

## Eulogy for Jeffrey Miles AO - by his wife Patricia

Jeff was born in what was and may still be the year of the lowest birth rate in Australian history, 1935, as the country was moving from depression to war. He recalled those very early years and in particular the outbreak of war in September 1939. His parents explained hard times ahead. But life went on. He recalls starting school the following year and they taught him to use a pencil with his right hand instead of his left so he could not decide if he was L or R handed.

Also, in that year his brother Doug was born but 6 months later sorrow struck. His father died of a coronary attack. Dora aged 26 and the 2 boys moved in with her parents and she went to work at the Newcastle Morning Herald as a secretary. She remarried 7 years later to Arthur Jones; it was a happy and modest life. Jeff found satisfaction mainly in reading and the usual things schoolboys did in Newcastle, biking, surfing, football and cricket matches. Jeff regarded his education at Newcastle Boys High School as first class. He scored a maximum in the Leaving Certificate with first class honours in English, French and German and A's in History and Economics.



*Photo and names kindly supplied by Ken King, January 2019*

**Back Row:** M. R. Smith, S. R. Dalton, G. Jenks, R. T. O'Brien, D. J. Bluford, M. B. Allwood, K. R. Bignill, J. A. Miles

**Middle Row:** C. J. Lock, R. Boyd, D. J. Kelly, B. H. Thomson, A. R. Moore, B. T. Whitehead, A. B. Daniels

**Front Row:** W. J. Waudby, D. W. Barnes, R. Magin, C. C. Gaut, A. C. Murphy, C. F. McCosker, R. J. Wilson, J. W. Marshall

He started as a cadet journalist on the Newcastle Herald but the Commonwealth Scholarship Scheme of Robert Menzies, then in its second year, changed his mind. He was not yet 17

when he went to live in Kogarah with an aunt, taking a train to Redfern and walking to the University of Sydney.

## **University Years**

At first when he enrolled in Arts he saw himself in an academic career in an English department reading novels, poetry and talking to students about such things. He fell in with like characters, spending nights deep into the great works of English literature and to some extent European literature (in translation as well).

After 2 years of this Jeff decided that his scholarship conditions permitted him to go into Law.

He then took a position as a resident gardener at Gordon on the North Shore. It was a pleasant life, along with the student body at the Law School; undemanding gardening at week-end. National Service, also undemanding. After the first year of full time law studies he counted himself lucky to get a position as an article clerk with a firm of solicitors who specialised in various aspects in industrial law. The senior partner was Abe Landa, a Labor politician for Bondi, and a Minister in the government of Premier Joe Cahill. It was an interesting practice, with lots of court room experience, instructing counsel as well as getting cases ready for trial.

He became interested in Indonesia and heard of the fledgling Volunteer Graduate Scheme for Indonesia which provided an opportunity for Jeff to get a job there teaching English to pilots and engineers. Under the scheme, he had boarding and was on Indonesian pay rates.

He thought of the 2 years he spent there as the most defining period of his life. At the end of the 2 years he felt he should learn more about the world. The Volunteer Graduate Scheme provided a trip back to Australia. This he was able to swap for a flight to Singapore and a passage on a ship to Naples.

He arrived in England in November 1960 with no job and few contacts.

He applied for 23 jobs as a clerk in solicitors offices - his Aussie qualifications in law were now recognised in England at that time. Then in the January he received an unexpected letter from a very distinguished firm, Theodore Goddard. To his amazement he was told he seemed to be the sort of person they were looking for! He stayed nearly 3 years. It was interesting work in all sorts of litigation, but poorly paid. He was able to enjoy the richness of life in London and holidays in Europe while saving just enough for his fare back to Australia. He made the decision to return at the end of 1963. He still remains friends with Kate, who was the senior secretary there.

On his return to Australia Jeff worked for nearly 2 years with an established Sydney firm Stephen Jaques & Co, and then in 1965 went to the Bar.

Accommodation for barristers in Phillip St was almost impossible to obtain, unless you had the means to buy into the established Wentworth and Denman Chambers. However, a new and

younger group of barristers were striking out. Jeff joined a group and they negotiated a lease over an old pub, The Tudor, from the Rural Bank. They called themselves Forbes Chambers after the first Chief Justice of NSW.

Forbes Chambers comprised a varied group - mostly young and relatively inexperienced but some with excellent credentials, and they began to make their mark.

This was a period of social and political change during the regime of Premier Askin. Police corruption was rife. Jeff started to develop a practice in industrial injury claims mainly before District Court juries and extending into most other areas. He completed a Master of Laws Degree.

In 1971, with the Rural Bank wanting possession of the building, most of the members of chambers setup a new group called Frederick Jordan Chambers, at 233 Macquarie St. It attracted 2 Silks at the start and most of the original members went on to judicial appointments, at Forbes Chambers and then Frederick Jordan. Frederick Jordan Chambers continues to exist and flourish in other premises.

Jeff married Patricia Freebairn in 1976. She had been clerk at Forbes and moved with the barristers, going to Frederick Jordan - big job. She was the first female clerk in Phillip Street and the first associate to Justice Mary Gaudron on the Australian and Conciliation Court of Australia.

Then first child Anna was born in 1977. By this time Jeff was feeling the demands of a varied practice. He accepted an appointment as Public Defender, practicing in criminal court for the rest of his career. He found the change worthwhile and also found satisfaction in the nature of the work.

It was with some surprise that, in 1980, he found himself offered an appointment on the National Court of PNG. Patricia was supportive and, with 2 children under 2 ½, they left for Port Moresby on a 3 year appointment.

Jeffrey and I married at Easter time 1976 in the home of Mary Gaudron in Hunters Hill. He continued at the private Bar until after the birth of Anna, until 1978, when he became a Public Defender, hoping to spend more time with the family. James came along the following year and not a year after that he accepted an appointment to the National Court of PNG. So we packed and headed off to Port Moresby for 3 years. He considered those years the most interesting of his judicial career. That was followed by a return to Sydney and an appointment to the Supreme Court of NSW. We bought a house in Cammeray and settled the children into school and were expecting a settled life ahead until retirement.

However, in 1985 the call came for the office of Chief Justice of the ACT. At first he declined the offer but agreed at the insistence of the Commonwealth Attorney General that the responsibility for the Supreme Court would remain with the Commonwealth and that a new building would be constructed for the use of the Supreme Court. As it turned out neither of

those things happened. However, he remained as Chief Justice until 2002 and then an Acting Judge until 2005. During the latter period he was also an Acting Judge of the Supreme Court of NSW. After his retirement from full time office in 2002 he retained membership in the Australian Institute of Forensic Science. He was made a member of the Australian Academy of Law.

He was able to resume his love of general reading - fiction, biography and history - which life at the Bar and on the bench had restricted.

Canberra provided ample opportunity for clubs, theatre, galleries and museums. He had been a keen bushwalker in his early years, restricted somewhat in later years, but a regular participant in a walking group who venture out each Saturday. For 14 years he was a horticultural volunteer in the Old Parliament House Gardens and developed a love and knowledge of roses and their care. In fact, gardening became a major occupation and he liked nothing more than working with his solar powered radio playing music. In later years he renewed and maintained his Sydney friendships.

To finish, Jeff wrote down the following line to be read to you all;

***“We’ve heard the chimes at midnight and I have lived a fortunate life.”***