



The Middle Templar

The Honourable Society of the Middle Temple

Issue 47 Winter 2009



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Introduction



The 6th of July was a truly momentous day for the Inn. The admission to the Inn, Call to the Bar, and Call to the Bench of HRH Prince William of Wales witnessed by a packed Hall was a magnificent occasion enjoyed by all who were there. For over four hours Prince William charmed everyone he met and we very much look forward to developing a close relationship with him over the coming years. In his honour, the Inn has renamed the Smoking Room, the “Prince's Room”, and the proceeds of this year's Revels will be given to one of Prince William's favoured charities, St Giles Trust, which provides support for prison leavers.

During 2009 the Inn has continued to develop its links with other jurisdictions. In May we participated in the Four Jurisdictions Law Conference in Dublin. In September, in collaboration with the Judiciary and Bar in Mauritius, we played a major role in the conference “Enhancing the Justice System under the Rule of Law” which was attended by delegates from more than a dozen countries. A conference in South Africa in 2010 is being planned, and our connections with Japan continue to flourish. I am also delighted that the Mauritius Middle Temple Association has launched its first magazine, a Middle Temple Society has been established in The Bahamas, and an initiative to do likewise in Malaysia is underway.

Closer to home, the new Supreme Court has opened its doors and is featured in this edition. Robert-Jan Temmink has been elected as Chairman of the Hall Committee, and Ali Dewji has been elected President of the MTSA for 2009-2010. We wish them success in their important appointments.

On the staff front, I pay special tribute to Marion Howard who has been the “friendly face” of the Middle Temple Treasury for over twenty years. We wish her a long and peaceful retirement and offer congratulations to her successor, Richard Chapman, on his promotion. I also congratulate Ian Garwood, Director of Estates, who has now served the Inn for thirty years. There will be more on our longest serving staff members in the Spring 2010 edition.

Peter Hilling Under Treasurer

Front cover: His Royal Highness Prince William of Wales signs the Inn's Admission Form on the Cupboard (made from the hatchcover of Sir Francis Drake's Golden Hind), the table on which all the Inn's barristers sign when they are Called to the Bar. (Photograph courtesy of Ripley Photography.)

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Deputy Treasurer

The Rt Hon Lord Justice
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Lent Reader

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Sir Francis Jacobs KCMG QC

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Middle Temple Advocacy
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Master of the Archive

Michael Ashe QC

Masters of the Garden

Stephen Lloyd
The Hon Mrs Justice Judith Parker

Master of the House

Anthony Boswood QC

Master of the Moots

Richard Wilmot-Smith QC

Master of the Music

Anthony Arlidge QC

Master of the Revels

His Honour Judge Peter Cowell

Master of the Silver

The Hon Mr Justice Ian Burnett



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Foreword

by Master Treasurer

One of the principal goals for the year was to strengthen the Inn's direct links with the Commonwealth. That has been done. The Deputy Secretary-General Masire-Mwamba not only delivered the first lecture of the year, but I am delighted that she also agreed to become an Honorary Bencher. The Secretary-General of the Commonwealth Secretariat, His Excellency Mr Kamallesh Sharma, was a guest at Grand Day Dinner on 29th October.

We have reached the stage at which it can be said that there is an informal understanding that Middle Temple members will be invited, for example, to act as consultants in connection with some of the activities of the Commonwealth Secretariat. Such collaboration will have no resource consequences for the Inn, but will enhance its pursuit of the promotion of the rule of law. I believe that the Inn's relationship with the Commonwealth Secretariat represents a very important connection and source of mutual cooperation.

In April, I visited The Bahamas to inaugurate The Bahamas Middle Temple Society. That visit has also borne fruit. A team of trainers from our advocacy faculty recently paid a visit to The Bahamas and have reached agreement with the members of The Bahamas Middle Temple Society to provide regular advocacy training to practitioners in The Bahamas. The expenses of travel and accommodation will be paid for by the Bahamians. The arrangement will serve as a model for

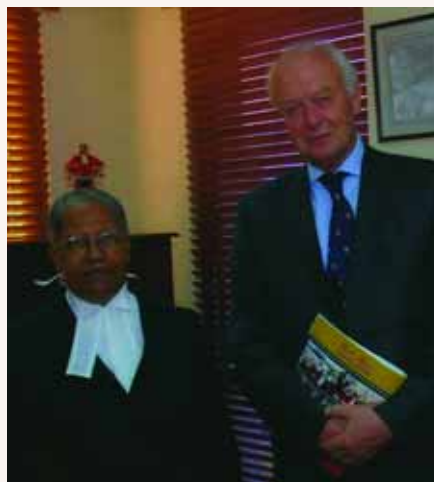
Sir George Newman retired from the High Court Bench in 2007. In 2009, he was appointed a Justice of the Court of the Appeal of The Bahamas, and is Chairman of the Security Vetting Appeals Panel.

the giving of our advocacy training to overseas practitioners which, as a result of the recent visit to Mauritius, is likely to be extended to our Middle Temple members and the profession in Mauritius.

In early May, the Four Jurisdictions Conference took place in a delightful country house hotel near Dublin. The topics included an illuminating discussion following a paper by Master Judith Parker about the difficulties surrounding the courts' obligation to intervene within parental authority. Interestingly, some real differences emerged between the approach of the Irish courts and our own Family Division. There was a session in connection with the recent developments of vicarious liability and debate was devoted in the realm of judicial review to two words, "anxious scrutiny" used by Lord Bridge some years ago and very often recited in judicial review cases without elaboration. Some people concluded that the regular recitation was made without adequate attention being given to what Lord Bridge actually meant.

One never fails to enjoy the unique

Dame Joan Sawyer DBE, President of the Court of Appeal of The Bahamas and Master Treasurer



warmth of hospitality, humour and intellectual stimulation offered by our Irish colleagues. The Conference was



Darren Bain, President of The Bahamas Middle Temple Society and A. D. Hanna, Governor General; Master Treasurer

The Bahamas Middle Temple Society



concluded with an elegant dinner at Kings' Inn in the company of the Chief Justice and other Irish judges and



Temple Society; Master Treasurer; His Excellency Cooper-Rousseau, Advisor to the BMTS.

Society Steering Committee



practitioners. I should like to record our thanks to our hosts. It is particularly pleasing that Master Adrian Whitfield, who has contributed so much to our collaborations with the Irish judiciary and Bar, has been made an Honorary Bencher of Kings' Inn.

I can also report that our collaboration in Mauritius at the Pan-African Conference was an exceptionally successful occasion. The Inn's relationship with the judiciary and government of Mauritius is on a firm foundation and we look forward to collaborating with them again in the future. Importantly, I had discussions with the executive committee of the Mauritius Middle Temple Association and our proposals are to be included in a memorandum which will serve to identify the agreed ways in which we can support the Middle Templars in Mauritius. I would like to thank the judiciary, the practitioners, and particularly, the Middle Temple members in Mauritius for the warmth of their greeting and hospitality.

Regarding matters in the Inn, I should like to mention a point of principle regarding the election of the Treasurer and the rights of participation

Lady (Hilary) and Sir George Newman



of Benchers aged over 70. The Inn obtained two opinions, one being from Master Robin Allen QC, and both were to the effect that our age-related restrictions on the entitlement to be Treasurer and to vote in Parliament were unlawful. I believe that the amendments which have been made to our Statutes & By-laws to take account of the advice we have received are entirely appropriate and consistent with the spirit and custom of the Inn.

I think everybody realises that the future of the self-employed Bar is uncertain. I am also very conscious that the Inn should not lose sight of the need to inform students about opportunities which may be available to them when they have qualified. We are very lucky to have among our Benchers, lawyers in the Government Legal Service holding some of the highest positions within that service. What better team could there be to inform students about what government lawyers do. On 12 October, they comprised a panel addressing themselves to that very question.

With the certainty of a general election next year, and a prospect of a Conservative administration, I am particularly pleased that Master Dominic Grieve QC MP has agreed to speak on 30 November on the comparative advantages of a Bill of Rights and the Human Rights Act.

Finally, the Call of His Royal Highness Prince William of Wales as our Royal Bencher was one of the most historic events for the Inn in many years. Not only did we enjoy the privilege of Calling Prince William, but we also received a personal message from Her Majesty The Queen in which she showed her recognition of our past association with the Royal Family and confirmed her appreciation of our continuing link.

Guest Lecture Speakers



GLS Panel Speakers: Keir Starmer QC, Director of Public Prosecutions; Jonathan Jones, Deputy Treasury Solicitor; Sir Suma Chakrabarti KCB, Permanent Secretary and Clerk of the Crown in Chancery; Paul Jenkins QC, HM Procurator General, Treasury Solicitor and Head of Government Legal Service; Stephen Laws CB, Permanent Secretary, First Parliamentary Counsel



Dominic Grieve QC MP

Fellows

The Fellows scheme was created this year to promote the interests of the Inn by establishing links with individuals who are willing to give service to the Inn for a period of three years. Fellows are expected to promote the Middle Temple to their contacts and are encouraged to involve themselves in Middle Temple activities.



Dr Aldo Zammit-Borda

Dr Zammit-Borda is the Director of Legal and Constitutional Affairs at the Commonwealth Secretariat. As the Legal Editor of *The Commonwealth Law Bulletin* (CLB), Aldo is responsible for ensuring the high-quality and timely publication of the Bulletin. Aldo joined the Law Development Section of the Legal and Constitutional Affairs Division in July 2007. Previously, he worked on Legal and Counter-Terrorism Affairs as well as Constitutional Affairs at the Ministry of Foreign Affairs of Malta. Aldo and I are already in discussion about a new project which will carry the reputation of the Inn further in the legal affairs of the Commonwealth.



Dr Jonathan Rogers

Dr Rogers is a Professor at the Faculty of Laws, University College London. He writes and lectures on substantive criminal law, evidence and procedure. He has written separately on the impact of the Human Rights Act on substantive criminal law, and now concentrates on prosecutorial discretion and abuse of process. Outside academia, he holds the FIDE Master title in chess and presides over one of Britain's top three chess clubs. Dr Rogers will be giving particular help in setting and judging moots and attending and speaking at advocacy training weekends. He will also give a CPD lecture at the Inn.

6th JULY 2009

Royal Bench Call

His Royal Highness Prince William of Wales was Called as the Inn's Royal Bencher in a special ceremony in Hall on Monday, 6 July 2009. Over 500 Middle Temple members attended a Choral Evensong Service in Temple Church in the presence of Prince William. Lord Chief Justice Judge read the first lesson and the Master of The Temple, Reverend Robin Griffith-Jones, gave the sermon. The Service was followed by a champagne reception in the Middle Temple Library. After the Service, Prince William briefly met with scholarship recipients in the Queen's Room and viewed a display of historical documents relating to Queen Elizabeth The Queen Mother and Princess Diana. At the reception, Prince William met and talked with Bencher, barrister, student and staff members of the Inn as well as choir members of Temple Church. Before dinner, Prince William was admitted as a member of the Inn before being Called to the Bar and Called to the Bench. Master Treasurer gave a speech to which Prince William replied. Master His Royal Highness Prince William of Wales was then asked to take his place at the High Table.

HRH Prince William of Wales signs the Visitors' Book in the Queen's Room with Master Robert Seabrook and Master Treasurer. The painting by Terence Cuneo shows the Joint Bench Dinner held on 20 July 1949 in celebration of the Treasurership of HM Queen Elizabeth (later Queen Elizabeth The Queen Mother) of Middle Temple and the Treasurership of HM King George VI of Inner Temple.





Master Treasurer, His Royal Highness Prince William of Wales, Lady Newman, Master Robert Seabrook, Master Igor Judge

Prince William and Archivist Lesley Whitelaw



Princess Diana Scholarship Recipient Josephine Nonyelu, Queen Mother Scholarship Recipient Stefan Balbuza, Christa Richmond

HRH Prince William of Wales, the Inn's youngest Bencher (age 27) and





Barrister members Helen McCormack, Margaret Joseph, Advocate Christopher Lakeman



Masters Anna Ford, Colin Edelman and Alistair Sharp

His Honour Alan King-Hamilton QC, the Inn's oldest Bencher (age 104)



Staff members Ruth Jones, William Winterflood, Frances Andrews



Students Emily Rayner, Brian Dorsett, Theresa Gilby, Laura Gregory



Photographs courtesy of Ripley Photography



Head Porter Barry Homer leads the Benchers' procession into Hall

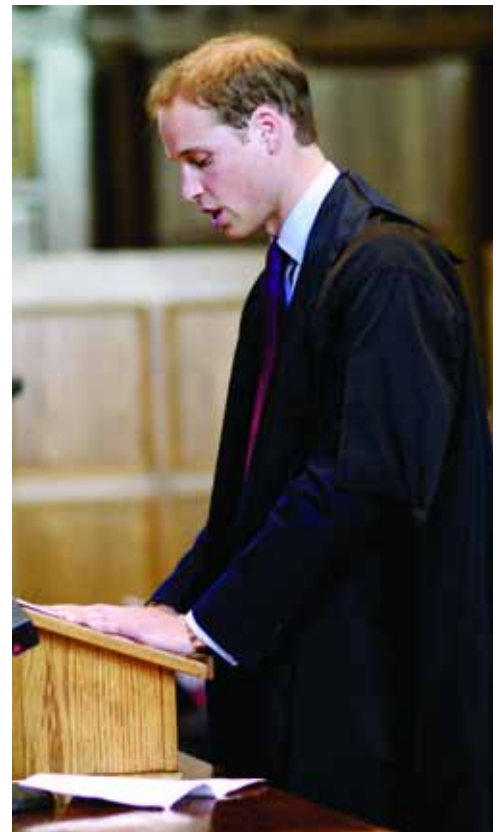


Upon being Called to the Bar as an honorary barrister Prince William signs the Call Book

*Prince William;
Master Deputy Treasurer,
The Rt Hon Lord Justice
Stanley Burnton;
Master Treasurer,
Sir George Newman;
Master Reader,
Linda Sullivan QC*

*Master Treasurer congratulates
Master HRH Prince William of Wales on his Call to the Bench*





As a new Bencher, in keeping with the Inn's tradition, Master HRH Prince William of Wales, addresses his fellow Benchers and members of the Inn

A toast to the Inn's new Royal Bencher



19-26th SEPTEMBER 2009

Pan-African Legal Conference

Enhancing the Justice System under the Rule of Law

by Under Treasurer Peter Hilling

A group of thirty-four from Middle Temple visited Mauritius from 19-26 September to participate in a legal conference which the Inn had arranged in collaboration with the Mauritian judiciary and Bar. The Commonwealth Judicial Education Institute was also involved. The conference was attended by over 200 delegates with strong representation from the judiciary and Bar in Mauritius and judges from the Seychelles, Uganda, Zambia, Mozambique, Namibia, Kenya, India, Pakistan and Papua New Guinea.

Middle Temple Benchers prepared papers and gave talks on the following subjects: Master Anthony Clarke, *How Should Judges be Selected?*;

Master David Eady, *Court Craft*; Master Paul Worsley on behalf of Master Anthony Arlidge, *Measures to Prevent Witness Intimidation*; Master Tim Dutton, *The Legal Profession in the New Era*; Master Philip Bartle, *The Advocate's Duty to the Court*; Master Adrian Whitfield, *The Training of Lawyers*; and Master Stanley Burnton, *The Training of Judges and Judgement Writing*.

After the delivery of each paper, members formed small groups and participated in discussion. Rapporteurs then provided feedback to specific questions in plenary sessions. The format worked very well and the inputs and debate were stimulating.

The Middle party paid courtesy calls on the Deputy Prime Minister and President of Mauritius, and the Chief Justice hosted a dinner for all delegates at the beginning of the week. The Inn returned the gesture and hosted a dinner in Le Victoria Hotel.

One of the highlights of the conference was the launch of the publication of the first *Mauritius Middle Templar* magazine. The conference was an enormous success and was hugely enjoyed by all who attended.

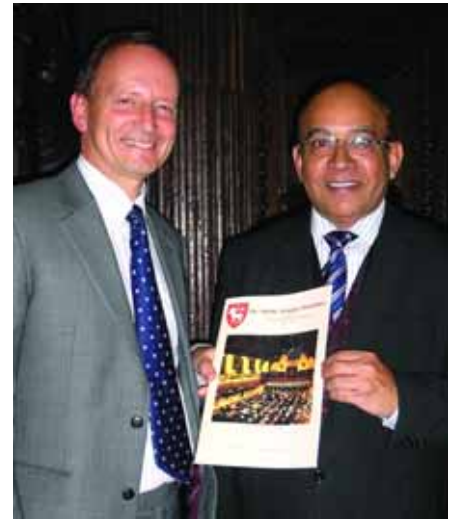
The papers prepared by the Middle Temple Benchers for the Conference can be viewed in the Members section of the Inn's website.

Master David Eady and Master Paul Worsley with delegates from Mauritius and Zambia





*Master Anthony Clarke; the Deputy Prime Minister; Master Treasurer;
Master Bernard Yeung Sik Yuen, Chief Justice of Mauritius, Master Robert Seabrook*



*Peter Hilling and Rashad Daurewo,
President of the MT Mauritius Association*



Master Treasurer with a Judge from Mozambique



Master Yeung Sik Yuen, Sappho Dias, Master Tim Dutton

Delegates visiting the residence of the President of the Republic of Mauritius



9th MARCH 2009

An Honour from Japan

by Master Adrian Whitfield, Director of Middle Temple Advocacy

On 9 March 2009 Master Treasurer and members of the Inn were memorably entertained by His Excellency Mr Shin Ebihara, the Japanese Ambassador, at his residence in Kensington Palace Gardens. Before a lunch such as most of us can only dream of we were presented with a Certificate of Commendation as shown.

The Minister, Hirofumi Nakasone, has conferred nine certificates on individuals, but none on any institution other than the Inn. This article explains the background to the honour, and in order to do so, records the history of a remarkable individual, Rokuichiro Masujima, (1857 - 1948).

Diplomatic relations between Japan and the United Kingdom were established in 1858. Then, in 1876, three young Japanese members attached to the Consulate were, no doubt at the instigation of the Meiji government, admitted to the Inn, which later Called them to the Bar.

Masujima joined the Inn on 19 January 1881 at the age of 23. He was a graduate of the University of Tokyo, "whose education was in the Chinese Classics", according to a letter in our archives. He was Called on 6 June 1883 and returned home sufficiently inspired by the common law to found, in 1885, the English Law College in Tokyo, now Chuo University, of which he was the first President.

Masujima made many friends in the common law world, and in 1934 founded the Sei-Kiu-Do Common Law Library, later called the Sei-Kiu-Do Common Law Institute. It was originally located on his extensive lands in mid-Tokyo. His motivation is described in a lecture by his good friend Mr Martin Taylor, some time President of the New York State Bar

Association, in the following terms:

"For a feudal knight of old Japan to found a common law library was an extraordinary accomplishment, but he felt that his country was governed by a mixture of customary law, the German civil code and part of the English law merchant. It had no central theory of law which offered justice. Trial and error he said is better than any code."

In 1935 he published a book, *Elementary Principles of the English Law of Contract*. It was at

some time in the 1930s that he first met Mr Taylor, on the deck of an Atlantic Transport liner which was waiting for the tide in the Thames. Mr Taylor records: "He was about 4 ft 10 ins tall, dressed in magnificent silk robes. He was walking up and down the deck of the anchored ship, reciting as if it were a Gregorian chant what I later learnt was a sort of poetical invocation on the founding of the library of Sei-Kiu-Do. The poem

was graven on stone in his garden...the poem was a sort of allegory based on a legend to do with a flight of an arrow. The arrow goes straight to its mark as should the principles of the common law."

A strong friendship developed, and led to the setting up of the Common Law Foundation in America. At its inaugural dinner on 23 June 1937 distinguished guests included Judge Learned Hand. But then came war. Masujima was unable to return to Japan for two years. The library suffered terribly from the bombing and Masujima, in Mr Taylor's words: "was old and in ill health, unfitted to cope with life in a country being destroyed by a war in which he had no belief."

With sadness the Foundation was dissolved. Most



CERTIFICATE OF COMMENDATION

The Minister for Foreign Affairs extends his deepest respects to the Honourable Society of the Middle Temple in recognition of its distinguished service in contributing to the establishment and the development of the modernised legal system in Japan for over a century.

movingly, its proceeds of \$65 were given to Middle Temple Library so that: *“there might be some remembrance of his life in the place where the common law first captured his imagination.”*

The story, happily, by no means ended there. The descendant of the original Common Law Library is now housed in the Supreme Court of Japan. And in 1964 the Inn was presented with a portrait of Masujima. It now hangs in the Inn’s American Library, the very picture of a modest, thoughtful scholar.

Then, Japanese judges started to visit the Inn. In 2005 the late Judge Peter Jackson, with whom one of them was sitting as an observer, started a series of seminars in the Inn for Japanese judges and lawyers, and through the good and friendly offices of successive legal secretaries at the Embassy, notably Kenichi Kinukawa and now Takehiko Kawabuchi (affectionately known in the Inn as Ken and Take respectively), these continue.

Of particular interest to us all is the introduction, in May

2009, of the “Saiban-In” system of criminal trial in Japan, which has resulted in a change from non-jury trials to trials by juries consisting partly of lay people and partly of professional judges. At a three-day seminar in October 2008 we tried to explain and illustrate to our Japanese colleagues how our pre-trial and jury systems work, in the hope that our experience might be of value.

2010 marks the 125th anniversary of the foundation by Masujima of what is now Chuo University. We have been honoured by an invitation to celebrate that anniversary in Tokyo, and eagerly look forward to an opportunity to strengthen our long-standing and enjoyable connections with the Japanese legal profession.

On Tuesday, 12 November at a Music Night Dinner, the Inn was honoured to host Minister Sumio Kusaka, Deputy Head of Mission (on behalf of Ambassador Shin Ebihara); Mr Kazuyuki Nagai and Mr Hiromitsu Hayashida, President and Vice-President (respectively) of Chuo University; and Mr Kazuo Hayashi, Secretary to the President.

Master Stephen Lloyd, Master Robin Griffith-Jones, Christa Richmond, Under Treasurer Peter Hilling, Master Jeremy Carter-Manning, Master Adrian Whitfield, Master Treasurer, HE Mr Shin Ebihara, Master Janice Brennan, Master Claire Miskin, Master Jeremy Connor



The Scholarship Fund Appeal

by Master Catherine Newman, Chairman

I would like to thank all the Middle Temple members who generously responded to our Appeal in the last issue of *The Middle Templar*. I am very pleased to report that in the first nine months of 2009, the Fund received £62,000 of new donations, quite apart from the money which comes in on standing orders previously set up. £27,000 of that has been donated since the re-launch and the Scholars' Dinner in June. If we keep up our current rate of new donations, we will be doing very well indeed.

The Scholars' Dinner on 23 June was part of the re-launch of the Appeal and the idea of the outgoing chairman, Master John Gardiner. 75 students obtaining major scholarships attended the dinner and were hosted by 85 former scholars, now Benchers and barristers. After a champagne reception in the garden, the Appeal's Patron, Master Nicholas Phillips, gave a short speech of welcome.

Throughout the dinner former scholars and new scholars were talking animatedly. One of the things which struck me most clearly that night, and stays in the memory, was that the buzz in Hall resembled a Revel night rather

than a formal dinner. It was one of the most relaxed and happy occasions of the year. There was something rather symbolic about Benchers and barristers hosting the attendance of students and celebrating scholarship together over dinner. It epitomised the camaraderie of the Inn which I remember experiencing from my early days as a student dining in Hall and value even more today.

After dinner Master Gardiner thanked all those who have contributed to the Scholarship Fund Appeal since it was launched by Master Rose. I am sure everyone will agree if I say that the star speaker of the evening was Annabel Lee, a most impressive and charming student, who spoke of her own personal experiences on her journey to becoming a barrister, and of the help which her scholarship award was giving her. The dinner was self-funding and made a small surplus of a £1000 to the Fund.

In the next stage of the Appeal I intend to try to raise some funds from external sources. I have begun this by developing contact with ShareGift, (www.ShareGift.org) a charity which has given more than £13 million to over 1,500 charities since it was set up

in 1996. ShareGift accepts shares from donors. It welcomes small parcels of shares, even if they are of little value. That donation is itself a charitable gift. ShareGift describes itself as 'dealing with the problem of unwanted shareholdings'. It does not accept applications from charities, but does its best to honour requests from donors of shares that it should support certain charities.

If you have any small or large holdings of valuable or worthless shares which you do not want, I invite you to consider donating them to ShareGift. Have a look at their website and in particular the donation coupon which you can download. You will see that it contains a section inviting you to nominate a charity which you would like ShareGift to consider supporting. Write in 'Middle Temple Scholarship Fund' please! The more mentions which are made, the better the chances are of a substantial gift from ShareGift. Unlike some charities which will not support narrow sectors of professional training, they are able to support us; in fact at the beginning of October they sent us a seedcorn donation of £1,000, for which we are very grateful.

Master Nicholas Phillips and Annabel Lee



Master Newman, Jonathan Peacock QC, John Brinsmead-Stockham, Catherine Addy





Master Paul Worsley with scholars

May I urge you all to consider giving as much or as little as you can afford. In a gesture which is very much appreciated, Alex Robson and Georgina Wolfe, who have published *The Path To Pupillage*, have donated their royalty cheques to the Appeal.

It would only take 1000 members to give £750 a year for five years to raise the best part of £4 million, something which I believe we are capable of achieving. If you have given before, please consider giving again. It is giving that matters, and if many members each give a little, the Fund will grow very satisfactorily.

2009 Scholarship Recipients

Queen Mother

Michael Bolding, Marija Brakovic, Gita Chakravarty, Jonathan Chew, Gideon Cohen, Amardeep Dhillon, Tina Duly, Polly Dyer, Eleanor Fletcher, Christopher Hall, Rupert Hamilton, Keir Howie, Annabel Lee, Zoe Organ, Lesa Pringle, Barry Smith, Martha Spurrier, Kitty St Aubyn, Julianne Stevenson, Jaheeda Subhan, Carlo Taczalski, Ruth Taylor, Catherine Urquhart, Joesph Wigley, Emily Wilsdon

Diplock

Seth Cumming, Stephanie Cummings, Matthew Davidson, Ali Dewji, Jonathan Evans, Reena Grewal, Caroline Haynes, Annabel Heath, Thomas Henderson, Amy Johnston, Matthew Lacey, Rosemary Luce, James Macfarlane, Timothy Naylor, Andrew Nicklin, Emily Stickland, Ian Tucker

Harmsworth

Mevlüde Akay, Lousie Barnett, Hannah Bennett, Sarah Cawley-Wilkinson, Asuka Fujita, Emily Green, Joanna Hardy, Jane Harvey, Zoe Henry, Barnaby Hope, George Keating, Justin Leslie, David McKeever, Lindsey Meacher, Paul Mertens, Jennifer Neil, Simon O'Dwyer, Kate O'Raghallaigh, James Peters, Laura Syrett, Monica Sobiecki, Stuart Withers, Stephanie Wookey, Leslie Yankson

Astbury

Thomas Cockcroft, Emma Fenn, Patrick Hennessey, David Johnson, Edmund Maclennan, Rani Noakes, Helen

Rutherford, Holly Scott-Mason, Thomas Segurolo, Harry Sharpe, Holly Tibbitts, Naomi Wiseman

Jules Thorn

Christopher Burdin, Robert Cheesman, Gemma Lewis, Stephanie Lwetutte, Ian Marshall, Francesca Martin, Harry Nosworthy, Tomasz Patzer, Richard Scothon, Rachel Sharma, Christopher Snell, Jeremy Thomas, Zoe Van Dyke, Colin Witcher

Benefactors

Eyimoyowa Ekperigin, Joanna Gillan, George Gordon, Nicole Gow, Michael Hartley, Abad Hussain, Hannah Keating, Alexander Langhorn, Lucy Miles, Stephanie Orme, Thomas Osborne, Alexander Paterson, Poonam Pattni, Majida Rasul, Minoosh Seifi, Lucy Talbot, Rachel Tandy, Nadia Tawfik, Joseph Thompson, Camila Whitehouse, Natalia Willocks-Briscoe

Blackstone Entrance Exhibition

Heather Aspinall, Lucy Bennett, Sophie Best, Hannah Bowyer, Gita Chakravarty, Robert Cheeseman, Alison Chu, Richard Crowe, Matthew Davison, Brendan Donelon, Tina Ford, Helen Grainge, Christopher Hall, Anna Jemmison, Kira King, Catherine Kioko-Gilligan, Alexander Langhorn, Ronan McCann, Charlotte Matthews, Stephen Moore, Christopher Neale, Chin Ong, Alexandra Paterson, Shalin Punn, Timothy Quick, Sameera Reyani, Timothy Salisbury, Virginia

Seatherton, Lisa Shannon, Nadia Tawfik, Jermy Thomas, Lee Wood, Joanna Williams

Harmsworth Entrance Exhibition

Hannah Bennett, Gideon Cohen, Emma Fenn, Rupert Hamilton, Lucy Miles, Kate Morris, Zoe Organ, Oliver Pegden, Helen Randall, Helen Rutherford, Nina Ross, Alison Shaw-Taylor, Carlo Taczalski, Joseph Woodworth

Individual Awards

Princess Diana, Nadia Saleh;
3-4 South Square Chambers, Hannah Bill; **City Law School Award**, Margaret Gallimore; **Blackstone**, David Collins;
Brick Court Chambers, Katie Stewart;
Connor, I-San Tiaw; **Cunningham Award**, Amritpal Bachu; **Gardiner**, Helena Frappell; **Godfrey Heilpern**, Elizabeth Morley; **HR Light Bursary**, Clara Cesar;
JB Montagu, Imogen McCabe; **Joseph Jackson**, Nadia Saleh; **Lord Lowry**, Thomas Webb; **Luboshez Award**, Yvonne Kestler; **Malcolm Wright**, Nikita Alatortsev; **Mona de Piro**, Nicola Durham; **Nicholas Pumfrey**, Catherine Kioko-Gilligan; **Pump Court Tax Chambers**, Mark Spinney;
Quatercentenary Award, Nadine Ebanks; **Robert Garraway Rice**, Sheron Wilkie; **Rose**, Benedict Thomas; **Safford**, Geraint Probert; **Sir Robert Micklethwaite**, Lee Wood; **Stanley Levy Memorial Award**, Michael Wawra;
Terence Fitzgerald, Kayleigh Swain;
Winston Churchill, Adam Bugby

A Walk on the Wild Side

by Master Jacqueline Davies

If you walk along the corridor leading to the recently renamed Prince's Room, you will see the late Master Paul Clark's shield on the left-hand side just opposite the cloakrooms; it is the one with the motto in Greek. If, like me, you are not a classical scholar, it translates as *"Nothing in Excess."* Those words were ringing in my ears on Friday, 13 March 2009 when I left my home in Yorkshire to embark on the Hike for Hope across the Sinai Desert from Mount Sinai to the Red Sea to raise money in his memory for cancer charities, including those related to prostate cancer from which he died in October 2008.

Although I saw the Hike advertised in *The Times* on the day he died, I took some time to think about it. Paul lost his mobility and was unable to walk at the end so the idea of walking in his memory, and in a spiritual place, appealed to me. I didn't register until mid-January, which left me barely eight weeks to achieve my twin aims of raising sponsorship and getting fit. The first was rather easier than the second, and in the first week I raised about £8000. There was no going back! The getting fit part was not going to be quite so easy, bearing in mind that my last experiences of hiking and camping



were in the Peak District as a Girl Guide in the early 1960s. As I work full-time, the opportunities for training were restricted, but I joined an aqua aerobics class and enlisted the help of a personal trainer. I was not exactly well known at the gym and the look on my trainer's face at our first session spelt "no chance", but I think I surprised him (and indeed many of my friends). I managed to walk most weekends and as much as I could during the week; my walking boots and I became inseparable but I wasn't sure if they complied with Master Phillips' Practice

Direction for judicial dress.

My 72 fellow hikers (most of whom had been training for a year) ranged in age from 16 to 75; some were cancer survivors and others, like me, had lost a loved one, albeit not so recently. They came from all over the world, and from diverse backgrounds ranging from the Queen's gynaecologist, and the last Commander of *Britannia*, to a school dinner lady and a care assistant in a hospice, but we were united in one aim: to raise money for these worthy causes, and, in my case also, to raise awareness. Each year in the UK alone, 34,000 cases of prostate cancer are diagnosed and every hour a man dies from the illness - the equivalent of a Lockerbie disaster every fortnight.

We flew from Heathrow to Cairo on 14 March and, after about four hours sleep, had a brief tour of the Pyramids before a nine-hour journey by road to Mount Sinai, through the Suez Canal and along many unmade roads. After about two hours sleep in a hotel which did not exactly get star rating on Trip Adviser, we were woken at 1.30 a.m. to begin our ascent in time to see the sunrise which was breathtaking. Before beginning our climb we had to go through a security gate and the track up the mountain was made even more

Send her down!



The judge's lodgings



difficult by the large number of camels, seemingly trained by their owners to trip people up in the hope that they would have to complete their journey by camel for a not inconsiderable fee. At the summit, where Moses received the Ten Commandments, we observed a brief period of silence for those we had lost which was a profoundly moving experience.

We then began the arduous descent down 3500 rocky steps, which was said to have been the monks' penance, and arrived at St Catherine's Monastery for breakfast and a guided tour. After lunch we drove to the edge of the desert where we met up with our Bedouin guides (and rather more friendly camels!) to begin our trek, arriving at our first base camp just before sundown. During our time in the wilderness, we slept under canvas in open-sided Bedouin tents (and no running water which in itself was a challenge for me!) and were protected by armed guards. The temperature fell rapidly at night and I was very grateful to one of my fellow judges who lent me his expedition quality sleeping bag so I was very warm each night and did not have to wear two layers of clothing and a hat like most of the others.

We got up at about 5.30 a.m. each

day just as the sun was rising, had breakfast and limbered up before beginning our daily trek of between nine and nine and a half hours across the harsh and mainly mountainous terrain, along wadis (river beds) and through the amazingly beautiful coloured canyons. It was not the sandy desert that I had expected, although the few sandy areas we crossed were fine and white in contrast to the deep blue cloudless sky. The few shaded areas in the desert were our lunchtime resting places. By 8 p.m., after a camp fire supper of meat (of dubious origin sometimes) and pasta and rice, most of us were fast asleep in our tents. On our last day, we arrived at the Red Sea to our medals and a well-earned glass of fizz! We spent the night there and repeated the long drive back to Cairo the following day in readiness for an early flight back home.

The desert was vast and quiet, especially at night with the dark sky filled with thousands of stars. Many have written about the silence. Gertrude Bell, the British traveller who was an influential figure in Middle Eastern politics after the First World War, wrote to her father about her first visit: "*Shall I tell you my first impression – the silence. It is like the*

silence of mountain tops, but more intense, for there you know the sound of the wind and far away water and falling ice and stone; there is a sort of echo of sound there, you know it Father, but here nothing....silence and solitude fall around you like an impenetrable veil."

The trek was much more challenging than I anticipated and harder, apparently, than the two previous expeditions to Jordan and the Rift Valley, but the knowledge that I took with me of a huge amount of goodwill was a great support and something I will never forget. Many of the messages I received came from members of the Bar whom my husband had helped in their early days. With the generous help of so many, I was the top fundraiser at just over £28,000 (with Gift Aid) so it was well worth it! I think Paul would have been very anxious about me doing this, but I hope that he would have been pleased with the outcome. And, in the unlikely event of my ever having a shield, my motto will be "*Climb every mountain.*"

Master Paul Clark (1940-2008) was Called in 1966, elected a Bencher in 1982 and was the Lent Reader in 2005. www.justgiving.com/jacqueline-clark

In retirement before giving directions



The Isle of Man

by Master Reader, HHJ Linda Sullivan QC

The Isle of Man rises from the middle of the Irish Sea and is approximately 32 miles long and 14 miles wide, with a population of 80,000. It is a popular place to make films because of its unspoilt beauty and variety of terrain, and its main industries are off-shore banking, manufacturing and tourism. It is a tax haven and there is no Inheritance Tax. The Island is not part of the UK or the EU. It is a self-governing Crown Dependency and the Queen is represented by the Lieutenant Governor. The Queen also holds the title of “Lord of Mann”. Its parliament, Tynwald, is said to be the oldest parliament with continuous sittings, commencing in 979AD.

The Island's legal system is based on Common Law but has a jurisdiction distinct from England; English authorities are persuasive but not binding. Many English statutes are adopted but by no means all; the Island was spared the Criminal Justice Act 2003! The Law of Property Act 1925 did not reach the statute book and many 19th century English authorities are cited until the Island developed its own precedents. The Island has a court of appeal called the Staff of Government Division and the final appeal is to the Privy Council.

There are two Deemsters, the equivalent of High Court Judges, and have been for many hundreds of years. The word “Deemster” is believed to have come from the Icelandic “Domstaur”. The first written record is the Indenture of 1417, however Deemsters were known to be in existence during the Norse period of government from 900 to 1265 AD. The Law was customary and unwritten until 1417 and was said to reside in the wise opinion of the Deemsters, described as “Breast Law”. Today that tradition is maintained during the ceremony on Tynwald Day, held on 5 July, Old

Midsommer Day: the First Deemster reads out in English, the titles of all Acts passed during the preceding year; whilst it is the Second Deemster's duty to read out all the titles in Manx Gaelic.

My current link with the Isle of Man is as one of 10 Acting Deemsters, the equivalent of Deputy High Court Judges, although my connections with the Island stretch back further to the 1960s. We take the same 1000 year old oath, on appointment, as do the Deemsters and we swear to administer the laws “as indifferently as the herring's backbone doth lie in the midst of the fish”. My children complained that this oath did not sound reassuring relying on the modern meaning of “indifferent” as not caring, but, of course, the old-fashioned meaning was not favouring one side or the other. The modern sculpture of a herring, as shown, decorates the atrium of the new court building.

Presently, each day before proceedings in the Criminal Court begin, the court is “fenced” by reciting a form of words. There are a number of theories as to what this means. When I first started to sit in 1994 I was told that although part of the “fencing” involved reference to the Queen, I was to stay seated because traditionally I would have been on horseback. The “fencing” requires a distance between the judge and all others, much as the sword line in Parliament. This was because the court was a court of record and the judge had to record his decision so had no ready access to his sword to protect himself whilst writing.

The first written reference to “fencing” is in the Indenture of 1417 which describes the ceremony now conducted on Tynwald Day. After all the dignitaries have processed to their positions “*Then the Chief Coroner, that is the Coroner of Glenfaba, shall make*



Affence, upon Paine of Life and Lyme, that noe Man make any Disturbance or Stirr in the Time of Tinwald, or any Murmur or Rising in the King's Presence, upon Paine of Hanging and Drawing.” These days on Tynwald Day, the fencing is ceremonially constructed with rushes from each parish in the Island. In Court, words alone suffice!

HHJ Linda Sullivan QC has recently been appointed as a judge on the Western Circuit. Called to the Bar in 1973, she took Silk in 1994. She was appointed as an Assistant Recorder in 1986, as a Recorder in 1990, and as a Fee-Paid Legal Member of the Mental Health Review Tribunal in 1999.

New Benchers

New Benchers are Called in a ceremony held in Hall attended by their guests, Benchers, barristers and students. After dinner, each of the new Benchers is introduced by Master Treasurer and then gives a brief address which is usually a light-hearted autobiographical account revealing some amusing career anecdotes and highlighting his/her links with the Inn. Three Bench Calls and two Honorary Bench Calls are normally held per year and each is a Qualifying Session.

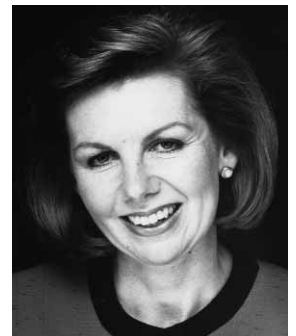
HHJ Daniel Pearce-Higgins QC

Having switched to law from philosophy and politics, Daniel joined the Inn in 1971, winning a Blackstone Scholarship. His varied common law practice for 30 years led to the circuit bench on the Midland Circuit, doing serious crime, civil and family work in Worcester and Birmingham. Brought up in London, he now lives in Herefordshire where the family runs a 125-acre cattle farm. He frequently attends Cumberland Lodge offering his services in advocacy training.



HHJ Claudia Ackner

Daughter of the late Master Ackner, and married to a judge, Claudia has carved out her own career on the Western Circuit. She began her judicial life as a Deputy District Judge in 1997, and in 2007 moved from District Judge to the Circuit Bench. She is an investigating Judge for the Office of Judicial Complaints and serves on the Franco British Irish Judicial Co-operation Committee. She is a strong supporter of the Inn: Open Weekend in 2008, Open Day for Sixth-Form and University students, advocacy training for pupils, and visits for students to the court where she is sitting.



Jan Luba QC

Called in July 1980, Jan took Silk in 2000 and sits as a Recorder and as a judge of the Employment Appeal Tribunal. He specialises in housing law at Garden Court Chambers with particular emphasis on housing management, homelessness and housing conditions. Before returning to chambers in 1992, Jan practised in the legal advice sector in law centres, with the Citizens Advice Bureau service, the Child Poverty Action Group, and Shelter, where he set up what is now the Legal Department. Current public service includes case reviewing for the Bar Pro Bono Unit, the Bar Council Civil Legal Aid Committee, and Patron of the Croydon Housing Aid Society.



Stephen Moriarty QC

Stephen is one of the leading insurance lawyers of his generation and amongst the foremost current practitioners at the Bar in this field. He was Fellow in Law at Exeter College Oxford, came to the Bar relatively late and quickly built up an enormous practice. He was the Middle Temple representative among the Oxford Law Faculty. He serves on the Executive Committee of COMBAR. He headed the Fountain Court scholarship and pupillage committee for many years with great success.





Freya Newbery

After comprehensive schooling, Freya took the Cambridge Entrance Exam aged 16, going up to read law aged 18. She was financially independent from 17, on grants and working. Following pupillage at 12 King's Bench Walk she built up a common law practice there. In 2004 she became a Recorder. She served for five years on the Bar Council's Professional Conduct Committee, is Vice-Chairman of the Bar Council Equality and Diversity Committee, and on its Retention Sub-Committee. She works with Lambeth Youth Offending Service. She leads ethics training for Middle Temple Advocacy.



Patricia O'Brien

Under Secretary General for Legal Affairs and Legal Counsel at the United Nations. Prior to that she was Legal Adviser to the Irish Department of Foreign Affairs (2003-08) following service as a Senior Legal Adviser to the Irish Attorney General and as Legal Counsellor at the Irish Permanent Representation to the European Union. She has advised the Government of Ireland in cases before the International Court of Justice, the European Court of Human Rights and the European Court of Justice. She holds degrees from Trinity College, Dublin and the University of Ottawa. She is a member of the Irish Bar (1978) and practised at it from 1979 to 1988. She was Called in 1986.



Hon Bernard Yeung Sik Yuen GSOK (Hon)

Chief Justice, Supreme Court of Mauritius since 2007. In June 2007 he was elected to a six-year term as Commissioner, African Commission on Human Rights & People's Rights. He studied law at Leeds and was Called to the Bar by Lincoln's Inn in 1970. He started his career as State Counsel at the Attorney-General's Office and became Magistrate in 1976. From 1984 to 1989, he served as Master and Registrar and Judge in Bankruptcy. In 1989, he was appointed Supreme Court Judge and in 1995 he became Senior Puisne Judge. He was recently Called as a Bencher of Lincoln's Inn.



John Cone

John is a distinguished company lawyer and heads the leading company chambers, Erskine Chambers. He was a Harmsworth Scholar, is a long-time Sponsor, and interviews students for the Inn's scholarships. Since 1998 he has been a co-opted member of the Bar Council's Law Reform Committee, and has served on the Law Society's Company Law Committee, either as a secondee to represent the Bar Council, or, since 2003, as the Law Society appointee to represent the Bar Council's Law Reform Committee.



Carey Johnston QC

Carey specialises in criminal work, both prosecution and defence. She was Called in 1977 and took Silk in 2003. She runs her chambers' pupillage scheme and also superintends equality and diversity issues. She chairs a Bar Council Committee which liaises with groups representing victims of crime. Her involvement in education includes tutoring at Warwick University and University College London, facilitation for the Criminal Bar Association, and workshops on the Human Rights Act to lawyers from the Revenue and Customs Prosecution Office. She has also worked behind the scenes for the Bar Theatrical Society.

Susan Rodway QC

Susan is a leader in the area of medical negligence and sports law with many high profile appearances. Between 1998 and 2001 she was a lay member of the Clinical Standards Committee of Guy's and St Thomas's NHS Trust, and between 2000 and 2004 was Deputy Chairman of the NHS Tribunal. She has written numerous articles and is a contributing author to *Clinical Applications of Artificial Neural Networks*, Cambridge University Press, 2000 on civil liability for decision-making software. She participates in scholarship interviewing for the Inn.



David Reade QC

David is a leading employment and commercial law silk. His practice at Littleton Chambers covers both employment and commercial litigation, focussing on restrictive covenants, industrial action, union recognition, discrimination and pension issues. He is a joint author of *The Law of Industrial Action and Trade Union Recognition* and contributes to Sweet and Maxwell's *The Law of Transfer of Undertakings*. David was first involved in the life of the Inn as a member of the MTSA Committee. In 2008, he assisted with the Festival Open Weekend, and more recently with the organisation of the revamped Burns' Night.



James Eadie QC

James is the First Treasury Counsel. After Magdalen College, Cambridge, he joined the then chambers of Patrick Neill QC. His practice there was mainly commercial, but as befits a former pupil of Nicholas Bratza, he also appeared before the ECHR in Strasbourg. After a spell at Serle Court, James moved to Blackstone Chambers in 2003 where he continued his commercial and public law practice. James was appointed Junior Counsel to the Crown, Common Law, in 1997 and remained on the Treasury A Panel until 2008 when he took Silk.



Philippe Sands QC

Philippe is a founder member of Matrix Chambers, a professor of International Law at University College London, and an expert on international remedies in the field of trade disputes, environmental law and inter-state claims. He has written for a wider audience on the Guantanamo practices of the last US administration, and his latest book has even been serialised in *Vanity Fair*. He was a junior counsel in the first of many UK cases on the novel issue of inter-state relations regarding the protection of British nationals and has helped bring the principles of public international law into play in the domestic courts.



Keir Starmer QC

Director of Public Prosecutions since November 2008 and former Joint Head of Doughty Street Chambers specialising in human rights, international and criminal law. He has conducted many cases before the House of Lords, the European Court of Human Rights, the Inter-American Court of Human Rights and the African Commission on Human and Peoples' Rights. He has been Called to the Bar in the Bahamas, Belize, St Vincent, St Lucia and Trinidad and Tobago, and has worked on cases in Uganda, Kenya, Nigeria and Malawi. He was named Human Rights Lawyer of the Year in 2001, and QC of the Year in Human Rights and Public Law in 2007.





Justice Edwin Cameron (Hon)

A Justice of the South African Constitutional Court, Master Cameron had served as a Supreme Court of Appeal Judge from 2000 to 2008. Educated at Stellenbosch University, Keble College Oxford (Rhodes Scholar and Vinerian Scholar), and the University of South Africa. He was Called to the Bar of Johannesburg in 1983, and from 1986 practised in human rights at the University of the Witwatersrand's Centre for Applied Legal Studies (CALS), where in 1989 he was awarded a personal professorship. While at CALS, he co-drafted the Charter of Rights on AIDS and HIV, co-founded the AIDS Consortium, and founded and was the first director of the AIDS Law Project.



Hon Justice William Young (Hon)

Sir William Young has been President of the Court of Appeal of New Zealand since 2006. He has a degree in law conferred by the University of Canterbury and a PhD from the University of Cambridge. He worked in a law office in Christchurch before taking up practice as a barrister in crime, civil, commercial and tax litigation, acting latterly for, among others, the NZ Serious Fraud Office and the NZ Commissioner of Inland Revenue. He took Silk in 1991. He was appointed a Judge of the High Court of New Zealand in 1997 and a Judge of the Court of Appeal in 2004.



Professor Carol Harlow QC

Carol is Emeritus Professor of Law at the London School of Economics. She was Called to the Bar by Middle Temple in 1957 and was awarded Queen's Counsel (*Honoris Causa*) in 1996. She is a Fellow and Council Member of the British Academy, and an Emeritus Member of the Society of Legal Scholars. Her current research is on the liability of the state (the subject of her Clarendon Lectures in 2002); UK administrative law, where she is working on a new edition of *Law and Administration*; and legal and political accountability in the EU.



Michael Birt

Michael Birt is the new Bailiff of Jersey in succession to Master Philip Bailhache who retired this summer. Michael moved from England to Jersey with his parents at the age of three. After education in Jersey, at Marlborough and at Cambridge, he was Called to the Bar by Middle Temple in 1970 and practised in London chambers until 1975. He qualified as an Advocate in Jersey in 1977 and was appointed a Crown Advocate in 1987. He became Attorney General of Jersey in 1995, when he also took Silk. After five years as a Law Officer, he joined the Jersey Judiciary as Deputy Bailiff in 2000, and became Bailiff this July.



Stuart Bridge

Stuart's career combines practice with academic life. He is a Fellow of Queens' College Cambridge, where he has been Tutor and Tutor for Admissions, and University Lecturer in Law. He is a Recorder, a member of the Civil Committee of the Judicial Studies Board, and was Law Commissioner of England and Wales from 2001-2008. He has published extensively in the field of property law and, most notably, is co-editor of *Megarry and Wade, Law of Real Property* and *Theobald on Wills*. He is an active member of the Inn, with a special interest in furthering its interests in Cambridge.

Bertha Cooper-Rousseau

Bertha is a Partner of Rousseau & Cooper Law Firm in Nassau, The Bahamas. She was Called to the Bar by Middle Temple in 1993. Her practice includes Corporate Law, Commercial Law, Banking Law, Investment Funds and Securities, Admiralty, Trusts, Wills and Probate, Hotel and Resort Development, Real Estate, Captive Insurance, and Arbitration. She is the founder of The Bahamas Middle Temple Society, and her daughter, Alexandra, is currently a student at the Inn.



General The Lord Guthrie of Craigiebank GCB LVO OBE DL (Hon)

Lord (Charles) Guthrie was Chief of the Defence Staff 1997-2001, and Chief of the General Staff between 1994 and 1997. Educated at Harrow and Sandhurst, he was commissioned into the Welsh Guards in 1959. Between 1966 and 1977 he served in the Special Air Service Regiment before returning to the Welsh Guards as Commanding Officer of 1 Battalion. He is a non-executive director of N M Rothschild & Sons, and Colt Defense LLC. He is Colonel Commandant of the SAS and Colonel of the Life Guards, as well as president of several charities, including Action Medical Research, the Army Benevolent Fund, and the Federation of London Youth Clubs.



Mmasekgoa Masire-Mwamba (Hon)

In her previous roles in Botswana, Mrs Masire-Mwamba was responsible for promoting economic development, investment and private sector engagement. She is currently the Deputy Secretary-General for the Commonwealth Secretariat with responsibility for the Political, Legal and Constitutional Divisions amongst others. She holds a BSc in Electronics and Physics and an MBA in International Business. She delivered the Middle Temple lecture in February 2009 on constitutional development in the Commonwealth and later this year will qualify for her LLB through study with the University of South Africa.



Dame Professor Jean Thomas DBE FRS (Hon)

Dame Jean is the first woman Master of St Catharine's College, Cambridge. She started in Cambridge in 1967 at Darwin College, moving to New Hall as a Fellow. Her Professorship is in Macromolecular Biochemistry, where she led a Cambridge team studying the structure and dynamics of chromatin and its role in the repression and activation of genes. She is a Governor of the Wellcome Trust and an elected Member of the European Molecular Biology Organisation and of the Academia Europaea. She has served on the Council of the Imperial Cancer Research Fund, with The Lister Institute for Preventive Medicine, and as a Trustee of the British Museum.



Professor Kate Malleson (Hon)

Professor of Law at Queen Mary, UCL, Kate's main research interests are the judiciary, the legal system and the constitution. Her interest in UK constitutional reform led to her acting as a specialist adviser to the House of Commons Constitutional Affairs Select Committee when considering the Bill for the Constitutional Reform Act 2005. She reported to the House of Lords Constitution Committee in 2008 on the effect of the 2005 Act on relationships between Judiciary, Parliament and the Executive. She advised the Northern Ireland Judicial Appointments Commission on its 2007 research on diversity in the judiciary in Northern Ireland.



The Hall Committee

by Robert-Jan Temmink, Chairman

The Hall Committee exists to represent the interests of barrister members of the Inn on the Inn's Bench Committees and, ultimately, in the decisions taken by Parliament. In 2009-2010 the Hall Committee is focussing on three main issues: better representation of Hall, increased participation by Hall in the life of the Inn, and retention of members.

Members of the Committee sit as Hall representatives on each of the nine Standing Committees which govern the Inn's activities and responsibilities. These include: Catering, Education, Estates, Finance, Library & Archive, Scholarships & Prizes, Social, Students' & Barristers' Affairs, and the Joint MT/IT Church Committee.

A Hall Committee member will be responsible for representing Hall members' views in each of these areas, and I encourage you to contact them with any comments you may have concerning present issues or future plans which you wish to bring to the Benchers' attention. Contact details for the each of the Hall Committee members will be available on the Inn's website, on notice boards around the Inn, on flyers in Hall, and in an electronic mailing which will be sent to individual chambers. Early next year, Hall Committee members will be available for 'surgeries' to listen to your concerns in person, take forward your suggestions, and pass on your praise.

The members of the Hall Committee span Call dates from 1974 to 2008; their wide variety of practices spread from the Western Circuit through London to the Northern Circuits; some are employed; and most are in independent practice.

Currently, a relatively small proportion of members of Hall are involved in a disproportionately large amount of voluntary activity for the Inn. A large number of Middle

Templars are willing to help with advocacy training for students and pupils, judging moots, chairing debates, lecturing, sitting on scholarship committees, or being sponsors. We know that most people will gladly give their time to the Inn, perhaps on account of the Inn's former generosity through its scholarships, or out of a sense of loyalty and affection for the Inn. However, we have possibly not been as efficacious as we would have liked in converting that willingness to help into action.

Master Michael Gledhill chairs the Participation Sub-Committee which has put into place a number of initiatives to encourage wider participation in the life and work of the Inn by more of its members. Over the next year, members of the Hall Committee will be volunteering as sponsors, chambers representatives, advocacy trainers and will be devoting a large amount of time in other similar activities on behalf of the Inn. We will be working closely with Master Gledhill to encourage others to do the same. If you have any interest in helping the Inn with its various programmes and initiatives, but are unsure about whom to approach, please get in touch with any member of the Hall Committee and we will ensure that your willingness to help is acted upon.

The Hall Committee is working closely with the Inn to develop benefits which are available exclusively for members of Hall. The annual Hall Dinner, to be held on Thursday, 22 April 2010, is a celebration for members of Hall and is likely to be very entertaining; please do attend, and encourage your friends and colleagues to attend as well.

Primarily through the work of its employed and non-practising members, the Hall Committee will be taking steps this year to get in touch with members



of Hall who have lost touch with the Inn. If you know of anyone who was Called to the Bar by Middle Temple but who is no longer in contact with the Inn, please pass on their details to the Inn's Alumni Officer, Georgina Wright, at g.wright@middletemple.org.uk or to any member of the Hall Committee and we will take steps to involve them once more in the Inn.

Finally, the Hall Committee elections take place at the end of 2009 for terms of office which commence in January 2010. Details will soon be advertised about the election process. We are keen to have a committee that is as diverse as possible, representing the varied membership of the Inn, and I encourage you to stand. We are a friendly committee and if you are considering standing, please do not hesitate to get in touch with me, Vice-President; Gary Blaker (Selborne Chambers), or the Committee's Secretary; Rebecca Richardson (Hardwicke Building), to find out about the commitment involved and the pleasure gained from doing something worthwhile for the profession and for the Inn.

Robert-Jan Temmink practices in commercial and chancery litigation and arbitration from Outer Temple Chambers.

Events and Dates for your diary

CPD Day Saturday, 21 November 2009

Earn 6 CPD points for all-day attendance. Wide range of speakers and topics. The Day is open to all members of the Bar. Tickets cost £95 for the day to include lunch. 9.30 am - 6.00 pm. Dress is Day suit. Register with Stacey Brown at s.brown@middletemple.org.uk or telephone 020 7427 4817.

Children's Musical Parties Sunday, 29 November 2009

Interactive music sessions for children ages 0-7. Two morning sessions for 0 – 3 year olds at 11.00 and 12.00 noon. Two afternoon sessions both with tea at 1400 and 1600. Children free. Adults £5 for the morning sessions only or £10 for the full day. Purchase tickets through the Treasury Office on 0207 427 4800 or email members@middletemple.org.uk.

Burns' Night Saturday, 30 January 2010

The new band introduced in 2009 with such success have agreed to return and we hope that all of you who attended – and more! – will join us again to celebrate the Bard. Non-Dining tickets from £39 and Dining from £79 each (when bought as a group of ten). Black Tie or Highland Dress. Purchase tickets through the Treasury Office on 0207 427 4800 or email members@middletemple.org.uk.

Circuit Judges' Dinner Saturday, 13 March 2010

The Inn's Bi-annual Middle Temple Circuit Judges' Dinner will take place in Hall at 7.30 for 8 pm. Tickets cost £60 per person including champagne reception and wine, and dress is Black Tie. Wives and partners welcome. To book or for further information, contact Kristine McGlothlin at k.mcglathlin@middletemple.org.uk or 020 7427 4804.

MTSA Officers 2009-2010

MTSA President **Ali Dewji** was raised in Toronto and moved to the UK 6 years ago. He read International Relations and History at the LSE, earned a GDL from City University and an LLM from UCL. He is at City Law School, and has secured a pupillage next year in the Chambers of Andrew Trollope QC.



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College of Law Representative
Gun Ming Chung
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Temple Church Organ Fund Appeal

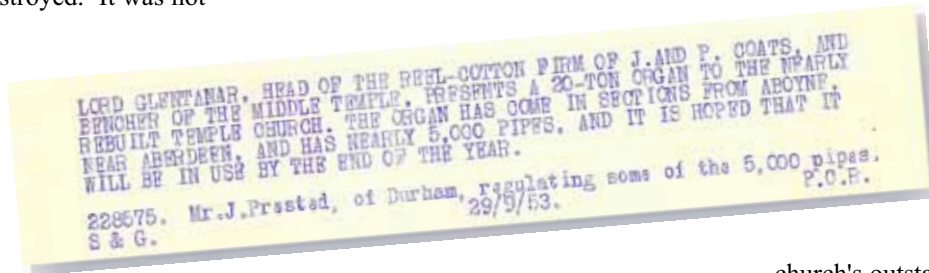
by Master Michael Blair and Penny Jonas

On 10 May 1941, the Temple Church was badly damaged in an air raid. The 'Rothwell' organ, developed and uniquely enhanced by Frederick Rothwell, 1853-1944, and his three sons and still containing pipe work from the 1684 Father Smith organ, was tragically utterly destroyed. It was not until the re-dedication of the rebuilt church on 23 March 1954 that an organ was once again heard in the Church.

The history of the present organ can be traced back to the time before it came to the Temple Church. The instrument was in fact built for the

private residence of Lord Glentanar. The inaugural recital there was given by the great French organist Marcel Dupré in 1927. It was built by Harrison & Harrison of Durham, the organ builder who also installed great instruments in King's College Chapel,

Tanar Castle, Scotland was offered as a most generous gift. As a result, from the time of Sir George Thalben-Ball, the music in the Temple has gone from strength to strength. The magnificent organ has played an important role in the Church's life: at Royal occasions, at memorials, weddings, as well as in the routine worship in the service of the two Inns. It is the perfect accompanying instrument for the church's outstanding choir, as well as being a fine concert organ. From the majestic 'tutti' to the quietest célestes, the organ's voice is identified as the 'Temple Sound'.



Cambridge, Westminster Abbey, and the Royal Festival Hall. Following the devastating destruction within the Temple Church, the organ from Glen

The installation of the organ after the War

The organ as it is today



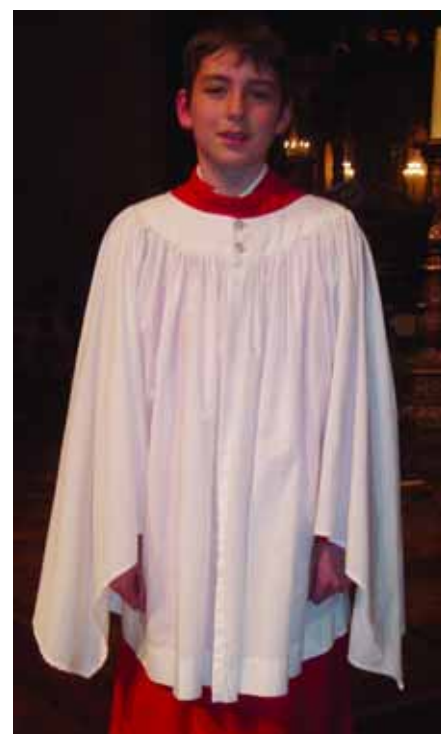
New Head Chorister

by Master Morcom

Charlie McNelly is to be highly congratulated on his appointment as Head Chorister of the Temple Church Choir. In October last year Charlie was one of the four boy finalists in the BBC Radio 2 'Young Choristers of the Year' Competition in St Paul's Cathedral. Under the direction of Master Rutter in the Temple Church the very next day, Charlie was the soloist in Faure's Requiem, and in Mendelssohn's 'Hear My Prayer'/'O for the Wings of a Dove'.

Charlie's interests are wide. As well as singing, he is a keen trumpet player, and passed his grade 6 exam in March with distinction; he also plays the French Horn. He enjoys both classical and jazz repertoire, and is currently lead trumpet for the Swing Band and the second orchestra at City of London School. Away from music, on the sports field Charlie enjoys cricket, football and badminton. Military history is another great interest; he is currently romping through the series of Sharpe books.

Head Chorister Charlie McNelly



Andrew Spink QC, Patrick Maddams, Master Blair, Master May, Guy Beringer QC

For fifty-five years, the organ has given excellent service. The commitment of the Inns to regular maintenance and tuning visits has enabled Harrison & Harrison to keep the instrument in fine working order; however, as with all pipe organs, the Temple Church's instrument needs a major – and expensive – overhaul. This must be done every forty to fifty years when the whole instrument must be dismantled, taken out, transferred to the organ builder's workshop, thoroughly cleaned, repaired, re-voiced and then re-installed. This is a task of gigantic proportions, and will take place over a period of eighteen months between 2011 and 2013. A temporary instrument will be installed in the interim. The Glen Tanar Harrison organ should sound again in the Temple Church for Easter 2013. The sum which is needed for this significant and crucial work is £750,000. We hope that through the generosity of those who have attended and loved the Temple Church and its music, future

generations will also benefit from and enjoy this remarkable instrument.

Under the leadership of Master Michael Blair and Master Anthony May, a working group has been established with the support of the Under Treasurer of Middle Temple, the Sub-Treasurer of Inner Temple, together with Andrew Spink QC of Middle Temple and Guy Beringer QC, Hon Bencher of Inner Temple. The Temple Church Organ Appeal will be launched on Wednesday, 25 November in the Temple Church, at a very special concert by the distinguished organ recitalist, Dame Gillian Weir. Special guest tickets are offered for supporters and donors. Some tickets are available for public sale through the website www.templemusic.org.

Those who would consider helping as generously as they feel able with this daunting task, please contact Penny Jonas, Development Consultant, on penny@pennyjonas.com or 0207 256 8220, who would be delighted to explore possibilities with you.

17th JUNE 2009

Temple Church Fete 2009

The second-ever Temple Church Fete took place on 17 June in Middle Temple Garden (some will recall the first one in 2006).

It was a wonderful evening with over 600 people attending and enjoying a variety of activities including Benchers at the shooting-range to children in the egg-and-spoon race.

Nigel Havers opened the Fete and encouraged everyone to spend a lot of money despite the pouring rain as all proceeds were to go to the refurbishment of the Temple Church organ. His charm and inspiration worked wonders as over £11,000 was raised.

Everyone at the Church is immensely grateful to those who made the Fete possible: to the Treasurer and Benchers of Middle Temple for allowing the use of their garden, to the Benchers of both Inns, and to the chambers, businesses and individuals who sponsored stalls, entertainments, games or raffle-prizes.

We owe particular thanks to William Bartholomew, well known from various parties in the Inns, who provided encouragement, guidance and many of the stalls and their personnel. Our thanks also go to Colin Davidson, Director of Catering & Marketing, who was tireless in his help and advice from the start.

And our final thanks go to Liz Clarke and Henrietta Amodio, our colleagues in the Master's House. Liz is the Fete's "onlie begetter": the Fete was her inspiration; both she and Henrietta worked with unflinching verve and grace and energy to bring Liz's idea to fruition.

Photographs courtesy of Simon Tottman, member of the Temple Church Choir, and full-time freelance singer and photographer. www.simontottman.com





The UK Supreme Court moves in to Mid

by Professor Andrew Le Sueur



329 weeks after the surprise announcement from the No 10 press office that the United Kingdom was to have a new court of final appeal, the UK Supreme Court opened its doors for business on 1 October 2009. It was a court that some senior judges did not want, in a building that even some of its supporters thought unsuitable. Now that the dust has settled on the constitutional and financial arguments for and against the UK Supreme Court, it is the renovated Middlesex Guildhall that will be the most tangible change in the constitutional landscape.

In and of itself, relocating the Law Lords out of the Palace of Westminster is not a huge step. Intense pressure of space in the parliamentary estate during the 1990s prompted the idea that Parliament's 'judicial business' might be conducted elsewhere. Feasibility studies were carried out on a number of possible venues, including Millbank, Fielden House (the old Lord Advocate's Department), the Public Records Office in Chancery Lane, and Middlesex Guildhall. Lord Woolf has recalled that in the mid-90s some of their Lordships *'thought that there would be very real advantages in making the move [to Chancery Lane] – for only one reason, that of the improved accommodation'* (HL Hansard 20.12.04). Plans did not progress.

A decade later, the July 2003 consultation paper by the Department for Constitutional Affairs said only that *'There are a number of options which might be suitable, and a detailed business case will need to be drawn up and costed before any firm proposals can be made'*. From a long-list of 48 possible locations (some of which would have been new-builds, others conversions of existing buildings), the New Wing of Somerset House and Middlesex Guildhall emerged as the front-runners. In December 2003, Lord Bingham, an advocate of the new court, bluntly told the House of Commons Constitutional Affairs Committee *'I do not fancy the Middlesex Guildhall at all'*. He repeated his concerns in April 2004 to the House of Lords select committee on the Constitutional Reform Bill: given the constraints involved in converting a listed building, the *'impression will always remain that the Supreme Court has been crudely thrust into a building designed and built for another purpose'*.

In December 2004, as the Constitutional Reform Bill neared the end its passage through the Lords, the Lord Chancellor announced that Middlesex Guildhall had been selected. The set-up cost was estimated at £56.9 million, with the capital construction element of this being met by rent over a 30-year period as part of a lease-and-lease-back arrangement with the developers. In November 2006 planning permission and listed building consent were granted by Westminster City Council, to the dismay of SAVE Britain's Heritage. The

Middlesex Guildhall

conservation group said *'the wonderful gothic revival interiors would, under the proposals, be stripped of their remarkable fittings'*, and pleaded their architectural case before the House of Commons Justice Committee and their legal case in a judicial review claim (see [2007] EWHC 207(Admin)). The works went ahead.

Participants at a seminar on the Supreme Court held in Middle Temple in July 2009 (organised by Master Blom-Cooper, Master Malleeson and myself) were invited by the Ministry of Justice to have a private view of the new building. Stepping over industrial vacuum cleaners, a party of 30 toured the building. Standing in the main administrative office on the ground floor, I saw (but could not hear) the pavement outside being dug up with a pneumatic drill: full marks for the sound insulation.

Interior design aficionados nodded approval at Sir Peter Blake's psychedelic carpet and the curtains by the Glasgow-based design firm, Timorous Beasties. Less impressive were the numerous Victorian portraits of long-forgotten municipal worthies which hang on many walls – at the insistence of English Heritage. I was not alone in thinking the walls of a country's final court of appeal should be graced by paintings relevant to the history of law and the pursuit of justice rather than a defunked county council. A clever work-around is that the building contains many law-related epithets, chosen by the Law Lords: some are etched in glass; others carved in wood; and one, chiselled in stone on the anti-terrorist-barrier-cum-bench at the main entrance, is Andrew Motion's poem commissioned for the new court:

*Tides tumbled sand through seas long-lost to earth;
Sand hardened into stone - stone cut, then brought
To frame the letter of four nations' laws
And square the circle of a single court.*

*Here Justice sits and lifts her steady scales
Within the Abbey's sight and Parliament's
But independent of them both. And bound
By truth of principle and argument.*

*A thousand years of judgment stretch behind-
The weight of rights and freedoms balancing
With fairness and with duty to the world:
The clarity time-honoured thinking brings.*

*New structures but an old foundation stone:
The mind of Justice still at liberty
Four nations separate but linked as one:
The light of reason falling equally.*

As the tour group left the counsel's room, one of the party was on her hands and knees searching (how successfully I do not know) for power sockets, no doubt anticipating the need to plug in a tired laptop in months to come. In the court rooms, the silks tried counsel's chairs, one lamenting that they were the only chairs in the room which did not have the benefit of



casters. Another was concerned that it seemed counsel would be expected to address the bench from their allocated positions rather than from a lectern in the centre.

A traditionalist or two wondered about the prominent display of the Supreme Court heraldic badge in each court – the Tudor rose, a leek, a flax and a thistle nestling within an omega (finality) and Libra (justice) sign – rather than the Royal Arms. Only in Court 3, which will be used by the Judicial Committee of the Privy Council, were the Royal Arms to be seen, and here only in a rug that could be rolled up and removed. What, some of the group speculated, did all this symbolise?

It was recognised from the outset that to win over the hearts and minds of the general public, the building needed to be accessible. A visitor centre in the basement will explain the history of the building and the role of the court; if the sandwiches are any good, there may be scope for re-working the old V & A advert ('... an ace caff with a rather nice court attached'). There seem to be good facilities for visitors to view proceedings without disturbing the work of the courts. Plinths ready for the installation of video cameras in the court rooms were noted.

It is difficult not to be impressed by the care and thought that has gone into the planning for the home of the new court. The government's main stated aim in introducing the reforms was to improve public understanding of the role of the final court of appeal. In the Middlesex Guildhall, there is now a court building that offers the Justices, the court staff, litigants and their lawyers, and the public modern facilities that are, in the jargon, fit-for-purpose. Such a building is, however, only a necessary, not a sufficient, condition in achieving the government's goal.

Three Little Gems

Review by Master Robert Seabrook

“This book is a treasure house of anecdotes and reminiscence”. So wrote Sir Mark Potter, President of the Family Division, in his foreword to *The Man who Shot the President and other Lawyers*, which, together with *From Wig and Pen to Computer: Reflections of a Legal Author* and *Further and Worse Particulars*, forms a delightful trilogy of short volumes which are the latest fruit from Master (His Honour) Eric Stockdale's prolific and endearing pen. These three slim volumes trace his own life in the law in the course of reminiscence on his experience as a legal author, the people whom he has encountered and overall reflections.

The explanation for Eric Stockdale's wonderful perspective and comfortable style of writing about his 60 years or more in the law must surely lie in the remarkable circumstances and turn of events that brought him to the English Bar.

Born in Hamburg in February 1929, following his mother's arrest by the Gestapo in 1935 for so-called seditious activity, six-year-old Eric found his own way by train to his grandmother's home. Following her

release, his mother managed to get him to Holland and thence to England where she provided a loving home for him in London with an Englishman who was to become her new husband and Eric's new father.

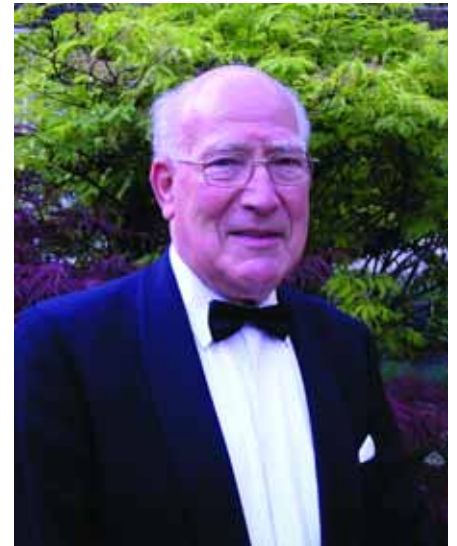
He left school at fourteen and took his first job as an office boy with the old *Daily Herald* earning seventeen shillings a week. Then, after a period as a teleprinter operator with Reuters, he got a job as a law clerk with a firm of solicitors and found himself delivering briefs in the Temple in 1946. Thus began a lifelong “love affair” with the Bar and the law.

And yet... for all his profound affection for the profession and the law, and the extraordinary range of eminent people whom he has known or encountered during his distinguished career, one has the impression that over all these years he has been observing with wondrous eyes this engaging and dynamic legal world which curious twists of fate had made him part of.

Eric Stockdale chose Middle Temple, like so many of us, for its “beautiful Elizabethan Hall”. Due to extensive war damage and repairs, he did not actually dine in Hall until his Call

Night in June 1950.

One of his fellow students on that night was Lee Kwan Yew, later to become the powerful political leader of Singapore. Meanwhile, he had completed two years National Service. He was soon building up a



busy practice, which he modestly calls a “knock-about common law practice”, but which was in truth the norm for that time, doing anything that came his way from crime to divorce, planning to commercial and building work and even boundary disputes.

Early on, he discovered a talent for writing, which he deployed to advance his enduring particular interest in crime and punishment and penal reform. The then Mr Justice Leslie Scarman, who was the first chairman of the Law Commission at the time, wrote the foreword to his first book, *The Court and the Offender* (1967), stating that he was persuaded by the author's arguments for reform. These issues continued to drive much of his writing both before and after his appointment as one of the first Circuit Judges to be appointed in 1972. Later he was to be one of the founding editors of *Blackstone's Criminal Practice*.

It was as an amateur historian that Eric Stockdale became increasingly interested in the role played by Middle Templars in the early North American settlement and the evolution of American constitutional and legal development. As many will know, he is now a distinguished writer and lecturer



Inns of Court Rugby Tournament

**Would you like
to represent
your Inn at rugby?**

Wooden Spoon, the Children's charity of rugby will be holding a festival of rugby in May 2010, to be played at one of the Premiership rugby stadia in the London area.

As part of this festival, the Inns have been invited to hold the inaugural Inns of Court Rugby Tournament. In order to secure involvement, expressions of interest are needed at this early stage.

If you are keen to take part then please either notify Jon Chico by email at jonchico@hotmail.com or, in order to sign up to regular updates, join the Facebook Group "Inns of Court Rugby Tournament". Please don't forget to include details of your playing position.

Wooden Spoon is the children's charity of rugby, dedicated to improving the quality and prospect of life for children and young people to give young people across the UK and Ireland a chance to achieve their full potential.



For over 25 years Wooden Spoon has helped more than half a million children through providing equipment and facilities in schools and hospitals and has used rugby (union, league and wheelchair) to help young people tackle obesity, manage aggression, gain qualifications and re-build their lives through the teamwork, respect and support built into the game.

www.woodenspoon.com



Eric Stockdale, age 6, learning to travel on his own, in case of his mother's arrest

Virginia in 1607, with its twin accolades of forewords by both the then Lord Chief Justice of England and Wales (Master Phillips) and the Chief Justice of the United States (Master Roberts), has been widely acclaimed.

These three little gems are peppered with wartime, professional and judicial anecdotes which the reader will find a pleasure to dip into.

More seriously, Master Stockdale speaks across the generations, reminding us of how it is that many features of today's accepted practice came to be; how it was that many amusing, and seemingly bizarre, practices of yesterday have passed into history, and how many of the challenging issues which he sought to address in his writing thirty or forty years ago remain with us today.

Published by Wildy, Simmonds & Hill Publishing Ltd, London. £14.95 per volume or all three for £33 from Wildy's Bookshop.

in this field. His book *Middle Temple Lawyers and the American Revolution*, written jointly with Justice Randy Holland of the Supreme Court of Delaware and launched in 2007 at the 400th anniversary celebrations of the founding of the first English North American Settlement at Jamestown,

Masters Stockdale, Roberts, Phillips and Justice Randy Holland in Virginia 2007



Wigs and Wherefores: A Biography of Michael Sherrard

Review by Paul Lowenstein QC

Master Michael Sherrard CBE QC will be known to every reader of *The Middle Templar* as one of the greatest advocates of his generation, as a Bencher and former Treasurer with a passionate interest in the life and working of the Inn and as the man who almost single-handedly brought modern advocacy training to the English Bar.

As this delightful book demonstrates from the outset, the author and the subject take mutual pleasure in twinkling good humour, in the characters and minutiae of practice at the Bar, and in the interplay of professional and family life. The narrative style is conversational, alternating the story from Linda Goldman's viewpoint with Michael's own memories and observations. One is struck by Michael's intense memory for detail. Even from the great distance of time he can still clearly recall the words of his opponents, the demeanour of the judges and can recreate vividly the atmosphere of days spent in chambers and in court.

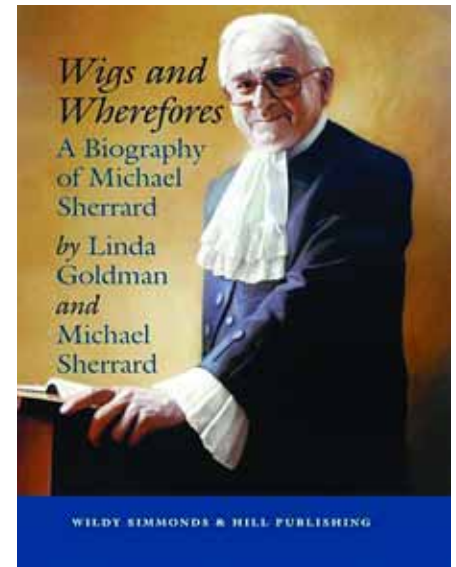
It is clear that meticulous work was done to ensure the accuracy of every fact and memory recorded in this biography. He is one of the greatest living forensic cross-examiners and his preparation for every court appearance and conference was immaculate. Even today, a social call to the Sherrard home can result in Michael becoming interested in a particular topic of discussion and launching into a perfectly structured examination of his guest until his curiosity is fully satisfied.

In the book, we learn of an early conference in pupillage in a matrimonial maintenance case with a solicitor described as: "...an elderly man [who] sounded like a rough

diamond and looked like a survivor from a Dickens' novel. He wore a long, black overcoat to his ankles and a bowler hat which he unceremoniously removed and placed on my blotting pad..." The solicitor refers to his lay-client, whose name is Simon, as "Slimey". When the otherwise silent client dares to ask a question he is abruptly stopped by the solicitor with the admonishment: "...Shut up, Slimey! Counsel's finkin'!"

Other chapters recount memories of early criminal cases, of increasingly important work for well-known solicitors and celebrity (or notorious) clients and of long months engaged in heavy trials. There is a frank and engaging history of the trial and subsequent failed appeals of James Hanratty – a controversial case in many ways, not least for the fact that after the termination of the instructions of his leader, Michael as junior counsel and on the insistence of Hanratty completed the presentation of the (unsuccessful) defence alone. This chapter concludes with an interesting reflection on the fact that the police retained some of the physical evidence in the case (including the victim's knickers) for 31 years, which allowed modern DNA techniques to be used to re-visit the case in 2002.

We follow Michael on his extensive travels from the mid-1970s to Hong Kong and Singapore in a booming Far Eastern practice, where he is still revered amongst solicitors and clients. At home, in 1974, he became the Head of Chambers at 2 Crown Office Row, now Littleton Chambers. This was and remains a successful and busy set of which I was proud to be a member for 12 years. Under Michael's guidance, the set grew and expanded its work to encompass the biggest criminal fraud



work and the full range of commercial, common law and employment cases. At a time when this was very unusual, there was always an avuncular informality in chambers; as ever the tone was set by Michael - why be serious (even when discussing important matters) when there are jokes to be made and stories to be told?

As he wound down his practice in the early 1990s, Michael discovered the modern Australian techniques for the teaching of advocacy. Here was a new project – to import this way of teaching to England – a perfect new challenge for this great advocate. So within a short time Middle Temple Advocacy was established, with Michael as its director and the other Inns beating a path to Middle Temple Lane to see how it was done. After 10 or more years and thousands of young advocates trained, Michael is able to look back on a job so well done that current pupils cannot imagine a time without formal advocacy training.

This is a book by a barrister about a barrister for those who love the law and legal life. It is a wonderful read and I recommend it strongly.

Writing for Harry Potter's Publisher

by Tim Kevan Esq

Back in early 2007 I had been practising as a barrister at 1 Temple Gardens for some nine years and was enjoying the life of a common law practitioner based in London. At the same time I was spending as much of my free time as possible on the coast of North Devon and other such places where I could get out into the sea and surf a few waves when the conditions were right. With this dual life it was perhaps inevitable that sooner or later I would take a break from the Bar and give myself the time and space to pursue my long-standing hobby a little more.

In the meantime I had another development which helped to push me into making that decision. Specifically, I started writing about a fictional young barrister doing pupillage whom I called BabyBarista, a play on words based on his first impression being that his coffee-making skills were probably as important to that year as any forensic legal abilities he may have. It is a strange thing to say but I discovered

that this bold, irreverent and mischievous voice along with a collection of colourful characters had simply jumped into my head and the words started pouring onto the page. I wrote it as a blog and was hopeful it might raise a few smiles but in my wildest dreams I had not imagined quite the extraordinary set of circumstances which then unfolded. First *The Lawyer Magazine* commented, "If this is a fictional account, it is genius". I then emailed a few publishers and started getting interest as well as taking on a literary agent who had approached me directly. In the meantime, I was contacted by Alex Spence of *The Times* and he very kindly offered to host the blog and finally, I got a book deal with Bloomsbury Publishing of Harry Potter fame – all within the space of less than three months.

Since that hectic start, it has been a long haul. I have finally taken a break from the Bar and moved to North Devon where not only have I been able to go surfing a little more frequently, but I also have finished the first book in the *BabyBarista* series as well as continuing to write the blog. The book finally came out in August and does seem to have been well received with broadcaster Jeremy Vine describing it as "a wonderful, racing read: well-drawn, smartly plotted and laugh out loud" and *The Times Law Section* calling it as "a gallop of a read" and their *Books Section* mentioning its "relentlessly racy, rumbustiously Rumpolean humour".

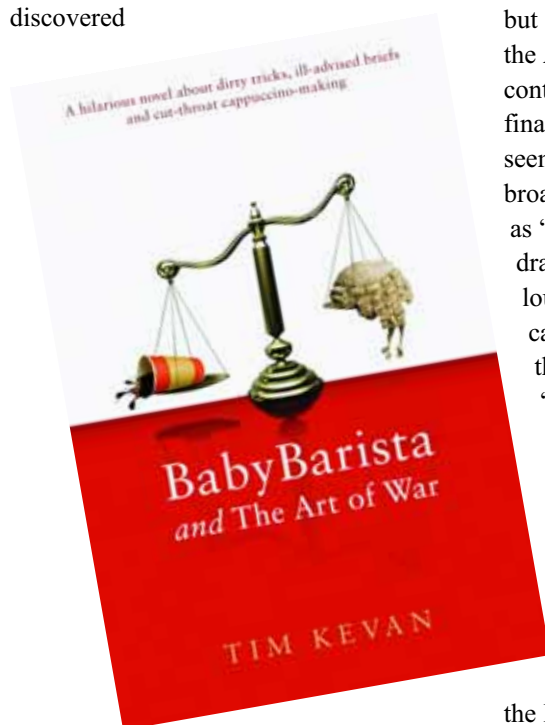
The book is called *BabyBarista and the Art of War* and centres around BabyB's first year in chambers where he is fighting his fellow pupils for the coveted prize of a permanent tenancy. It is a fictional caricature of life at the Bar and includes characters that probably exist in most workplaces such



(Photograph courtesy of Jason Stirzaker)

as UpTights, OldRuin, BusyBody, Worrier and even JudgeJewellery and her penchant for stealing cheap jewellery. Alongside the pupillage race is an altogether different battle with BabyB's corrupt pupil master TheBoss, whose dishonest fiddling of chambers' records to avoid a negligence action all starts to unravel and threatens to embroil BabyB's entire career.

With the first book finished, I'm continuing to write the blog as well as working on book two in the series. Ultimately, I intend to return to the Bar part-time and based in Devon but hopefully through my chambers in London. In the meantime, I continue to enjoy life down here by the sea.



Tim Kevan is a member of the Middle Temple. *BabyBarista and The Art of War* is published by Bloomsbury and available on Amazon for £8.39 (incl p&p). For more information visit www.timkevan.com

Library News

by Vanessa Hayward, Keeper of the Library

Professional Development

The Library and Archive staff were recently invited to visit the Royal Library at Windsor Castle from the Librarian Lady Roberts. This was a rare and privileged treat organised by Renae Satterley, Rare Books Librarian, to whom we are all very grateful.

Accompanied by Master Michael Ashe, we discovered an absolute treasure trove of wonders from stunning illuminated manuscripts such as the *Sobieski Book of Hours* (1420) and early printed books such as the *Mainz Psalter* (1457), one of only ten ever printed and for which George III paid £400.

The Royal Library also houses drawings by Durer, Raphael and Da Vinci as well as Elizabeth I's drinking glass, the shirt reputedly worn by Charles I at his execution (complete with bloodstains), and a delightful account of Her Majesty's parents' coronation by the then eleven-year-old present Queen Elizabeth.

We also visited the Castle's impressive archive collection, which is now presided over by Dr Clare Rider, former archivist at Inner Temple.

Siobhan Woodgate, Conservationist, kindly arranged for us to have a private viewing of an exhibition of watercolours on Australia's Natural History housed at the Natural History Museum. Many of them were from Captain Cook's voyages between 1768 and 1771, and had been conserved by Siobhan. They included exquisitely detailed art works by Sydney Parkinson, Thomas Watling and Ferdinand Bauer.

We were given a talk on the collection from Diane Tough, the Library's Cataloguer who had prepared the exhibition with Siobhan.



Middle Temple Library & Archive staff with Dr Clare Rider off to see the archive, housed in a part of Windsor Castle that dates from the 15th century

Some of the sumptuous books and watercolours at the Natural History Museum



Improvements

Following feedback from the library survey, the following improvements have been made (at least on a trial basis):

- Members no longer need to sign the book at the library entrance but they must show their membership cards if asked by the security staff.
- Members are no longer asked to return books they have used to the shelves; they can leave them on the tables and staff will put them away.
- Members no longer have to sign for material housed at the enquiry desk except during very busy periods when there is heavy demand for a particular title.
- The cost of printing from the photocopy machines has been reduced from 15 pence to 10 pence per sheet.
- The textbooks have been rearranged so that the upper shelves are empty and a ladder is no longer required to get to the most regularly used material.
- Sofas have been acquired so that members can relax while

ploughing through a particularly long and dreary tome.

- Our document delivery service has been reviewed and is now much simpler and hopefully cheaper for members. Our new charges (for anywhere from Brick Court to the Turks and Caicos Islands) are as follows: £5.00 admin charge for the first item and £2.50 for each additional item plus 50p a sheet for copies sent by fax or 15p per sheet for copies sent by post or email. Please note that at present, emailing is currently restricted to office hours.

Many members requested longer opening hours specifically with an earlier opening than the current 9.00 am. Although there are not enough Library staff at present to allow this to happen on a formal basis, staff members who arrive early to work will happily open the library a few minutes early to help members who are in a hurry to get to court.

If you would like a tour of the library and its resources, please contact Ruth Jones at r.jones@middletemple.org.uk.

Library Saturday Opening Dates 2009-2010

The Inn libraries will be open in rotation from 10 am - 5 pm as follows:

7 November	MT
14 November	GI
21 November	IT
28 November	LI
5 December	MT
12 December	GI
19 December	IT
9 January	LI
13 February	MT
20 February	GI
27 February	IT
6 March	LI
13 March	MT
20 March	GI
27 March	IT

Daily Library Opening Hours

9 am – 8 pm
Monday to Thursday
and 9 am – 7 pm Friday

New Acquisitions

Our gratitude is due, as always, to those who have continued to support the library so generously with their donations. We would like to thank Master Kosmin for *Company Meetings: Law, Practice and Procedure*, co-authored with Catherine Roberts, and *Directors' Duties* by Andrew Keay; Master Woolley for *Environmental Law (2nd edition)*; Master Blair for *Financial Services Law (2nd edition)*; Master Nicol for *Media Law and Human Rights*; Maya Sikand for *Blackstone's Guide to the Criminal Justice and Immigration Act 2008*; Richard Clayton QC for *The Law of Human Rights (2nd edition)*, co-authored with Hugh Tomlinson QC; Peter MacDonald Eggers for *Deceit: The Lie of the Law*; Professor Alisdair Gillespie for *The English Legal System (2nd edition)*; and Barry Denyer-Green for *Compulsory Purchase and Compensation (9th edition)*.

Middle Temple Golfers Regain Cup

by Stuart Ritchie Esq, Secretary MTGS



The fifth pair, Lord Justice Scott Baker and Stuart Ritchie, recovered from two down with two holes to play to level the match after 18 holes. With the result in the sixth and only other live game uncertain, they were required to play extra holes.

On the 21st green, with neither the clubhouse nor a final outcome in prospect, it was with some relief that the message arrived that the Middle Temple sixth pair had won its game and with it the match, so allowing the fifth pair to settle for half a

The Inn golfing societies have competed for the Scrutton Cup (presented by Scrutton LJ) since 1921. The competition is played annually at Woking Golf Club. Each Inn fields a team of fourteen players (seven pairs) and the format is foursomes matchplay off handicap. The two winning teams in the morning play each other in the final in the afternoon. The rules of the competition are designed to mix lower with higher handicap players and junior members of the Bar with silks and judges. Rivalry is friendly, but the competition is keen.

Middle Temple had not won the trophy since 2002. Under the captaincy (in absentia) of Lord Clarke the feat was achieved once again in glorious sunshine and on a golf course in immaculate condition on 24 September 2009.

Middle Temple was drawn in the morning against Lincoln's Inn – the winners in 2007 and 2008. After comfortable wins for the first and seventh pair, a narrow win for the third pair, a first-ever loss in the competition for the entirely dependable top pair and a final hole loss for the second pair, the score stood at 3-2 in favour of Middle.

point and the remnants of lunch.

The final was against Inner Temple, regular winners in recent years. Normal service was resumed at the top of the order with a win for Middle; further comfortable wins followed for the fifth and sixth pairs. These were cancelled out by losses for the second third and fourth pairs. The third pair, Michael Warren and His Honour Judge Hetherington, were particularly unlucky, losing on the last hole courtesy of a penalty incurred on the green when the latter's ball rolled down a slope and off the green before he had putted it.

With the score at 3-3 all therefore rested on the final match: Middle Temple's anchor pair, David Westcott QC (Olympic field hockey medalist and former winner of the Bar Golf Tournament) and Ian Mill (QC to the stars). Four down with seven holes to play, all seemed lost against a very strong Inner Temple pair; however; Middle won five holes in succession to be one up with two to play.

The difficult 17th hole was lost to a superb birdie three from Inner courtesy of an improbable fairway wood shot manoeuvred around trees from 220 yards to within three feet of the hole.

Level with one to play, the Middle Temple pair made a textbook par at the final hole, capitalising on uncharacteristic errors from the opposition, to win one up.

It was a great win with which to seal victory and to cap a wonderful day. Thanks and congratulations are due to all those who played.

The Middle Temple Golfing Society is always keen to recruit new members (male and female; student members very welcome). Please contact Stuart Ritchie at sr@littletonchambers.co.uk



Results

Morning: MT vs Lincoln's Inn
 Afternoon: MT vs Inner Temple

	AM	PM
(1) Sir Roger Buckley Christopher Kemp	0	1
(2) Michael Stephens Jon Davis	0	0
(3) John Tallon QC Simon Goldstone	1	0
(4) HHJ Hetherington Michael Warren	1	0
(5) Scott Baker LJ Stuart Ritchie	1/2	1
(6) Bernard Weatherill QC Francis Garland-Collins	1	1
(7) David Westcott QC Ian Mill QC	1	1

Getting High on Holiday

by Hannah Baker, Assistant Archivist

Two continents, six weeks in a tent, four peaks over 18,000 feet, a couple of instances of frostbite, a 70 lb pack, an equally heavy sledge, virtual starvation (actually that's a bit of an exaggeration, but I've made up for all weight lost with some Middle Temple lunches) and I'd do it all again. My trip to the Alaska range was to climb the tallest mountain in North America, Mt McKinley (more commonly known amongst mountaineers as Denali). At 20,320 feet, and in arctic conditions, it is quite a challenging mountain. It took us 15 days of ascending and caching to reach the summit and this lengthy acclimatisation was excellent preparation for a much shorter but much more technical mountaineering trip to the Cordillera Blanca, Peru.

The three summits in Peru; Ishinca (18,204 feet), Tocllaraju (19,794 feet) and Vallunaraju (18,643 feet), provided far steeper ascents at a much quicker pace, facilitated by the fact that we were just two and were up for some more serious challenges, including gradients of upwards of 65 degrees. There were some awesome views and wonderful weather, great company and some imaginative games, the most dangerous being the ice axe lob (javelin with an ice axe). I am now going to embark on a training schedule, which, with any luck will culminate in my being able to apply to become a member of the Alpine Club, like my father and grandfather before me.

Climbing Tocllaraju, Peru



On the summit of Denali

Descent past Washburn's Thumb with the whole team in view



Return from summit in the gloaming



On the summit of Ishinca, Peru



Middle Temple Loses a Security Stalwart

by Barry Homer, Head Porter

Martin O'Dwyer retired on 1st April this year from his position as Night Security Officer, after seven years of sterling service to Middle Temple.

Martin was brought in on a temporary contract during the kitchen refurbishment to bolster the silent hours security arrangements and stayed for seven years. Martin provided an excellent service, and was loyal, conscientious, and extremely reliable. He carried out his duties so thoroughly he even thwarted Tom Hanks (of the *Di Vinci Code* Fame) when he attempted to enter the Hall following evening filming.

On behalf of all the staff, the Under Treasurer presented Martin with a leaving gift of a gold watch. All the staff wish Martin a happy retirement and hope he manages to find the time for frequent visits to Ireland and the odd pint of his favourite tippie, Guinness.



End of an Era

by Christa Richmond, DUT (Education)

After a couple of decades with the Inn, **Marion Howard** has decided to hang up her briefcase in order to make more time for the pursuits she has always loved and never had enough time for, too many to list, but first and foremost, her writing.



Telling Middle Templars about Marion is a bit like telling members of the All England Club at Wimbledon about Roger Federer. It is unthinkable that there might be anyone who does not know her. Everyone who has been a student at the Inn during these past twenty years (or before, come to that) will have come across Marion at some stage or other, and everyone will have their own fond memories of a friendly word from her, a contact she arranged, or just generally something she sorted out for them.

She has made a lot of things happen, some of them very high-profile, such as moots and Call nights, others more low-key, and thankfully less frequently, such as admission panels for students. At least as importantly, she has been a good friend to the team in the Education Department, to many colleagues at the Inn, and to countless students and barristers. She has always been cheerfully supportive and endlessly loyal to the Inn. The place will simply not be the same without her. We wish her all the very best for this new chapter in her life.

MIDDLE TEMPLE OVERNIGHT LODGINGS

The Inn has four overnight lodgings available for hire in 3 Middle Temple Lane, a Grade II* Listed building which dates back to 1680. (Please note that because of the age and character of the building there is no lift and we are unable to provide wheelchair access.)

Each of the rooms has its own tea and coffee-making facilities, an en-suite toilet & bathroom or shower room, and television. All bedding and towels are provided. The rooms are carpeted and centrally-heated during the winter months. The rooms on the second floor can interconnect and are therefore ideal for family bookings.

Please note that no animals other than Guide Dogs will be allowed in the Lodgings. You do not need to be a member of Middle Temple to book the rooms.



2nd Floor North - Sheridan Suite



2nd Floor South - Buchan Suite



1st Floor North - Frobisher Suite

Hire Charges (excluding VAT) from 2nd November 2009

Unit	Per night Mon - Fri	Per Night Sat - Sun	Special Rate Fri & Sat or Sat & Sun
1st Floor North – <i>Frobisher Suite</i> Single room with Double bed, en-suite shower room	£95.00	£85.00	£160.00
1st Floor South – <i>Raleigh Suite</i> Two rooms, one with double bed, one with two single beds, en-suite shower room	£110.00	£100.00	£185.00
2nd Floor North – <i>Sheridan Suite</i> Single room with twin beds, en-suite shower room	£95.00	£85.00	£160.00
2nd Floor South – <i>Buchan Suite</i> Two rooms both with double beds, en-suite bathroom	£110.00	£100.00	£185.00
2nd Floor hire of both interconnecting rooms	£180.00	£160.00	£300.00

For reservations, please contact the Treasury Office on **020 7427 4800**
or email members@middletemple.org.uk

INN EVENTS

November 2009

Saturday, 14	MTSA Ball
Saturday, 21	CPD Day and Drinks Reception
Tuesday, 24	Bench Call
Wednesday, 25	Organ Fund Appeal Concert in Temple Church: <i>Dame Gillian Weir</i>
Thursday, 26	Call Day
Sunday, 29	Children's Interactive Music Concerts
Monday, 30	Guest Lecture: <i>Dominic Grieve QC MP</i> Advent Carol Service in Temple Church

December 2009

Thursday, 3	Private Guest Night
Tuesday, 8	Parliament and Parliament Dinner
Thursday, 10	Christmas Lunch I in Hall
Friday, 11-13	Cumberland Lodge
Monday, 14	Christmas Carols & Readings in Temple Church
Wednesday, 16	Carol Service in Temple Church
Thursday, 17	Christmas Lunch II in Hall Revels
Friday, 18	Lunchtime Carol Service in Temple Church Revels
Sunday, 20	Carol Service in Temple Church and Lunch in MT Hall Nativity Play in Temple Church
Monday, 21	Michaelmas Term Ends
Tuesday, 22	Hall closes after Lunch

January 2010

Monday 4	Hall re-opens for Lunch
Tuesday, 11	Hilary Term Begins
Thursday 14	Treasurer's Reception
Thursday 21	Private Guest Night
Saturday 23	Cambridge Middle Temple Society Dinner at Clare College
Tuesday, 26	All Inn Dining (after Parliament)
Saturday 30	Burns' Night in Hall

February 2010

Tuesday 2	Music Night: <i>Edward Fox OBE</i>
Friday, 5-7	Advocacy Weekend in York
Tuesday, 9	Bench Call
Friday, 19	Music Night: <i>Wind Quartet – tbc</i>
Saturday, 20	Ordinary Dining Night
Sunday, 21	Choral Mattins and Sunday Lunch in MT Hall
Monday, 22	Education Day and Guest Lecture
Tuesday, 23	Reader's Feast (after Election Parliament)

March 2010

Thursday, 4	Private Guest Night
Tuesday, 9	Reception for Committee Members
Thursday, 11	Call Day (Dinner following ceremony)
Saturday, 13	Education Open Day for Sixth-Form and University Students Circuit Judges' Dinner in Hall
Friday, 19-21	Cumberland Lodge
Sunday, 21	Choral Mattins and Sunday Lunch in MT Hall
Monday, 22	Education Day and Guest Lecture
Tuesday, 23	Bench Call
Tuesday, 30	Music Night: <i>Jerusalem & Elias</i> <i>String Quartets perform Mendelssohn Octet</i>
Wednesday, 31	Hilary Term Ends

April 2010

Thursday, 1	Hall closes after Lunch for Easter Re-opens Monday 12 April
Tuesday, 13	Easter Term Begins and Bench Night I
Thursday, 22	Annual Hall Dinner (Black Tie)
Tuesday, 27	Music Night: <i>Percussion Concert – tbc</i> (after Parliament)

Events in Bold are Qualifying Sessions. Events and dates may change. For the latest information, please check the Inn's website at

www.middletemple.org.uk

To book Church events contact Henrietta Amodio 020 7353 8559 or email henrietta@templechurch.com

Benchers contact the Under Treasurer's Office 020 7427 4803/4804 or email r.pydiah@middletemple.org.uk

Students and Hall members contact the Treasury Office on 020 7427 4800 or email members@middletemple.org.uk