

## Victoria Habja interview with Master Davies

[00:00:00]

Victoria Habja: This is Victoria Habja, the date is the 24th June 2013 and we're at Inner Temple.

Owen Davies: My name is Owen Davies, I'm a Master of the Bench, a silk, and I've been a member of the Inn since the early seventies.

Victoria: And can you tell me your first memory of Inner Temple?

Owen: Well, I went to Cambridge University as a comprehensive school kid who'd never heard of law, barristers, let alone Inns of Court. I decided to read Law before I went because it sounded interesting and while I was at Cambridge I had a Director of Studies who was a member of the Inn, ended up as an Honorary Silk, a guy called Mickey Dias, who on one occasion, a dinner was held for him in the Inner Temple hall and all his former students who are members of the Inner Temple came to dine. There were at least four or five Lord Justices of the Appeal, a Lord of Appeal in Ordinary, a number of judges, lots of silks, and he was the only route I had for any of the Inns. I came on an introductory evening and I remember going into the gallery of the hall where a waiter approached me and asked me what I wanted to drink. The earliest memory is he asked me what I would like and then he asked me while he was preparing a tomato juice, what you called [00:02:00] a tomato juice and a vodka and I said a bloody mary. And he said 'that's correct, sir. What do you call a tomato juice and a tomato juice?' and I said I didn't know and he said 'bloody awful'. That to be honest, is my first memory of the Inner Temple. I was enchanted by the environment, was overawed by the atmosphere, and a little frightened because in those days I think it was right to say it was a white male enclave, where the masters of the bench had very little to do or wanted anything to do with students or pupils or ordinary members of hall.

Victoria: And can you remember what the dining sessions were like?

Owen: I can't tell you how pointless and frustrating they were. We had to dine a lot more than you have to nowadays, and in order to keep up your dinners so that you could be called as quickly as possible after finishing all the other qualifications you had to start dining while you were still at university. For somebody like me who had no money it was an extra burden. I had to travel down with friends of mine who were also at my faculty and we used to sit together usually and the Masters of the Bench used to process into the hall bowed in by a collection of barristers who sat at a table of their own, who had no home to go to it would appear and didn't talk to us either. We witnessed them eating their dinner and when they processed out again they went to have their savoury and port [00:04:00] no doubt, and never the twain did meet. It was a completely ridiculous affair and I've always been convinced it was a method of weeding out the impecunious and the people without some kind of nepotistic connection from entry to the profession, and I think it was deliberate and I've fought for years to change it, and I'm the first to say that the Inn is now a very different place, and a place that I'm proud to belong to.

Victoria: In what way is the Inn now different?

Owen: Well the Inn is now an educational institution, when I joined it there was no education department, no aspect of the Inn's life that provided any meaningful experience apart from social introduction to the Bar. And for that reason I wasn't actively involved in the Inn for years. But when Charlotte Bircher came particularly, as the first education officer and started advocacy training, I thought this is where we should be active and because I'd been such a critic of the Inn until then and they were doing things of which I approved I thought I ought to be part of it, and I've been an advocacy teacher from the beginning to take part in all the educational activities. The other thing of course is the connection and the contact between senior members of the Inn and junior members at every level is not [00:06:00] only heartfelt, but actual and very useful to our students and to our pupils, and also to junior members of the Bar for that matter. Something that didn't exist at the time when I joined at all.

Victoria: What's your recollection of call night?

Owen: I was called by Treasurer Karminski. I have a hazy recollection and to my shame, my eternal shame and I can say this now, I thought it was uncool to invite my parents. They never complained, I hadn't invited them to my degree ceremony at Cambridge either, and I actually think it's an important event for the friends and relatives of the candidates, it's for them, it's what I think the main function is and I was only able to make up for this disgraceful oversight when I got silk and thankfully both my parents were still alive at that time. But other than that I don't think it was a special occasion, I don't think there were... there's this kind of inclusiveness that enables benchers to mingle with the newly called barristers and their families and so forth which is what makes Call Night nowadays such a delight.

Victoria: What's your recollection of the early events at the Inner Temple?

Owen: Well there weren't any really, you had to be there to do your dinners, the object was to get there, get in, get your tick and [00:08:00] get out as soon as possible, because it was pointless. Some people made the mistake of drinking some of Lord Goddard's port and becoming very ill, other than that it was a complete non-event, an ordeal, a hurdle, that people like me were determined to overcome and determined not to allow it to come between me and a profession that I wanted to enter. It's something I had to put up with, on one occasion I can remember having a vacation job in Cambridge on Marshall's airfield, and to get into the hall on time to get my tick I arrived in a borrowed car still wearing a blue boiler suit which I changed out of just before the doors closed, after which of course you couldn't get admission, you couldn't qualify for a dining tick.

Victoria: So, with regards to your career, what role has Inner Temple played throughout that?

Owen: I don't know whether it's played a part in my career as such as a barrister. The chambers that I joined had just been formed as a sort of revolutionary outpost and a reaction to the state of affairs there was in 1972. It was formed by three men and three women just out of pupillage who wanted to have a democratic set, who wanted to [00:10:00] foster an equal participation of women, and a membership that was ethnically diverse. It wanted to do what is now considered human rights law, welfare law, represent the people, the people who went to law centres, an emerging phenomenon in those days. So the Inn didn't take a... play much part in it. I do have to say that it's difficult for people now to realise how reactionary the Inns were. I'll give you an example. There is such a thing as the free representation unit which is looked to and the Bar is proud of it for

providing free representation to people in tribunals and such, and it gives advocacy practice to young barristers and students and pupils.

Well when we set it up, and I was one of the people who set it up in the early seventies, the group of us who set it up were forbidden to meet in any of the rooms of the Inns of court, we had to meet in the room above the Three Tons pub in Chancery Lane. And that was characteristic of the attitude there was at the time; we were regarded as subversive, if not subversive then rather ridiculous with the views that we held about equality, democracy, the kind of work we wanted to do. And of course over the years, the Inn has moved with the times I'm glad to say, so that in relation to the increasing [00:12:00] modernisation of the bar as a whole the Inn couldn't be more attuned to the sort of ideology that we started and made us rather unusual in those days, so that it's been a sort of parallel progression and bit by bit the hierarchy of the Inn, the executive of the Inn, of the education department, has been moving in a direction that I wholly approve of and I've been very pleased to be part of it, making a small contribution towards the way that the Inn has evolved and long may it flourish.

Victoria: So can you tell me a day in a life of your life typically I suppose living here in the Temple gardens, doing the practice that you do?

Owen: Well I mean I've been a judge now for eighteen months, before that I was a barrister, latterly a silk, and I was privileged to be head of the set that started so long ago, the end of my tenure as Head of Chambers, there were some 142 barristers and 35 staff. We were originally in Stone Buildings, Lincoln's Inn, we then moved to the top of Farrar's Building for a while in the eighties, we then moved to Middle Temple where we occupied Garden Court, or some of Garden Court, we got so big that we then moved out and bought the most exquisite [00:14:00] four seventeenth century buildings on the edge of Lincoln's Inn fields, where we still are, or the chambers I've had to leave still is. And so until I became a judge I spent huge amounts of time in chambers running it, being head of chambers nowadays is a full time job, and I was a jobbing barrister at the same time, so I had a life like every other busy barrister with the extra administration of every aspect of the running of a very large business, and the leadership of a community of people doing wonderful things, and my life has become very much quieter and less stressful now that I am a judge. So that I live on the fourth floor of a building that overlooks the garden and St Paul's, I can tell the time on St Paul's, and I go from here to a court I am currently working at doing criminal cases in Basildon, Essex, and typically I will come back and take part in one of the activities of the Inn.

I dine with the students, I teach, I'm on a committee that organizes the qualifying sessions which have no comparison with what it was like when I started, and I'm particularly interested in the Cumberland Lodge weekends, I organised the last two on the theme, first of all 'What the state knows about me and should I care' and secondly I wrote a lot of the exercises for [00:16:00] the weekend on stalking, and the next one will be in December and will be on press regulation and I'm taking part in that. But I go to the Pegasus, I meet mates, I'm a member of the Inner Temple Residents Association, I will be hosting on the 30th July a summit when the plenipotentiaries of the Inner Temple residence Association and those of the Middle Temple Association will be meeting here with the view to forming a single unified association for the residents of both Inns. And we organise things like parties and functions of various kinds, and we lobby the Inn about things such as window cleaning and noise from parties and things like that. But it's basically a social institution.

Victoria: With regards to the qualifying sessions can you just explain a little bit about what that is and what happens?

Owen: Well, taking Cumberland Lodge first, it's an amazing institution, several times a year the Inn pays a lot of money and puts a lot of resources into what can only be described as an experience for students of the Inn before they become pupils and commonly during their final year in their academic year the BBTC year as it's currently called. And the idea [00:18:00] is pretty formulaic, there is a theme to the weekend which has got a legal content which is of current interest. It has a keynote speaker on the Friday night, it has a panel of people drawn from the top people for and against a particular proposition, it then has a demonstration trial to put into a forensic context a case on the theme that is under discussion, latterly it's been taking a new direction that I've sort of formulated and has been very successful. And then the students have an opportunity to work with group leaders on ethical questions and to prepare, most importantly the mock trial that they do on the Sunday morning. And that trial is acted out before volunteer members... senior members of the Inn who act as judges, most of them are judges. And this all takes place in Windsor Great Park in a former hunting lodge, where the experience can be attenuated because everybody's remote from home, so there's huge amounts of opportunities for contact between the barristers and judges and the students and there is usually an evening where a lot of people put on acts and songs and tricks and things like that.

So compared to the forbidding nature [00:20:00] of the relationship between Bar and Bench on the one hand and students on the other that you used to find years ago, it couldn't be more different. And students love it, they come away with a huge amount of enthusiasm for the Inn, what it can do for them, they come away with contacts, with people who can give them advice and ultimately people like me who can offer them mini-pupillages or marshalling, and ultimately they start to forge contacts that they can call upon when they need a Master to propose them for the bench and then call them for a Call Night. So it's a huge success and the other thing we do is to try and identify what we can do to make each dining night a meaningful experience by choosing speakers on a particular topic to talk to the students before they eat. That's the main sort of thing we do.

Victoria: And people are aware that the Queen is often there isn't she?

Owen: Yes she does come, yeah. So does Princess Anne. Princess Anne, she's amazing, because when she was Treasurer a few years ago with Master Hallett I had the privilege of two women as stewards of the Inn, something that we could only have dreamt about when I was called, I was calling a number of people to the Bar, and I think Princess Anne wanted to meet some [00:22:00] of them, and they went to meet her in my absence and they came out full of enthusiasm. On an occasion when she came later I thanked her for that, even though I couldn't be described as a royalist, but the students and particularly the parents were absolutely enchanted when she turned up for a Call Night, and they thought it was really, really special.

Victoria: So you already touched on some of the changes that you've seen when you've been at the Bar, have you got anything else you can add to that?

Owen: Well, there's so many things, I mean... one of the greatest satisfactions that is.. to the credit of the Inn is the encouragement of a diversity in the profession so far as women are concerned. I just remember when I first became the Head of Chambers about fifteen years ago or something, a Head of Chambers ringing me up and urging me to take on

without knowing what our selection procedures were perhaps, a woman who they had not taken on in their chambers, and I remember the words he said 'well, she's extremely able and we would have taken her on except [00:24:00] that my clerk has told me that we've got a woman and we've done our bit.' And I wasn't that shocked, I just stored it up as an example of the kind of attitude there was towards women, and the same could be said about people who had come from non-Oxbridge, the people who had come from some ethnic minority. I mean nowadays if you are a jobbing barrister you have the delight of a companionable social scene that has got to be at least as interesting and as diverse as any other occupation you could choose.

The other thing though of course that has made a huge impact is the level playing field for getting pupillage. When I applied... when I came down there was no institution designed to allocate pupillage. It was all based upon personal contact with a pupil master it would be, who had the ability to make a decision himself whether to take a pupil, or two pupils, usually six months at a time, you would have to pay fifty guineas every six months to your Pupil Master, there was no institution... and I didn't know anybody, I hadn't met a barrister until I started working [00:26:00] at the North Kensington Law Centre in my Bar final year. And then I was introduced to the chairman and trustee of the law centre who was a... who is a barrister, he happens to be a hereditary peer called Lord Giffard, a very distinguished and interesting and able advocate who I was interviewed by sitting in his Triumph Herald in the rain in the car-park in the House of Lords. And he offered me a year's pupillage, unheard of in those days, while we were sitting in that car, and also offered me a place in the Chambers that he was going to be setting up at the conclusion of my pupillage. And I started with him, I was the only person I'd ever heard of who wasn't required to give him fifty guineas, a sum of money I didn't have anyway, and it's illustrative of the impossibility almost, of penetrating a highly privileged social scene which was the Bar at that time, and that has radically changed, we have different problems, we have more people coming to the Bar than we can accommodate.

We have also introduced a rule which my nascent chambers introduced in 1974 that was regarded as outrageous: paying pupils! We did it from the beginning even though we were very modest earners, and the principle of paying pupils is [00:28:00] good of course, but it has meant a retrenchment in the amount of pupillages that are available and there is a tension there which I recognize; the pinch-point of getting on in a career used to be getting a tenancy, now it's getting a pupillage. If you can get a pupillage and complete it successfully you've got a very good chance of getting a tenancy, but getting pupillage now is a heartrendingly difficult thing to do. In the last year of my headship at Garden Court Chambers there were 867 applicants for pupillage and six places we could offer, and I remember looking through pupillage applications and all of them were excellent, it was almost impossible to try and identify those people who could most benefit from the pupillage we had to offer, and who showed most promise being good barristers, and it's an exercise that is one of the most important things you do as a member of Chambers, select a shortlist of interviewees and then select the pupils you take from that selection, so that's another very big change that's happened in what I think is a really crucial, important, relatively short period in the life of the sort of.. seventies until the millennium and a little later. The transformation of the Inn as an institution from one of privilege, [00:30:00] isolation, discrimination, elitism, to one that is wholeheartedly embracing every walk of life, both men and women, and does what it can to encourage everybody to realise their full potential.

Victoria: What is your experience of pupillage?

Owen: I had a wonderful time. My Pupil Master was somebody who in the old-fashioned sense had a very broad practice. It was for the days that I was there regarded as political. The first day of my pupillage my parents saw me with my brand new blue bag being searched on the way into Winchester Castle where the trial of the Old Bailey bombers was taking place. But my Pupil Master represented one of them, on the next day he might represent some of the people selling the Morning Star on a street corner in Willesden who were picked up for obstructing the pavement. He did civil cases, I had the most amazing time, and sometimes I felt like something out of a Smirnoff advert you know, I couldn't believe my luck. And I was also introduced to death penalty work in the privy council where the most stressful horrifying experience was my Pupil Master being led by Dingle Foot who was trying to save the life of Michael X, the [00:32:00] notorious henchman of Peter Rachman in Notting Hill who in Trinidad, murdered a woman and was due to hang for it. The hearing to prevent that took place on the Privy Council, where I often did similar sorts of cases. And the stress and drama of a hearing whereby I think it was Viscount Dilhorne was just able to say, 'their Lordships will humbly advise Her Majesty that this application should be dismissed', meant that the human being would be strung up, which is what happened.

And we travelled into different jurisdictions... he was very involved with the Angola and Mozambique liberation movements so we would have visitors coming to chambers from there, and it was exciting, it was the chambers of John Platts-Mills where anybody who was left-leaning wanted to be. It was the only place that had an ethic that was connected with representing the underprivileged doing human rights type work and so forth, and John Platts-Mills was a venerable member of the Inn universally: [00:34:00] loved for his courage, his character, his advocacy, his humour, his unshakeable confidence, a man who knew no fear, and as I look out of my window into the corner of Paper Buildings, the floor, the top of 5 Paper Buildings where he used to have a flat, I have fond memories of him.

Victoria: Do you have any other memories of different parts of the Inner Temple, for example, the Church?

Owen: As an atheist I have nothing to do with the Church, although I do love the music. There is one incredibly important memory, John Tavener, the composer, was asked for the millennium I think it was, was asked to compose a piece for the Temple and the Temple Church, and he composed a piece called 'The Veil of the Temple'. It was a piece that lasted eight or nine hours. You would go to the Temple church in the evening, about seven or so, and the performance lasted all night, and it finished with a procession out of the church about five o'clock in the morning, six o'clock in the morning into the open air with the choir singing and going on ahead. I think the performance of.. (each one of which I went to), of that [00:36:00] piece, was one of the most amazing musical experiences I have ever had, and if I ever have the chance to see it again anywhere in the world I would go there. I think it was a very great piece of music, an extraordinary spectacle, it had a huge choir, it had a lot of people moving around, I think there were at least two conductors active, Rozario was the soprano, an amazing voice, and the audience spent the night wandering around the church watching the choir or the choirs singing in different places, it was absolutely superb.

Victoria: How has music at the Inn progressed from the early years?

Owen: Well, I mean you never used to get the sort of programme of music that you now have, I mean now I can get some tickets for a performance and put on a spread here afterwards, it's a very nice way of spending an evening, especially in the winter, and the

Inner Temple as well as the Middle Temple do it, there have been some memorable things put on. Jasha Heifetz played in the Middle Temple, we had a very good *Dido and Aeneas* a couple of weeks ago, when I went to hear the Faure's Requiem sung by the Holst Singers, and then of course we've got drama... my. [00:37:45]

VICTORIA HABJA W. MASTER DAVIES (1)

[00:00:00]

Victoria: Do you want to start with where we finished off...

Owen: What was I talking about?

Victoria: Music, events of music.

Owen: I've got nothing more to say really. Oh, the Drama Society. I spent a few years as a barrister but then as a bencher in charge of the Student and Pupil Affairs Committee as it was then called and I got money for the... seed money for the Drama Society which was doing very well and it's very nice to see that they've kept up their standards and activities which is very gratifying.

Victoria: Good. Can you tell me about the food at Inner Temple?

Owen: Then or now?

Victoria: Both.

Owen: Well the food used to be terrible. My memory is of having food when I came to dine in the early day was awful. But I'm a huge fan of Martin Cheeseman and his team, I will go for lunch whenever I can, I don't know if it's generally known but the best fish and chips I have ever had, and this goes for anybody who has ever had his fish and chips, can be had on Friday lunch-times at the Inner Temple. People queue up and come from miles and make special efforts to have his fish and chips. But his food generally is really good. It is quite clearly head and shoulders above our neighbours and a lot of people I know come to the Inner Temple in preference.

My mother, my dear mother who has now died, [00:02:00] but she used to love being taken to lunch. And Martin Cheeseman and the porter Brian always had a peck on the cheek for her and I do remember my mother sending Martin a recipe for red cabbage. I think she took exception to Martin's amount of sugar or vinegar in it.. I don't know, but I was brought up in Germany so my mother had a recipe for red cabbage and she painted a water-colour of a mound of red cabbage with a chef wrestling with it, underneath she wrote her recipe. Martin's got this framed in his office in the subterranean kitchen to this day. And I don't know how he does it but the fish that they have is consistently excellent. The wine cellars are pretty good and I've never had a bad meal in the last few years, I've always had a very, very good meal and the feasts that we have and the functions that we have and the meetings that we have with visiting academics. The student food, I don't think we've had anybody complain in the way that we used to in the early days, and it's part of the social life which is so important I think, that allows people to come together, to discuss, befriend [00:04:00] and trust each-other which is what it's all about.

Victoria: Why was it so bad in the early days? Have you got any examples of the type of food?

Owen: Well the food was school dinner food which I think the male members of the Inn had been used to from early prep school days, and then public school days and then Oxbridge days and they just... we were used to custards that wouldn't run and chops that were frayed at the edges. The worst of it as I remember was the port that was served... I don't know whether it was true or not but apparently Lord Goddard acquired a whole load of port and that was served to students.. we don't get port nowadays, I think it's the sort of thing is inimical to the style we want to have at dinners. But I have on many occasions seen people rushing from the hall to be violently sick having imbibed the famous Goddard treacly substance that was just the worst topping for a very awful meal. And of course the food that was served to the benchers on their own table in circumstances where I say we never exchanged words with them was a different set of food! They even had a special course of their own, which was a savoury served to them out of our sight, after the pudding [00:06:00] and no doubt with their own special port or cognac or whatever. And of course in those days cigars or cigarettes were available, something that is now completely unthinkable.

Victoria: Did you experience any historical events while you've been at the Inn?

Owen: Historical... well I experienced the celebration of the 400 years of the Charter, the Queen arrived and was treated to special things. I remember in the garden the area just inside the gate had to be completely replaced and all the gravel taken away so that her stilettos wouldn't sit into the gravel, at great expense.. had to be replaced, oh. Of course it's not a historical event but we had the most amazing privilege of having the most wonderful gardeners. It just so happens that our current gardener is German and she came to us five or so years ago.. Andrea Bunsendorf and she has made the most amazing contribution. Her gardening skills, the way that she involves members of the Inn as volunteers, people like me, the way she has established a really secure foundation to a very balanced garden, and the excitement that we have every time we go into the garden is complemented by the functions that take place in the garden. And she... on her initiative I think it was held a kind of dog [00:08:00] show a few weeks ago and I took photographs for an article that another friend of mine was writing for *Die Zeit*, the German national newspaper which has featured on a number of occasions this garden and the German gardener who was responsible for it. And I hope we manage to keep her because she is a tremendous asset to the place.

And of course when people like me are asked which Inn shall I join, I tell them, you've got to consider two main things, first of all scholarships, the amount that there is around, and most importantly, what is the education department like? And I have had to, over the years work a lot with the education department, I designed and ran the practice management course for example, and I designed it in conjunction with the other Inns education department, so I know what's going on and I can tell people that consistently the Inner Temple education department is the best of the Inns, and if you're a student that's the most important thing that you need, in terms of being able to be approachable, in terms of how helpful they are, responsive and the tremendous support that they provide to the volunteer teachers of [00:10:00] advocacy especially. There is no equal, we are very lucky to have had really good members of the education department. When I am approached by students and they want to know about the profession, one of the things I ask them to do is go and see Fiona or Beth or any of the others for an introduction to what we have to offer. And they get a copy of the handbook which is full of useful information and is a good



advertisement for the activities of the Inn and the kind of ethic it tries to engender and I've never heard anybody be dissatisfied about the service that's offered by the Inner Temple Education Department. And long may it thrive.

Victoria: Got any other memories you want to..?

Owen: Are you going to ask me about my worst memory?

Victoria: Yes. Best and worst, that's what I was going to finish on.

Owen: I have a really bad memory of something that profoundly depressed me and when I think of it I cringe with embarrassment. When I joined in the activities of the Inn after having been estranged from it for years after I qualified, I used to sit with students and after dinner one has debates and so forth, and I facetiously suggested why doesn't somebody propose the motion 'This house would abolish dining'? This was in the [00:12:00] days that I described where dining was an ordeal to be suffered for the bad booze, the bad food, the lack of any opportunity to meet other barristers. And sure enough, either mischievously or otherwise I was put up to speak on this motion and I made the terrible mistake of inviting a number of distinguished people to the event. The Lord Chief Justice Peter Taylor was there, Lady Butler-Sloss of whom I'm a huge fan was there, I didn't know her well at the time, and I made a speech, without having coming from a background of Union society debates and so forth that was meant to be serious.

And I was advocating as I had, informally, the abolition of the institution of dining which was in my eyes .. and I'm sure I was right about this, designed purely to weed out the hoi polloi from the sound, the female and the ethnically diverse from the male, the rich from the poor, and I embarked upon this speech and I made some facetious remarks in order to make my point. And I was confronting an audience of reactionaries who were not amongst the people who left the hall as soon as they could but had got drunk on Goddard's port and who were behaving in a sort of hooligan-like manner, [00:14:00] and jeering and interrupting me, trying to make this point, and the opposition was of the old school, saying that we shouldn't do away with these well-worn traditions and all that kind of rubbish.

And I lost the motion, something that you would have thought was impossible, and I was criticised for my poor advocacy, my... as well as my stance. And I thought, well, is this an institution worth preserving, participating in .. and I think that was the lowest... one of the low points of my life.. you may think oh it's not that low, who will remember it, but it was a painful and embarrassing episode and it taught me I suppose that you can either give up and walk away from an institution that you profoundly disagree with, or you can try to work to change it, and there is such a thing as working from the inside, and it's not as though I was alone, I was in the minority. But over the years what I was trying to do resounded with an increasing amount of the membership and ... [00:16:00] it was worth doing. It's just that I think that I didn't have... well this was not my style of working, participating in debates. Although, there was another debate, with Professor Griffiths where I entered into the fray in Gray's Inn to argue against a Tory MP on the abolition of nuclear weapons, I was for the abolition, if I have to spell it out, and before an audience that is meant to be particularly reactionary, Gray's Inn, we won, so there was an upside. But I think the important thing is to participate and that's what I've been trying to do for many years.

Victoria: Do you have any other memories of discrimination of any form?

Owen: Yes. I have many many examples of discrimination, and I'll tell you one thing that saddens me even now. I think that there's always been a very big problem about students and pupils complaining about inappropriate behaviour by more senior members who are without a doubt in a potentially exploitative position, because they don't want to be characterised as trouble-makers and so forth. Now, over the years there's no doubt that things have got better, but [00:18:00] the occasions on which I've heard credible reports of particularly, the exploitation of young women, or harassment, or completely inappropriate behaviour towards women, I'm afraid is a very depressing aspect of the association with this profession. And do you know what, I actually think even now the issues that we have in relation to the way our women are treated are more of a problem than the way those who are black are treated. One hopes of course it will go away with increased awareness and sensitivity, and the greater participation of strong admirable women who are more likely to be believed if they complain about inappropriate behaviour. But it's still there, it's not as gross as it used to be, and it is a very very... well speaking as a man and what I see and the position I have, it is still a problem that is significant and it may be that it's more significant if it's assessed from the point of view of a woman. But we do need to be extra vigilant.

My wish was always that there ought to be [00:20:01] appointed in the Inn a senior woman or a couple of senior women who were there as listeners, who could be gone to for totally confidential advice, by any woman who could record a matter that they're concerned about, that there would be an undertaking of total confidentiality and the appointed listener... woman who could be a bencher, would not reveal anything or do anything about the issue unless it was at the express consent of the woman. I still think it's necessary, I think we should embrace that kind of mechanism.

We should also I think, be more sensitive to the pressures we all live under, it was only two months ago that one of our advocacy teachers, a Master of the Bench, killed himself in one of the Temple flats. In other words he was within yards of friends, colleagues and people who valued him as a colleague, liked him very much, respected him hugely in my case, for an outstanding advocacy teacher, and you ask yourself how can it be, that somebody in such distress amongst people who have this very close collegiate relationship can be driven to such lengths of despair? I [00:22:00] don't know what the answer is, but I do think that we need to get away from the macho picture that we still have of the barrister who is expected to have no sensitivity to pressures of his own or her own because they are relied upon to solve everybody's problems, because it ain't like that. And I think that it's a little step further that we need to go.

We address issues of discrimination, we positively assist people to overcome physical disability, the difficulties they have in relation to a lack of income and so forth, but we need to be aware of the fact that we are in a very very stressful profession and every one of us at some stage needs the ability to confide, to get advice, to get comfort, have a listening ear, and I've been discussing with two women benchers whether there's something that we can do in that direction to prevent this kind of tragedy happening again. It's of course less common nowadays that you get people who become alcoholics, although you still do get that, and it is less of a stigma if you say [00:24:00] you've got a problem, but I still think that we're in a macho culture which I'm afraid women members are still feeling uneasy participating in. It shouldn't be like that.

Victoria: Do you have any other memories to add? You say you were estranged from the Inn for quite a time, why was that and why did you...

Owen: The Inn had nothing to offer us and nothing to enable qualified barristers to give to students really. That's the view I had. There were a few things, the only universities targeted for recruitment were Oxford and Cambridge. I remember going to a recruitment meeting where Lord Ackner came up to me and said something admiringly about some pink flared jeans I was wearing at the time in rooms in Trinity College, Cambridge or something, it was free drinks so people went there... but I mean nowadays I mean we go to educational institutions that are not Oxbridge and this is what we should do, [00:26:00] and it's a roaring success. Of course we encourage people or we recruit people... we enthruse people to go to the Bar in circumstances where it's difficult to get a pupillage, but at least we're broadening the spectrum of where the barristers come from which can only be good.

And of course the experience we have of having members which are outside this jurisdiction is wonderful, I've got a project with a barrister who's of Indian origin, we've got a project to celebrate Gandhi's birthday on the 2nd October... organize something in the Inn to celebrate his association with the Inn, and of course we need to remember he was thrown out of the Inn when he asserted the human rights of his constituency. And it was only through John Platts-Mills' intervention that he was re-admitted, posthumously, but we should be proud of our association with Gandhi.

I had the most wonderful experience a few years ago when I went down to Cardiff where a number of the members of the Inn went to help celebrate the end of exams for our students who were at the law [00:28:00] school there and I was asked to speak to a potential candidate for call, with a view to approving his call papers. I got chatting to this guy of course, I was happy to do that, I listened to him for a while and then I said to him, 'you're from Antigua aren't you?' And he said 'yes how did you know?' And I said 'I've got some connections with Antigua', and I said 'well forgive me but your first profession wasn't law was it?' He said 'no, I used to be a prison officer in Antigua.' And I said 'do you know Everett Byers and he said, 'everybody knows Everett Byers, he fixes everything in the prison.' And I said 'well he was my first death penalty client'. And I promised myself that if I saved his life (this was 1995) I would go and see him and I saved his life, he got a life sentence instead of death by hanging... I went to see him in the old British fort on Antigua and I asked how he is and so forth and he said 'well, he's a trusted prisoner and every morning he's taken out to some public works or a roadside or a garden or something and in the evening we pick him up and take him back to prison. And in a couple of years time he'll be released.' And for someone who has fought against the [00:30:00] judicial killing for a lot of my career, that provided the sort of ready answer to people who say 'wouldn't your clients be better off dead?' But I thought it was wonderful to be able to meet someone like that and it's all part of the rich experience the profession had to offer me really.

Victoria: Do you travel a lot to the provinces?

Owen: Not now, no, but I used to. And one of the things that the Inn has tried to address actually is the participation in the activities of the Inn after call if you're in the provinces. We've taken very good steps recently to encourage and make membership of the bench easier for people who practice outside London which is a very good thing. And the Inn does struggle to maintain its activities outside London, Highgate House is an institution a bit like Cumberland Lodge which helps, but it's difficult to keep up the kind of association that people in London feel towards their own I think.

Victoria: So is there anything you want to add?

Owen: I don't know I could go on for hours!

Victoria: No keep going! I'm enjoying the discrimination things, I suppose it's interesting to see how things have changed over time.

Owen: Yeah.

Victoria: Were you called at the church where was your call?

Owen: [00:32:00] No I was called in the hall because in those days the calls were fairly small, the people invited were very restricted, and that's my memory of call. I think what we do nowadays is terrific, it's an event that's going to happen again tomorrow, I'm calling five people I think and I'm looking forward to meeting their folks, and mingling, possibly in the garden, it's a great event for the folks who've seen their sons and daughters go through all the difficulties and financial sacrifices, and they really feel that this is a stage at which they can mark a real achievement and after all they are almost transformed, like you transform an ordinary person into a priest! From being a student into a barrister, that's a matter of great joy whether or not you're going to be working at the Independent Bar, your Inn makes all the friends and parents extremely welcome it has to be said. And they love it, the entire experience.

Victoria: I'm trying to think of any other questions. What's your best memory?

Owen: [00:34:00] Um.

Victoria: The bloody mary one was good.

Owen: That's such a silly memory I mean....

Victoria: Were you here for the Queen's Jubilee?

Owen: Yes I didn't participate in it because I was in court or I was doing something.

Victoria: Were there any millennium celebrations?

Owen: Yeah I'm around for that.. I mean the things that I most enjoy aren't the big receptions and the formal things, the things I really like are an evenings spent with students who are just so eager to learn the few snippets of things that I can convey, and there have been moments in Cumberland Lodge for example, where I have been in charge of an entire weekend where I'm blowing a whistle to stop a scripted performance in order to invite the audience to contribute and ask them what's going on, and why is this good and why is this bad before the play I've written carries on, there's great pleasure.

So I don't have the really big events in the forefront of my experience really... I do remember other silly things, [00:36:00] just to illustrate how things have changed.. it wasn't long ago, and it must have been long ago just before I got silk, or before I became a bencher in 1999. I petitioned the Inn, the benchers, to allow those of us who weren't in court and weren't wearing suits or court gear to have lunch in informal dress in the gallery. Now you may think, what's so extraordinary about that? And it's only about fifteen years ago that we're talking about. And one of the Inns, I can't remember which one had introduced a rule whereby there was a table in hall for those who weren't wearing a tie or suit. And I'm not generally known for wearing formal gear, and I don't think I've worn a tie

for the last fifteen years and so I made that request, and blow me, the bench table then decided to abolish the formal dress code altogether! Providing you weren't wearing jeans with holes in them, and things like that and that's the way it is now.

But in order to celebrate I went to lunch dressed in leather, a black leather suit and in the column that was then part of the weekly law Guardian in the newspaper by Marcel Berlins there was a little vignette describing how things have changed and how a cool human rights barrister [00:38:00] was seen having lunch wearing leather. Little steps of that kind, of the revolutionary and subversive kind, have contributed to what the Inn is nowadays. And on the occasion where Ivan Lawrence, Ivan Lawrence who I was very fond of, asked one bench table what the treasurer was doing about the declining standards of dress amongst masters of the bench everybody looked at me, and the following day I went to high table for lunch with the rest of the masters wearing a bright pink, salmon pink linen suit and everybody at the table asked me, 'are you wearing this for Ivan?' And so I suppose I've got a bit of a reputation for not being a trouble-maker, but being a sort of eccentric. But I like to think my eccentricities are little gestures targeted towards progress.

Victoria: Well that's a fabulous ending unless you've got anything else you want to add, that's a fabulous note to end it on. Brilliant. [00:39:26]

#### VICTORIA HABJA INTERVIEW (2)

Owen: I've got to tell you this because it's so relevant, this is the second time in a month I've been...

#### VICTORIA HABJA INTERVIEW (3)

Owen: You want me to read something for level do you?

Victoria: Yes it should be generally alright.

Owen: Current and prospective student presentations. The Education and Training department is in the process of organising introductory events for the new intake of BBTC students....