

## **RODERICK PITT MEAGHER**

### **OBITUARY**

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<http://www.smh.com.au/national/obituaries/brilliant-legal-mind-had-passion-for-art-and-teaching-20110712-1hc1u.html>

Roderick Pitt Meagher was born on Saint Patrick's Day 1932 in Temora New South Wales. He was the second of five children born to Marian and Peter Meagher, and was known as Roddy throughout his life. He was blessed with both a big brain and a big heart.

Roddy was educated at Saint Ignatius' College, Riverview where he boarded. Here he developed lifelong interests in music, literature, history and art. It is said that he was amongst the most outstanding students Riverview ever produced. Certainly, it was the beginning of a life of tremendous accomplishment.

Roddy next attended St John's College at the University of Sydney where he read classics and law, winning the University Medal in both. There he made many enduring friendships.

In the mid 1950s, Roddy met Elma Penelope Moss, known as Penny, who had read economics at the University. She was a gentle and kind woman who would become an accomplished painter. They married in 1962 and had one child, Amy.

Roddy was called to the bar in 1960. His equity tutor was Anthony Mason, later Chief Justice of the High Court of Australia; his common law tutor was Gordon Samuels, later a Judge of Appeal of the Supreme Court of New South Wales and then Governor of that state. He was made Queen's Counsel in 1974, and served

as President of the New South Wales Bar Association during the years 1979-1981.

He had a formidable reputation as a barrister and appeared in many important cases against the leading silk of the day. Although he practiced primarily in equity and commercial law, such was his reputation that he was retained by the wife of a well-known Labor Party cabinet minister in a matrimonial cause. He loved the bar, and spent virtually the entirety of his career on the 8<sup>th</sup> floor of Selborne Chambers.

Roddy was Challis Lecturer in Principles of Equity and Roman Law at the University of Sydney for many years. He authored important books and monographs on several topics, most significantly *Equity, Doctrines and Remedies* with WMC Gummow and JRF Lehane. He taught legions of students at the Law School on Phillip Street over almost three decades, some of whom complained that he talked to a painting on the wall rather than to them. He said that he was shy and did not know quite where to look, so he just looked to one side.

In 1989, Roddy was appointed to the Court of Appeal of the Supreme Court of New South Wales, where he served until his retirement in 2004. There he hid Spanish and Chinese screens and Japanese woodblocks amongst other treasures from Penny, although she knew perfectly well that the purchases were accumulating in his chambers at Queens Square.

Until 1996, Michael Kirby was the President of the Court of Appeal, with whom Roddy famously had a feud. It was not quite the whole truth. Although they often (and publicly) disagreed, they maintained a cordial friendship. In 1991, Roddy mischievously hung two Brett Whitely male nudes in the corridor outside Kirby's chambers. Kirby did not mind the tease one bit, and there the drawings

remained. They exchanged birthday greetings for many years after Kirby's appointment to the High Court.

Penny died tragically of leukemia in 1995. The years following her death were dark and depressing as Roddy adjusted to life without her. In 2001, he self-published a book of Penny's paintings. It ranks amongst the most beautiful expressions of love of our time.

In 2000 Roddy was awarded the honorary degree of Doctor of Laws by the University of Sydney for his contributions to the law. In 2005, he was made an Officer of the Order of Australia for service to the judiciary, to legal scholarship and professional development, and to the arts.

On his retirement in 2004, Chief Justice Spigelman told a packed Banco Court that Roddy was one of the most beloved judges of our time.

After his retirement from the Court of Appeal, Roddy returned to the 8<sup>th</sup> floor of Selborne Chambers, which then boasted two High Court judges amongst its alumni – WMC Gummow and JD Heydon – each of whom had frequently appeared as Roddy's junior in his heyday as a leading silk. He never again appeared before a court, but advised in conference and – pithily - in writing. It is not well known that during the years following his retirement, he did much *pro bono* work for the disadvantaged, including charitable institutions, Aboriginal people and artists. His kindness was never more apparent when fielding endless questions from both senior and junior barristers. No question was too silly or too difficult; it mattered not if the question came from a reader or a silk. He identified as a barrister to the end.

Roddy was famously a conservative, but associated with many left leaning people he affectionately referred to as "pinkos" and "commies". He was

infamously and unjustly known as a misogynist. In fact, he promoted the careers of many talented women including that of his beloved daughter, numerous female solicitors and barristers and several generations of artists and musicians.

Roddy valued beauty, honesty, humour, loyalty, and scholarship, and was the most devoted friend imaginable. He loathed foolishness, hypocrisy and pretension, and was quick to identify those attributes in others. Some of his friends felt that he was a misunderstood personality. He did not agree. He was content to be judged by his words and deeds. He often deliberately provoked controversy, which was infuriating to many, not least to some of those who loved him most and knew him best, as he was exceptionally broadminded. He readily conceded that his opinions had changed remarkably over time.

His passion for art is well known. To describe his enormous collection as eclectic understates both its importance and its diversity: paintings, drawings, prints, sculpture, ancient and contemporary ceramics, coins and items of antiquity; Australian, European, Chinese, Japanese and Pacific Islander. In his later years, after visiting the outback for the first time, he developed an interest in Aboriginal art. It was a revelation to him. He generously lent items of his collection to leading institutions and made it available for inspection at his homes at Darling Point and Bowral to anyone who expressed an interest in it. He bequeathed it in its entirety to the University of Sydney.

In the end, Roddy's big heart gave out. His mind was still sharp, having recently read the complete works of Karl Marx.

RH Weinstein