

**BOOK REVIEW: IAN HANCOCK, *TOM HUGHES*
QC: A CAB ON THE RANK (THE FEDERATION
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This book is a well-written, well-researched and engaging work about the life and times of a titan of the New South Wales Bar. I must admit, however, that I did not know about Tom Hughes QC before reading this book. I did know about Tom's youngest brother, the erudite art critic Robert Hughes, whose book, *Culture of Complaint*,¹ remains one of my favourites.

Tom Hughes QC appeared in cases that would be familiar to both lawyers and law students: the *Concrete Pipes Case*,² the *Hospital Products Case*,³ and the *Seas and Submerged Lands Case*.⁴ He also had a strong connection with Western Australia, most notably being friends with former Chief Justice of Western Australia, the late Sir Francis 'Red' Burt. He also acted on behalf of Robert Holmes a Court, Laurie Connell, and Gina Rinehart, representing the latter against Rose Porteous (against whom he came off second-best in the courtroom – a rarity in his astonishing legal career).

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¹ Robert Hughes, *Culture of Complaint: The Fraying of America* (Harvill, first published 1993, 1994 ed).

² *Strickland v Rocla Concrete Pipes Ltd* [1971] HCA 40; (1971) 124 CLR 468.

³ *Hospital Products Ltd v United States Surgical Corporation* [1984] HCA 64; (1984) 156 CLR 41.

⁴ *New South Wales v Commonwealth* [1975] HCA 58; (1975) 135 CLR 337.

Before going to the Bar, Tom Hughes was a veteran of the Second World War. The book does well in picturing his life in training camps and then stationed in Britain, where Hughes flew Sunderland flying boats for the Royal Australian Air Force. The book also recounts his early life, being the scion of a respected Catholic family in Sydney. The accounts of Hughes' early life and his military training, as well as those of the workings of the NSW Bar, makes for some of the best reading in this book. It is said that the past is another country, and the biographer, Ian Hancock, is to be commended in bringing it to life on the pages.

Tom Hughes, in addition to being a barrister, was also a politician. He was a member of the Commonwealth Parliament from 1963-72, and Attorney-General from 1969-71. He was a staunch anti-communist during a tumultuous period in Australia's history, namely its involvement in the Vietnam War. However, Hughes is perhaps best characterised overall as a Liberal 'wet' and, given this, it is perhaps unsurprising that he is Malcolm Turnbull's father-in-law.

The 'supporting cast' in this biography is formidable. In politics, it includes John Howard, Sir John Gorton, Sir William 'Billy' McMahon, Malcolm Fraser and Gough Whitlam. In law, it includes Sir Garfield Barwick QC, Sir Anthony Mason QC, Sir William Deane QC, Murray Gleeson QC, Michael McHugh QC, Michael Kirby, Mary Gaudron QC, Dyson Heydon QC, Ian Callinan QC, and Lionel Murphy QC.

The subject of the biography, who was an advocate well into his 80's, and who is still alive and spry at the age of 92, speaks of a profession that, alas, may be passing away. He is quoted as saying that the Attorney-General's Department 'was well stocked with officers possessing a high degree of individuality, not to say eccentricity. This was a situation

entirely to my liking. Lawyers, if they are any good at their task, must be expected to possess each of these qualities'.⁵ True that. And when one looks at the 'sausage factory' approach of modern legal practice, which seems to disdain the qualities of which Hughes spoke – and appear all the worse for it without any insight into why it is worse – one can only contemplate despair.

This book is well worth a read.

⁵ Ian Hancock, *Tom Hughes QC: A Cab on the Rank* (The Federation Press, 2016) 141-2.