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Rumpolean naughtiness

Welcome back, Rumpole!
Please carry on misbehaving

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As a retired Australian solicitor, I approach a review of Rumpole Misbehaves with a mixture of delight and trepidation. It is an elegantly written work, the invention of a master raconteur with a deep understanding of the traditions and weaknesses of his former profession and yet with his deep sympathy for the human condition. To that extent, I rejoice in the task of commentary.

And yet more clearly to enjoy it, we must understand our writer. Sir John Mortimer who is three years to the day the senior of his monarch (*She Who Really Must Be Obeyed* and to whom his advice is to be offered without charge – she thought enough of him to dub him *knight* – the correct phrasing – in 1998 for his services to the arts) was in his day an eminent and articulate advocate of the great freedoms of British justice. (You are not alone as Americans in having a system that enshrines individual liberty.)

Mortimer, though already well-known, leapt to immense public respect in the 1971 *Oz* Magazine trials where his defence of the three defendants (one of whom was a contemporary of mine in Sydney from precisely the same mould, no less) on charges of obscenity and cor-

rupting the morals of the young (sound familiar?) was breathtaking – though initially unsuccessful. He was also in the news (as only the playwright Johnny Mortimer could be) with the 1977 trials of the Sex Pistols for the use of the *obscene* word – I inhale as I utter it – “Bollocks.” So wicked and so profane!

Let me introduce you to the characters and circumstances and their elegant interplay in this exquisite little opus.

Our *hack* is back in the Ludgate Circus Palais de Justice (which we might otherwise call “The Old Bailey”), again seeking to preserve the rule of law and the presumption of innocence. He also visits the unlovely world of justice in the magistrates’ courts of suburban London – where reality can be slightly different – as I do remember at first hand.

We are introduced to that singular piece of doubtful social engineering called an “ASBO” (Anti-Social Behaviour Order) – our hero is the defendant in an application for an order himself – as the intrusions into common sense that they have become, notwithstanding their provenance in providing a suitable basis of social management.

Rumpole is retained by Bertie Timson, another member of *his* family of South London *crims* – the Timsons for whom the world of commerce is at the edge of the acceptable – to defend his 12-

year-old son, Peter, who is seen as the cause of a disturbance in one of the boringly respectable streets near Nightingale Lane, S.W.12 (in this case “Beechwood Grove”) – by the mere chasing of a football.

Our *hack* does have his day back in Court Number One at the “Bailey” (before Barnes, J., on his first trial – handled with panache by Rumpole, who still knows how to frighten a talkative judge into silence) with the defence of a bleak and rather sad young man accused of the murder of a Russian prostitute. The promotional game of seeking to be granted *silk* is delightfully added as his client is concerned to see Rumpole promoted – on the basis that only a *silk* will know how to cope. The rough and tumble retired solicitor smiled at that one.

The pomposity and cant of “Soapy Sam” (Mr. Samuel Ballard, Q.C., the Head of Chambers and the most pretentious of them all) – the self-righteous churchgoing Chairman (presumptive) of “Lawyers as Christians” whose fatal pride and ambitions to a judicial appointment (with the “k” (knighthood) attached) – receive their due.

“She Who Must Be Obeyed,” the one and the only Hilda, and the glories of her diaries, remind us of the Rumpoles’ colourless domestic life at Froxbury Mansions. By the quirks of fate, Hilda is now



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the bridge partner – can you imagine our hero doing such a thing? – of the recently “elevated” “Bull” – His Honour Mr. Justice (Sir Leonard) Bullingham, and is called to make a stand for matrimonial fidelity. (It seems that even judges bend the rules in private.)

Rumpole is shown to be seeking appointment as Queen’s Counsel – a slightly unwise thing to do as it has been known to reduce fees dramatically for all the riches of the cachet. We watch him appear before the committee which advises the government on such appointments (though the Minister remains utterly free to decide for himself). His defence of the defence was unassailable though the Home Office is offended by his achievements on behalf of his alleged murderer and declines. *Quel dommage!*

Mortimer’s creation is such a vehicle of commentary. I have made no attempt to discuss the wonders (or lack of them, and there are many who see this in such terms) of the Anti-Social Behaviour Order – itself the product of two attempts at legislation from a Labour (read *liberal*) Government, one in 1998 and an-

other in 2003. The arguments flow from the storyline with such ease and competence that explanation to an audience of advocates is utterly otiose.

That our hero is himself facing such an order from within his own chambers at No. 4 Temple Court is – let us acknowledge – a stretch of the imagination – but it is a neat device for a speech in defence of civil liberties and the right to eat and drink and even (heaven help us!) smoke. Lawyers are good, however, at stretching the imagination and this work is just that with a sharp clarity to boot.

I recommend this as a light-hearted and yet perceptive commentary from a man of advancing years on the state of the world. The language is quick and fresh and the flowing of the good, simple sentence delightful. The wit is delicious – an exchange between Ballard, Q.C., and our hero on “moving with the times” where our hero refuses “to accompany them” is case in point. The work reflects the wonders of a good Harrovian education of another age with the understanding that the language has itself “moved on” – or has it?

Read this short work and enjoy it and take a message from it – as you are intended to do. Just hope, however, that it is never made into a television film like the other works in the Rumpole series. No one could ever catch the quality and character of our hero with anything like the appropriateness of Leo McKern, now gone to his rest. I am not sure whether Rumpole was McKern or the reverse.

Rumpole has misbehaved – or merely behaved in his own inimitable way. But as ever his “naughtiness” is charming and totally delightful. Give yourself a night of mirth and warmth beside a fire and over a good wine and cheese.

Max Dodd is a retired Australian solicitor who regularly touched the seamy side of life (professionally, of course) in the legal pleasure domes of Sydney and of London. He now teaches Westernized Zen and meditation and operates a retreat house on the Rhine in Germany, to which all harassed advocates are invited.

