



An interview with Martin Enfield QC

Interview by Gail Furness SC

Bar News (BN): *Martin you've been at the Bar 47 years.*

Martin Enfield QC (ME): Since 1974, yes.

BN: *You've recently written a book about some of your adventures.*

ME: I have.

BN: *Tell me what motivated you to write it.*

ME: You and others telling me that I was boring you to death with old war stories at floor dinners and that I might as well write it all down instead of recounting the same stories again and again.

BN: *And the title, I Object?*

ME: It comes from a line in one of the stories in the book. Andrew Bell SC, as his Honour was then, and Ian Jackman SC were engaged in a difficult trial before Hammerschlag J. One said to the other 'I object, my friend is wasting time' and the other responded 'I object to my friend being rude'. Hammerschlag J said, 'I uphold both objections, now let's get on with the case'. So, it was just a good catchy line and it's a regular barrister's line that's used every day and really captures the sort of essence of the book.

BN: *Did you rely solely on memory, or had you made notes along the years?*

ME: Basically, I worked off notes that I've made over the years of cases or little things that had happened, little incidents or anecdotes that occurred in cases. They usually sparked a memory of something about the case; otherwise, little snippets I had collected from other people over the years or notes I have made of other people's

stories as they appeared which I thought would be interesting.

The book is there hopefully for the entertainment or enjoyment, not just of lawyers, but of non-lawyers who might happen to be interested in how the legal profession and how the Bar works. It's meant to be a work that people can pick up and put down whenever they want rather than a long story.

BN: *You said in the book how important clerks were. I'm sure that you've seen clerks, not just on our floor but generally, change over time, and seen their changing roles.*

ME: Very much so. The role of the typical clerk was different when I came to the Bar, and it has changed quite a bit. In those days, the clerk was much more involved in the barrister's practice, procuring and funnelling work, so that in those days practitioners regularly rang the clerk and said, 'Have you got somebody on the floor who can do X or Y?'

BN: *But now people have their own individual reputations and tend to be briefed direct from the solicitor.*

ME: Yes, definitely so, that's come about in a number of ways I think. The profession has become more specialised, whereas previously there were a lot of what I call general practitioners at the Bar. For the first seven or eight years, I was encouraged by my clerk not to specialise and to do anything and everything that came along, which I effectively did, but the role of specialisation has meant that solicitors who have also become specialised in their practices much more than they used to be have tended to go

directly to the people who are the specialists in that area, such as yourself for example, without the need to ring the clerk to find out who is available, who on your floor, this floor or that floor, has a practice in this area or that area. So that's the increased tendency.

BN: *So, after nearly fifty years at the Bar what is ahead of you?*

ME: Ah, that's a good question. My accountant told me I could retire when I turned eighty-two, by which time I should have paid off my mortgages. My own immediate intention is to just keep going doing what I'm doing. I've never had any judicial ambitions of any kind; when I say that, at the time I took silk, the attorney at the time said to me: 'You're going to get your commission from the queen but it's on condition that you do me a favour by becoming an acting judge of the District Court for a few months at a time over the next couple of years, so that we can clear the lists there'. And that's what happened. That cured me of any long-term judicial ambitions. I enjoyed it, it was good fun, but long-term it was not for me.

After this length of time, I still regard practice as a challenge. Every case is a challenge.

BN: *Now in the review that's also in this edition of Bar News, Anthony Cheshire looks forward to an autobiography. Is that in the wings?*

ME: Not a chance. I was very careful to try and make sure this book was not an autobiography. It was never meant to be about me; just entertaining tales and anecdotes. **BN**