our youth when, as we matured, we pulled up alongside our parents and began surpassing them in certain areas. The son no longer bamboozled by the father's off-break or the daughter who sends mother's feeble second serve back over the net with gusto.

The intellectual moments arrive where the child is no longer posing silly questions, but answering them, grounded in facts and making the elders look a little less wise than they once appeared.

I have a memory of one Christmas evening being invited to the garage by the old man to try out the new boxing gloves.

Mother tells it best when she recalls hearing – from her vantage point in the kitchen – 'Geez, sorry Dad. Are you okay? Do you want me to get Mum?'

Picture then the moment when one peruses the daily edition of *InBrief* to find that little Sally has been appointed to the Federal Court while mummy or daddy is finishing off the AVO list in Wilcannia or Boggabilla.

'Geez, sorry mum. Are you okay?'

In any event problems of the judicial kind are not the type that most of us will encounter. For the majority we plod along to the delights of our parents who adore the fact we've graduated from somewhere and we're not merely a lawyer or a solicitor, but a *barrister*.

And our only realistic hopes of judicial or semi-judicial appointment are in the distant future when the Libs are back in power and we can flash our party credentials for a stint on the Administrative Appeals Tribunal.

Until then, suburban rugby league tribunals and university moots will have to sate our thirst for judgment.

And our parents will have to satisfy their judgment by confining themselves to how we parent, look and live.

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