

Vale Richard Keller



By Robyn Smith

One of the Law Society's founding fathers passed away late last year.

In May 1968, Richard Keller and 24 others formed the Law Society of the Northern Territory having established a steering committee to lay the foundations for the Society in 1967.

Richard Keller was born to Swiss and English parents and grew up as a Swedish citizen in Romania. He migrated to Australia at the age of 23 in 1951, and was in his final year of law at Sydney University in 1958 when he saw an advertisement for an Associate to Justice Martin Kriewaldt in the Northern Territory.

He applied for the position and didn't hear anything further, later discovering that Harry Bauer was the successful applicant. He remained, however, intrigued about a country town with a population of 9000 and only three legal practitioners.

Keller wrote to the Administrator, James Archer, seeking the names and addresses of those three

legal practitioners. They were John 'Tiger' Lyons, Dick Ward and George Cridland. He wrote to Dick Ward, who replied with interest. They corresponded for a time until Richard took articles with a Sydney firm.

When that wasn't what he thought it would be, he resumed correspondence with Ward and in 1961, Keller, his wife Margaret and their young son Mark took an exploratory trip to Darwin before returning to Sydney and selling their home. Keller's intention was to return to Darwin and establish himself as a sole practitioner.

They travelled overland to Darwin, covering 444 miles of unsealed road and endless stretches of bulldust, arriving on 21 June 1961. The following day, Keller paid a courtesy call to Dick Ward who offered to employ him for three months. Keller accepted and worked for Ward until September that year.

By this time, Bauer was working for Ward as a Law Clerk and arranged the necessary paperwork for

Keller's admission to the Supreme Court of the Northern Territory.

In September 1961, Dick Ward took an extended trip south.

'Harry [Bauer] persuaded me to go with him as his unofficial partner until he himself was admitted. This we did, taking offices in the Burns Philp building on the corner of Smith and Knuckey Streets,' Keller said.

Thus Keller and Bauer was born.

Keller's big break came in 1962. In December 1961, a Portuguese naval vessel, the *Goncales Zarco*, docked in Darwin and three Naval Ratings defected from the Salazar fascist dictatorship by jumping ship overnight and being hidden by NT News Editor Jim Bowditch, a good friend of Dick Ward. The sailors were allowed their liberty while their claim for political asylum was being assessed on the condition that they reported daily to an ASIO officer.

Alexander Downer Senior was the Minister for Immigration. He rejected their applications and

ordered their repatriation. In the absence of Ward, Bowditch turned to Keller to challenge the Minister's ruling. Keller worked on that case almost exclusively from January until April 1962. Because of the Minister's decision, the young sailors went into hiding to avoid being forced back to Portugal.

Bowditch was at the forefront of co-ordinating the sailors' refuge, which had enormous community support. Food was smuggled to them and a great deal of money raised for Keller to brief John Dashwood Holmes QC of Sydney who argued that the sailors were not prohibited immigrants because 'desertion' did not fall within the meaning of the *Immigration Act*.

His argument did not convince Justice Bridge who dismissed the application.

Bowditch again swung into action and announced an appeal to the High Court, the application for which was dismissed by Chief Justice Sir Owen Dixon who said the ratings were prohibited immigrants and found that the Minister did have the power to deport them.

After all that, Downer capitulated and announced that the Australian Government had decided to allow the men to remain. The matter, with the help of people like Bowditch and Douglas Lockwood, had attracted enormous national attention.

Meanwhile, Keller and Bauer prospered.

In early 1963 all land in town was revalued by the Darwin Town Council. Land values had been thrown into chaos by World War II, the military's acquisition of much of it and disputes over ownership and occupancy following the war.

The revaluations represented hefty increases to unimproved capital value and commensurate rises in rates payable to the Council. There was a public outcry which



resulted in Dick Ward being instructed to act in about two-thirds of the objections and Keller the other third.

Later the same year, Ward and Keller were pitted against each other when Ward represented Mick Paspalis and Keller represented the Council. It was Mickey Paspalis who suggested that the two go into partnership.

Ward Keller opened for business on 1 November 1963 from the Chin Building in Knuckey Street. In 1965 they were joined by Alex Rorrison when the firm became Ward, Keller and Rorrison.

By 1967, Keller was involved in project managing construction of new premises for the firm, Mallam Chambers in Mitchell Street, and in the practice, he was engaged in probate and succession law and the *Matrimonial Causes Act*.

Richard Keller left Darwin and returned to Sydney just before Christmas in 1968. But he again moved north, to Lae in Papua New Guinea, and then to Nambour and finally Brisbane where he retired

in 2004 but retained consultancy roles with two of his former firms.

Keller returned to Darwin on 1 November last year for Ward Keller's 50th anniversary which featured the launch of *Antecedents*, a book tracing the history of the firm back to its founding father Ross Mallam in 1910.

Mark Keller died of cancer in June last year. Richard Keller died peacefully in Brisbane on 15 December last year, and Margaret Keller died in Brisbane on 4 February this year after suffering a stroke last year. They are survived by Krystal who was born in Darwin in March 1967 and adopted by the Kellers. Krystal accompanied Richard to Darwin for the anniversary dinner and launch. ●

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