



In Freedom's Cause: The Queensland Legal Profession
and The Great War
LAUNCH
Banco Court
Thursday 19 February 2016 – 5.30pm for 6.00pm

The Hon Catherine Holmes
Chief Justice

Thank you, Justice Fraser and Justice Logan, and the participants in the ceremonial aspect of this evening—Justice Byrne, Colonel David Thomae and Major Keith Wylie—here on the dais with me.

We are fortunate to have many family members of the 82 WWI lawyer-soldiers here this evening. I welcome members of the Cleary, Condie, Dean, Feather, Forrest, Hart, Harvey, Lee, Macintosh, McNab, O'Sullivan, Pattison, Payne, Peterson, Philp, Power, Thorn, Walshe and Young families. I especially acknowledge the presence here this evening of Mary Collings and Margaret Gibbs, granddaughters of the Ipswich solicitor and soldier Harry Victor Gibbs, and daughters of Sir Harry Gibbs, for whom the Court's legal heritage centre that houses the exhibition is named.

'In Freedom's Cause' tells the story of Queensland's legal community during the First World War. Together with its associated publication, the exhibition sheds light on the wartime experience and later careers of the 82 lawyers and prospective lawyers who served overseas during the Great War, alongside the contributions of lawyers and their families to the war effort on the home front.

Justice Logan has given you one quote from CW Bean's Official History and suggested that I include in my remarks the concluding passage of the work. I'll read it:

“Twenty-three years ago the arms were handed in. The rifles were locked in the rack. The horses were sold. The guns were sheeted and parked in



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storage for other gunners. The familiar faded-green uniform disappeared from the streets.

But the Australian Imperial Force is not dead. That famous army of generous men marches still down the long lane of its country's history, with bands playing and rifles slung, with packs on shoulders, white dust on boots, and bayonet scabbards and entrenching tools flapping on countless thighs-as the French countryfolk and the fellaheen of Egypt knew it.

What these men did nothing can alter now. The good and the bad, the greatness and smallness of their story will stand. Whatever of glory it contains nothing now can lessen. It rises, as it will always rise, above the mists of ages, a monument to great-hearted men; and, for their nation, a possession for ever.”

I like the fact that Bean refers to the greatness and the smallness of their story, and not to glory but to *whatever of glory* it contains. Because the war experience is such a mix of hardship, tedium, small disruptions extraordinary losses and great tragedy, and the glory aspect can be greatly overplayed.

I have been into the exhibition a number of times, and I have found it thought-provoking and moving. The Great War was an important part of my background. My father, who you'll gather was relatively elderly when I was born, had served through its entirety on the Western Front, in the British army, not the Australian. He was first in the cavalry, later in the trenches. He survived in reasonably good condition. He was left with hearing loss and an injured foot from a blast which left him buried alive for a period. Those disabilities became worse with age. Like many other servicemen, he saw no reason to talk about his experiences. When he did so it didn't contain much by way of glory. Two of his older brothers also served and were killed.

My mother was born in 1916. Her very first memory was of being taken to the railway siding in the rural district in NSW in which she lived to greet a returning AIF soldier,



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my husband's grandfather as it happens. His two older brothers had like him served on the Western front and both were killed in action. That experience for my grandparents and my husband's great-grandparents, of losing two out of three serving sons was not uncommon. You'll see in this exhibition the story of the four Pattison brothers, two killed and two wounded.

My husband's grandfather came home in 1919 and ended up marrying the fiancée of one of his dead brothers. That's so simply stated, but I have always thought that underneath it there must be such a story of shared grief, resignation, making the best of things, building a life on what is left.

And it's like that with so much of this exhibition. You look at the available information and your imagination is left to fill in the rest: what lay beneath, what must that have felt like? You can read the story of Raymond Shirley, who his father was told was wounded but not seriously at Gallipoli on 25 April 1915. But somewhere along the way to the beach Raymond and his stretcher-bearers disappeared. His father and sisters wrote letters trying to trace him, was he in a hospital, was he a prisoner of war? A year later a court of inquiry found that he was dead. How much hope and disappointment came first and did they accept that finding? Did they keep hoping it was wrong? You can look at the picture of the five generations of the military Lee family, four in uniform and serving in the war, the youngest a corporal, looking a child. Did any of the other members of the family pass a restful night during their service? Harry Lee was killed in France in 1917. You can read and think about his fiancée, who lived another 60 years unmarried.

The human interest in any collection of material of this type about the Great War is powerful. But it's heightened here by the knowledge which we as lawyers have of what it must have meant in unsettling lives and disrupting careers. William Amiet is an example. He was admitted as a barrister and enlisted on the same day in 1916.



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The Chief Justice of Victoria, Sir John Madden, spoke of this insight, unveiling an honour board in 1917:

“Though the members of the general public might see in the sacrifice which members of the legal profession had made in going on active service, nothing more than the sacrifice that any other soldier had made, they who were lawyers appreciate it to the full. The opportunities that had been put aside, perhaps never to come again, even to the fortunate ones who would return strong and whole, were so great as to represent the success or failure of a lifetime.”

And when you are familiar with the relatively sedate nature of legal practice, it's all the more remarkable that they managed to return from those chaotic years to the sedentary lives of lawyers, often founding firms with remarkable longevity, names familiar to the older among us. You can read of the extraordinary military career of Lachlan Wilson and see his medals, including the DSO and the Croix de Guerre, and then you see that he came back to Brisbane to settle down to practice in the firm of Tully and Wilson. Roy Peterson similarly returned to start Cannan and Peterson. Others went back to the quiet lives of country solicitors: Edward Cleary at Cleary and Lee in Toowoomba, William Amiet at Macrossan and Amiet in Mackay, Frank North at Roberts Leu and North in Townsville.

Part of the strength of this exhibition is its recognition of women's stories. So you will learn about Agnes McWhinney, Queensland's first female legal practitioner, who took her brother's place at the then Townsville firm of Hobbs Wilson and Ryan, now Wilson Ryan Grose while he went to war. A particular thrill for me was to see in the exhibition the solicitors' admission roll bearing her signature. And you will see information about the role the women relatives of lawyers played as nurses and Red Cross Volunteers.



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Like Justice Logan, I want at this point to acknowledge the impressive research and writing of Mr Tony Cunneen. He has written extensively on lawyers in the wars for the NSW Bar Association and the Francis Forbes Society; now he's given us the benefit of his fine essay on the Queensland homefront during World War One.

And I must pay tribute to the magnificent role of the working party which brought this project to fruition. Jointly led by Justice John Logan and John McKenna QC, this small group not only determined the scope and subject matter of the exhibition, but each of the working party members undertook to research and write biographies of the lawyer-soldiers. As you've heard, this wasn't easy: information was elusive. Before this project, no list of the lawyers or law students who served in WWI existed. Simply discovering the names of the lawyers, law clerks, students and judges' associates who enlisted was a challenge.

Exhibitions and publications of this scope and complexity cannot be produced without support from many quarters. In the case of 'In Freedom's Cause' this support has come in the form of the financial contribution of project benefactors, loans from public and private collections, assistance from the military and the legal profession, and goodwill, expertise and encouragement from many generous individuals and organisations. The list of contributors is too long to read here, but the publication contains the names of those who have given to this project.

I now declare the exhibition "In Freedom's Cause" officially open and the publication launched.