



VICTORIAN BAR

SPEECH

LAUNCHING OF PETER O'CALLAGHAN'S PORTRAIT MELBOURNE, 26 SEPTEMBER 2017

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Peter O'Callaghan and colleagues and friends and family of Peter O'Callaghan.

Not so long ago Peter Jopling (in an inspired moment, of which he has a few) spoke to Allan Myers. He pointed out a failing of this grand gallery in Owen Dixon West – it lacked the very thing it most needed – a portrait of the eponymous Peter O'Callaghan himself. The remedy was swift and generous, which brings us to the unveiling tonight of Peter O'Callaghan's portrait by the celebrated painter, Rick Amor.

Let me mention some milestones. Before coming the Bar, Peter undertook articles with Brendan McGuinness at a salary 'adequate' for the needs of young married man. It was there that Peter and Brian Bourke first became acquainted. Peter signed the Bar Roll on 1 February 1961 (Bar Roll No 622) and read with Kevin Anderson, later a judge of the Supreme Court. He took silk in 1974. Peter has now been a silk for over 40 years and has clocked up in excess of 56 years as a full-time practising barrister – not bad for that goal-kicking young 'showy full forward' from Horsham, that 'well-known steak and claret man' of the circuit taking in Western Victoria.

Peter grew up in Horsham with his Irish father, Jerome, from County Cork, his mother, Eileen, a brother and two sisters. Peter is the first to acknowledge the crucial encouragement of others in his life most particularly Dr Mark O'Brien. In any gathering which includes young barristers Peter universally breaks the ice exemplifying the collegiate face of the Bar.

Just eight years before Peter signed the Bar Roll, Sir Owen Dixon described good counsel as those who do all they legitimately can on behalf of a client and as persons upon whom a court can rely without misgivings. All that Peter has achieved in manifold ways over half a century, recognised by the Bar's bestowal on him of legendary status.

Peter was a director of Barristers Chambers Limited during some of its most difficult times, 1982 – 1992. Peter chaired the Bar Council Committee charged with the responsibility for constructing Owen Dixon West. Current and future generations of barristers are in the debt of that Committee which met for literally hundreds of hours



and endured numerous troubles. The building contract provided that the Bar had 14 days to respond to requests from the builder or they were taken to have been approved. The builder lodged some 20 or so requests one Christmas Eve, (a date popular amongst a certain class of rogues in the hope of confounding the recipients of the documents in question). The builder failed to realise that he was no match for Peter O'Callaghan's Committee, which responded to each request within time. Some even claimed at the time that they saw Santa Claus driving a Mercedes up and down between Sorrento and town.

Peter served on other Bar Committees concerning legal aid, civil law reform and the Licensing (then Liquor Control) Bar Practising Committee. No recital of committee memberships, however, can possibly capture the real extent of Peter's contribution to the Victorian Bar and the wider community.

Peter is a principled person of intellect, perspicacity, courage and great warmth. That warmth and wit not only informed Peter's professional life and relations with colleagues, but it also shone through on many social occasions. I watched Mary Robinson, the 7th President of Ireland, herself no mean raconteur, fall completely under Peter's spell as he told a few impeccably timed stories. Indeed, such was her charisma that on that occasion when we broke bread with her, she told us she had had lunch with the High Court just days beforehand in Canberra and was astonished that all seven judges claimed to be Irish (in one way or another). I was never game to pass on this intelligence to Peter's good friend on the 18th Floor, Jim Merralls, but I feel sure Peter would not have held back.

Peter married his late wife, Jennifer Hartnett, on 21 December 1957 and they brought up six sons, Stephen, David, Chris, Paul, Robert and Marcus. Happily, many members of the Hartnett and the O'Callaghan families, including some of Peter's grandchildren, are here with us tonight.

One clear memory I have of Jennifer, or Jenny as I called her, goes back over a couple of decades. When people came to our house to a regular party held on 17 March, they would come loaded up with supplies of Guinness, good wine, flowers and chocolates, and even soda bread. Jenny turned up with none of those things. Instead, she came bearing a handmade present for the youngest member of the Crennan family because she said, on an earlier occasion, she so much enjoyed that 12-year old's singing of the beautiful Irish song Carrickfergus. On a different scale altogether, Jenny welcomed into her own family for several years two toddlers of her then recently widowed younger sister who needed to continue working. Such matters illustrate how well-matched Peter and Jenny were in their exceptional personal qualities.



Peter and Jenny were also well-matched in forensic skills. When Peter once claimed he was 'exactly the same weight as when he played full forward for Horsham', Jenny said: 'Well, all that proves is that Horsham had a fat full forward'. Jenny also once challenged Peter's breadth of knowledge with the remark that he had 'a transient superficial knowledge of many topics' to which Peter replied: 'Transient perhaps, but superficial never!' Jenny was particularly chuffed when a neighbour discovered she was a physiotherapist and remarked that 'Behind every successful man there is often an even better woman.'

Peter does have a fault. Whenever I go to his Chambers and engage in criticisms of my fellow human beings, whether mild or extravagant, he only ever manages to smile faintly and raise an eyebrow. Deprived of oxygen on the flames I am forced to retire to cooler reflections on the human condition.

It's not easy to explain Peter's unflagging good humour and optimism. Maybe it has something to do with the fact that in the four years immediately before he was born, 1927, 1928, 1929 and 1930, Collingwood won four VFL premierships in a row. Given those auspices it is not surprising that Peter has been a member of the AFL Appeals Tribunal for many years.

Peter has also just completed some 20 years as the Independent Commissioner for the Catholic Church. In that connection, it is worth considering what Václav Havel, the first president of the Czech Republic (writer and dissident also), said of hope.

Havel said this:

[Hope is] a state of mind, not a state of the world. Either we have hope within us or we don't; it is a dimension of the soul ... it is an orientation of the spirit, an orientation of the heart; it transcends the world that is immediately experienced, and is anchored somewhere beyond its horizons.

... I feel that its deepest roots are in the transcendental just as the roots of human responsibility are ... [Hope] is not the conviction that something will turn out well, but the certainty that something makes sense, regardless of how it turns out.'

Now, in an ancillary role to Peter's, I came across many who had told their stories to him in his role as Independent Commissioner. So many of them volunteered that they felt at peace with themselves after being listened to by Peter O'Callaghan. As Commissioner, Peter achieved a unique thing – in Havel's words he helped countless people 'orient



their spirit' and gave them the certainty that their lives made sense – Peter gave them hope just as it is described by Havel.

Few public records contain any adequate recognition of this aspect of Peter's professional life, although, in this connection, I was delighted to be a guest at the recent conferral on him of an honorary doctorate by the Australian Catholic University, partly in recognition of the matters I have just mentioned.

Rick Amor has had the task of painting a man in his ninth decade whose Irish skin burns under the Australian sun even when he's wearing a shirt, whose insight into human frailty would be hard to match and whose inimitable place in our lives deserves permanent capture in a portrait which it is now my privilege to unveil.