

DINNER SPEECH

*George Barton QC**

This conference, now ending, has provided a special opportunity for those who have long admired Sir Ivor Richardson to celebrate his outstanding contribution to New Zealand, over many decades. All of those who have taken an active part in the Conference will have been honoured to co-operate in such wonderful *foreschrift*. It has been like basking in reflected glory!

On occasions like this, it has become almost traditional practice to recapitulate the biographical data of the guest of honour. The temptation to follow the standard practice should be resisted. Sir Ivor needs no reminding that he was born in Ashburton, was a pupil at Timaru Boys' High School, graduated in 1953 with an LLB degree from Canterbury University College of the University of New Zealand - and so on! Indeed, being constantly reminded of the basic facts in dinner-speech after dinner-speech, Sir Ivor might well be justified in drawing the inference that doubts are held about his ability to recall the most elementary facts about his own life. It is sometimes said that a mandatory age of retirement is explained as a kind of statutory presumption of senility. There is no room for such a rationalisation in Sir Ivor's case. But it must be acknowledged that mandatory retirement does avoid the kind of problems that seem to have arisen in the past when some Judges were able to remain on the Bench until their 80s, or even their 90s. One remarkable example was Salathiel Lowell, who was on the verge of 90 years of age when, in 1708, he was appointed a Baron of the Court of Eschequer in England. Having arrived, so to speak, he sat on that Bench for the next 5 years, but from his extreme age could not be of much use to his colleagues. It was said that he was "distinguished principally by his want of memory".

But there is one thing that can be said about statutory provisions for compulsory retirement. At least the holder of judicial office knows well in advance when he (or she) will no longer be entitled to exercise jurisdiction as a Judge. How different things were in 1922 for the Lord Chief Justice of England, the 77 year old Mr Justice A T Lawrence, who, in the previous year, had been appointed to replace Lord Reading, who had become Viceroy of India! The then Attorney-General, Gordon Hewart, had wanted the post of

* Barrister, Wellington.

After Dinner Speaking

Yi-Tong Ma



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