

# Editor's note

**Catherine Gleeson SC**  
New Chambers

**T**ributes to the Hon TEF Hughes AO KC are not foreign to the pages of *Bar News*. He was honoured, with Chester Porter QC and Frank McAlary QC, at a dinner to celebrate their 50th year at the Bar, the speeches for which were extracted in the Spring 1999 issue. His 60th year at the Bar was marked by no less than three tributes by the Hon Sir Anthony Mason AC KBE, the Hon Murray Gleeson AC KC and the Hon John Howard AC, published in the Winter 2009 issue. There was coverage of the dedication of a portrait of Hughes in the Bar Common Room in 2005 and the launch of his biography, *A Cab on the Rank*, in 2016.

In this issue we are fortunate to have an obituary from the Hon John Sackar AM KC together with some wonderful photographs from various stages of Hughes' life, and cover art by Rocco Fazzari capturing Hughes, and entourage, striding down Phillip Street for another hearing of note.

Those who spoke for Hughes were never short of material. Every aspect of his life was storied, from his World War II service to his time in politics to his investments in the land and the turf, and above all, to his extraordinary career at the Bar. Stories of his dominance at the Bar abounded in his tributes. At the core of them were the accounts of his reputation as a quintessential barrister, and above all, his professional qualities. Two examples suffice.

His questions in chief, and in cross-examination, and his legal arguments, were prepared meticulously. He had a realistic appreciation of the weaknesses as well as the strengths of a case. He was not one of those barristers whose geese are all swans. He was courteous, and adept at handling an adverse judicial reaction to a witness or a line of argument. ... He was a forceful



advocate, but never self-indulgent. Everything he did was disciplined; calculated to advance his client's cause, not to make himself look or feel better. He was comprehensively professional.<sup>1</sup>

Appearing against him was a continuing forensic education. Whatever the cause of action and whoever heard it, Tom Hughes was always in complete control of his case and well aware of the weaknesses in your case. He gave no quarter and asked for none. But never in all the cases I had against him did he ever engage in any snide or underhand conduct. He knew the rules that governed the behaviour of counsel and never infringed them.<sup>2</sup>

It is impossible for most of us to replicate Tom Hughes' successes at the Bar. What is achievable is to follow his example in our own practices.

This issue calls for other tributes. This is the last issue put to bed during the tenure of Ruth Higgins SC as NSW Bar President and Andreas Heger as Executive Director of the Bar Association.

Many of the general functions of the NSW Bar Association are well known to its members. It holds the Bar Exams and Bar Course. It processes practising certificate applications. It regulates professional conduct. It hosts CPDs and provides a library. It engages in support and advocacy for matters of interest to barristers and for the administration of justice through its committees.

What is less apparent to most members is the sheer amount of work that goes into these functions and the many things that lie behind them. Much of that work is undertaken by barristers acting on a voluntary basis and the Association's staff. An even greater amount of work is assumed by the leaders of the Association in pulling it all together. The leadership of Ruth and Andreas during their respective tenures has been extraordinary in this respect.

I have been very fortunate to work with Ruth and Andreas on Bar Council. Andreas is a force of nature. The extent of the changes he has brought to the workings of the Association in just a few years is astonishing. The depth of thought he brought to the countless questions he was asked to address on a daily basis was invaluable. I interviewed Andreas for this issue and Ruth has given an account of his many achievements in her president's note. Andreas is taking an enviable and well-deserved sabbatical and he will be sorely missed.

Ruth's presidency was enhanced by her brilliant mind and steady hand. She brought compassion and wisdom to the many difficult questions presented to the Bar, be it the intersection between professional discipline and the wellbeing of affected members, or the best way to advocate on a contentious issue. Not for nothing, she also ran a tremendously efficient Bar Council meeting. And if you ever need to smile you have only to ask about her daughter and bask in the joy and enthusiasm that accompanies the answer. We have been very lucky to have her as president.

Characteristically, Ruth has said very little about her tenure in her president's note. I have sought to make up for this omission by asking Andreas and the Senior

Vice-President, Dominic Toomey SC to give some brief reflections on working with her.

### **Dominic Toomey SC, Senior Vice-President**

The Chief Justice wryly observed at the 2023 spring dinner that Ruth would be the first non-English-speaking president of the NSW Bar Association. I have found, however, that I have in fact been able to comprehend much of what she has said over the last 18 months and, consequently, have been left with the firm impression that Ruth is really very bright, and funny!

While it must also be acknowledged that she has demonstrated a marked aversion to the refusal of barristers' work, which, in the case of an ordinary human in her position, might be thought to be an impediment to the execution of her office, it has, in Ruth's case, not been so. She has a prodigious capacity for work, an admirable equanimity, and a ready sense of humour, all while maintaining a steadfast insistence that she be home for the quality time that is dinner with her daughter.

Ruth's unstinting devotion to her role as president, which she has executed without fanfare and with genuine humility, and her warm companionship along the way, have made it a pleasure to serve as her senior vice-president. I wish her, first, a long sleep, and then all the success the future undoubtedly holds for her.

### **Andreas Heger, Executive Director**

There is a special relationship between the executive director and the president of the NSW Bar Association, and it has been a great privilege to work with Ruth over the past 18 months. Much of value has been implemented in this time. It is difficult to add

to Catherine and Dominic's apt reflections on Ruth, but if I can put it simply: she embodies the finest qualities of the New South Wales Bar.

It is rare to find someone with such a towering intellect who engages so warmly and openly with all, and a person of such deep humanity as Ruth. She has a remarkable ability to swiftly comprehend the most complex of issues and an efficiency and mastery of language that is breathtaking. If you have not read her speech at the Supreme Court's bicentenary, please do. Ruth is a person of deep integrity who has faced the challenges of the role with thought, care and the soundest of ethical frameworks. Ruth's considerable voluntary service to the NSW Bar includes being both a member and chair of a Professional Conduct Committee, many years on Bar Council, and service as treasurer, junior vice-president and senior vice-president. Ruth's advocacy for improving mental wellbeing at the Bar through the mental health first aid course has been vital to its success, with a graduate in almost every chambers in New South Wales and a noticeable increase in BarCare referrals. She has also been a big supporter of bringing our staff together in our new premises to ensure we attract and retain the best people, and for this I am very grateful. The NSW Bar is home to many frighteningly smart and lovely people and Ruth is the perfect leader of this cohort. I will very much miss working with her, as well as our discussions of art and literature on the sidelines of Association events and meetings.

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### **ENDNOTES**

- 1 Murray Gleeson AC KC, 'Tribute – The Hon TEF Hughes AO QC' [2009] (Winter) *Bar News* 28.
- 2 Michael McHugh AC KC (Speech at the presentation of the portrait of Tom Hughes KC, Bar Association Common Room, 18 March 2005).