

Juniors defeat silks by 36 runs

By the Hon Justice Richard White SC*

*'In the summertime village cricket is the delight of everyone. Nearly every village has its own cricket field where the young men play and the old men watch.'*¹

*'The story of law, legal education and cricket depends for its content and meaning on our decisions about what to remember, underline, exclude or elevate in our reading of the particular text and all other social texts of which it is a part.'*²

On 8 February 2004 12 old men put Lord Denning's aphorism to the test on the grounds of Cranbrook School against the skilled athleticism of the junior Bar. They were not bent on exercise for its own sake, but as a stimulus to the intellect³. For this experiment in CPD they braved the perils of tribal barbarism⁴. Poulos QC muttered about the ancient Greeks. Sullivan QC, as his wont, broke into Latin: *Quis exemplum meum sequetur? Mens sana in corpore sano*. Andrew Stone could not restrain his laughter.

Proceedings started under the amused glare of Justice Gyles. It was not hard to read his Honour's thoughts. The standards of the Bar are not what they once were.

King SC (seven overs: 1/19) immediately had the opening batsmen watchful with his immaculate line and length. From the other end Douglas QC (2/15), a geriatric Keith Miller, did his best to intimidate his own wicketkeeper with wides and high full tosses.

Inexorably, the careful, and at times brutal, batting of Richard Steele (46 retired) and Ian Neil (36) threatened to take the game out of the silks' reach. But accurate spells from Hastings QC (0/21) and Greenwood SC (3/19) held them in check. After drinks it was time for wickets and runs. Laughton SC (2/12), Greenwood and Ireland QC (three stumpings and a catch) provided the former⁵.

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Morrison SC and Poulos QC bowled with plenty of flight. They kept Moorhouse (24) and Stowe in two minds as to whether to hit the ball conservatively for six over the ropes, or, with more flamboyance, onto New South Head Road. Peter Naughtin (16), a veteran of NSW Bar cricket, showed contempt for the attack until he was dismissed by Morrison to an outfield catch by White SC as he then was which surprised everyone.

The final total of 166 was no more than respectable.

What the silks needed was determination, talent and luck. One of the three would suffice. Alas, amongst the early batsmen,

only Morrison (40), Greenwood (19) and Hastings (16) showed what was required. Crowley (2/18), Newton (1/9) and Steele (1/14) wrought havoc. Behind the stumps Hugh Stowe displayed an arrogant flair designed to drive the incumbent and aged Bar wicketkeepers into retirement. The Juniors turned the screws (Naughtin, seven overs 0/8). Sullivan thoughtlessly called Ireland for runs from successive balls: forcing Ireland to retire hurt when attempting a reckless quick single from a slow hit to deep extra cover. Julian Hammond (1/28) and John Azzi (3/21) teased out the tail. Through it all Morrison stood firm. But his call for fresh troops was unavailing.

When all was done the juniors had won convincingly by 36 runs. With relief, the cricketers turned to their preferred pastime⁶.

Full credit is due to Julian Hammond for organising the day. As the Bar gets bigger and more fragmented occasions such as this are vital. He is to be congratulated and thanked for his enterprise.

* Now the Hon Justice White of the New South Wales Supreme Court

¹ *Miller v Jackson* [1977] 1 QB 966 per Lord Denning MR at 976.

² Fraser, *Cricket and the law*, Institute of Criminology monograph series no 4, 1993, p.14.

³ See addresses on the occasion of the retirement of the Honourable Justice R P Meagher, 15 March 2004.

⁴ *Trevali Pty Limited v Haddad* (1989) Aust Torts Rep 80-286 at 60,036.

⁵ Ireland's wicketkeeping was a feature of the game. The ball had to be very wide indeed to get past him.

⁶ That is, for the sceptics, deconstructing legal texts and debating the proper classification of jurisdictions, rules, principles, norms, duties, rights, powers and discretions.
