

Make a rise means to *strike gold*, and is so used by Boldwood in *A Miner's Right* (1890) and later by Ion Idriess in *Lightning Ridge* (1940). In the more general sense of striking sudden good luck, it was used by W.T. Porter in *Quarter Race in Kentucky* (1836), where the luck came in the form of a gambling game which rejoiced in the improbable name *chuck a luck*.

At his fortified compound in the Wombat Ranges, Ned Kelly had been working for gold, as well as growing corn for whisky, and stealing horses. Gold mining was still a boom industry in Victoria in 1878, and fortunes were still being made. It was the one activity which offered the prospect of riches for the unskilled and unemployed. It is overwhelmingly likely that Kelly's comment to McIntyre was an unself-conscious declaration that he was trying to make an honest living. One hundred and twenty years later, the idiom has lost its innocent meaning and appears, mistakenly, to carry a sinister threat.

Julian Burnside QC.

Official Opening of Joan Rosanove Chambers

His Excellency, the Honourable
Sir James Gobbo AC, Governor of
Victoria

IT is an honour to be asked to open the Joan Rosanove Chambers for it gives me the opportunity to pay tribute to the life and career of one of the icons of the Victorian Bar. It also enables me to acknowledge the presence of

members of the Rosanove family and, in particular, her daughter Justice Lusink and her grandson, John Larkins, both distinguished members of our legal profession, who must be very proud and no doubt nostalgic on this important day.

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The Governor unveiling the plaque.

Joan Rosanove began her career as Joan Lazarus at a time when there were few women in the law. After some four years in her father's firm, spent mainly in court appearances, Joan, now Joan Rosanove, signed the Bar Roll on 2 September 1923, the first woman in Victoria to do so. She was not made welcome and was more or less banished to a small dingy office in Saxon House, a most uninspiring location and had almost

three briefless years. An opportunity came to secure chambers in Selbourne Chambers, the home of the Bar, when Philip Jacobs, a tenant, applied to have her occupy his chambers whilst he was overseas for a year. The directors did not agree and threatened to terminate Jacobs' lease. A frustrated Joan Rosanove left the Bar and practiced from her home in Northcote. She was not to rejoin the Bar until 1949 — nearly 25

years on when she finally secured a room in Selbourne Chambers.

In the light of this history, it is especially fitting that these new chambers should be named after Joan Rosanove who had once been denied accommodation at the Bar. She must now be quietly chuckling with satisfaction.

It is recorded that when she left her solicitor's office and returned to the Bar, she heard someone in her clerk's office say on the telephone that Mrs Rosanove was no longer soliciting in Bourke Street!

I came to the Bar in 1957 and Joan Rosanove was for me a memorable and significant figure who had by then developed a specialist divorce practice in the Supreme Court and I did not have the opportunity of being in a case against or alongside her. But I recall clearly seeing her in Court and noting what a strong presence she conveyed and how beautifully turned out she was on every occasion in robes and a lace collar especially designed by her.

Earlier in her career she had appeared in a number of criminal trials, including some murder trials. The case in her repertoire which most appealed to me was one well known to some of you — at least those interested in constitutional law — namely one Egon Kisch, a Jewish Czech socialist. In 1934 he came to Australia seeking to do a lecture tour about the evils of the Nazi Regime. He was alleged to be a communist and the



The assembled throng.



WHAT DO
AICKIN
CHANCERY
AND WINNEKE
ALL HAVE
IN COMMON?



The past few years have been an exciting time for Barristers in respect of the physical accommodation of their chambers. Whilst some have followed the initially controversial establishment of independent chambers and others have remained within the BCL environment, most have elected to stylise their working environment. Leading sets of Chambers - Aickin (level 28), Chancery and Henry Winneke - were all designed and managed by Gray Puksand. All are individual and all have satisfied the individual needs of the Barristers that occupy these sets.

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Federal Government did not allow him to disembark from his ship on its arrival here in Melbourne. Joan Rosanove was engaged to appear for him to seek a writ of habeas corpus directed to the ship's captain to release him from shipboard custody. She secured an order nisi but next day when the ship was about to sail, the judge in the Practice Court, on the return of the order, refused to order Kisch's release. As the ship was pulling out, Kisch jumped down to the wharf and broke his leg. Nonetheless the police put him back on the ship which then sailed on to Sydney. There he was arrested and given a dictation test in Gaelic which he failed. Ultimately after a High Court order by Mr Justice Evatt, he was released and was able to give his lectures for some four months.

I am especially attracted to this story because like Joan I had to do a similar case very early on in my career. It concerned a young man of 16 named Tropeano, an Italian migrant, one of a large family of fruiterers here in Melbourne. He had been convicted of assault arising out of a brawl at the Victoria Market. This technically exposed him to possible deportation under the Migration Act. Someone in some file had written, without any basis, that he was a member of the Mafia and the Minister for Immigration decided to deport him. He was arrested and the ship was set to sail next day. Frank Galbally briefed me to try to get a habeas corpus writ against the Governor of Pentridge. But on what grounds since the deportation was authorized by the Migration Act? I put an argument that Tropeano was outside the Migration Act because he had been integrated into the Australian community and so had ceased to be a migrant. My problem was not my argument, although this was not without its difficulties, but the shortage of time. Though habeas corpus applications have priority, it was a Thursday and the Practice Court gave priority to Probate matters on that day. The Court was packed with senior counsel waiting to put tendentious arguments about wills and probate and like subjects. Moreover I did not fancy the judge sitting in the Practice Court that day. So I went looking for another judge and encouraged by Jim Edwards, Associate to Mr Justice Barry, I went into the Divorce Court where Joan Rosanove was appearing before Mr Justice Barry. She graciously allowed me to interrupt and I got my order nisi. Tropeano was not deported and was returned to the bosom of his large family,

and I was launched, thanks, inter alia, to a considerate Joan Rosanove who must have been listening to my application with special interest.

To return more directly to Joan Rosanove, she applied for silk in 1954. Her application was regularly turned down and was not granted until 1965, when there was a new Chief Justice. Had her application been granted in the 1950s, she would have been the first woman QC in Australian legal history. As it was, the honour went in 1962 to Roma Mitchell, that very great woman who recently passed away and was granted a State funeral, which I was privileged to attend.

I have, I hope, already said enough to show that Joan Rosanove was both an extraordinary pioneer for women's rights in the law and a model for women's achievement in the wider fields of business and the professions. She was, moreover, devoted to the Bar and was regarded with great affection by all who knew her. Her resolution and courage and her formidable qualities of mind and heart are an inspiration to all who know of her life and career. There can be no more fitting name with which to endow a handsome set of chambers. All the more is this so, at a time when the talents of women as barristers and judges are finally receiving a recognition too long denied them.

May I therefore congratulate Barristers Chambers Limited on its choice of name and also commend it for continuing, not without heavy cost and difficulty, to provide chambers at reasonable rentals without a capital impost. This will nurture the special collegiality of the Bar — for which the men and women of the Victorian Bar — now and in the future — will be deeply grateful.

I also congratulate the architects and builders and all those involved in bringing about such an excellent result.

I noted as I entered the building that a travel agency occupied a prominent position on the ground floor. This will no doubt serve as a blandishment and possible source of restless discontent as barristers walk past it every day. Perhaps I should pass on the practice which my good friend Peter Brusey and I adopted when we were estimating our brief fees. We always incorporated a Tuscan fee to cover the possibility of travel to that fair region.

It is with very great pleasure that I officially open these new Joan Rosanove Chambers.