



The People's Solicitors Pty Ltd

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Newsletter No. 2

The People's Solicitors Pty Ltd, a new idealistic venture in the legal profession. The Peoples Solicitors aims to provide legal advisory services and advocacy work at a high standard of efficiency and at low cost basis.

The firm is generalist with particular interests in criminal, civil administrative, employment and immigration law.

The much anticipated second edition of The People's Solicitors Pty Ltd newsletter has arrived!

We have been busy of late on a variety of cases ranging from criminal law matters to family law through to migration law and employment.

Criminal

Mr Jeff Shaw has successfully appeared in Downing Centre local court to correct a judgment under the "slip rule" so it became a result more favourable to the plaintiff.

Ms Janice Gounder has been successful in obtaining good behaviour bonds rather than convictions for clients charged with drink driving and malicious damage of property.

Traffic

Ms Janice Gounder has successfully represented clients where the Ministry of Transport has sought a suspension of their licences.

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Also, in the last month Mr Liu's successful negotiations with Ministry of Transport has kept three more taxi drivers on the road with special conditions.

*

Mr Shaw has also successfully appeared for taxi drivers, obtaining two section 10 findings under the Crimes (Sentencing Procedure) Act 1999 (that is, offence proved but no conviction entered, thus no penalty).

*

Mr Kingsley Liu has recently appeared in Mt Druitt Court in a matter involving a motorist allegedly speeding 40km over the limit. Mr Liu made representations that challenged the police radar procedures and was able to reduce the offence to a lower speeding fine.

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In another traffic matter Mr Liu was able to apply Road Rule 35 to challenge the police prosecutors who alleged that the taxi driver crossed double lines. This defence was successful in that it could not be avoided by reasonable efforts.

Migration

Mr Shaw is currently dealing with a High Court challenge on behalf of a long term resident seeking refugee status. He is opposing a 'strike out' application in the Supreme Court.

CLE Conference

The People's Solicitors Pty Ltd has arranged a new generation style CLE conference.

Entitled "Go Get Your Own Salt – the Gandhi Method of Continuing Legal Education" the two day conference has been developed with the aim of assisting lawyers who predominantly practice in the public service arena to obtain CLE units without the large price typical of most CLE conferences.

The conference boasts an exciting and varied programme of expert speakers including Judge Norrish, District Court of NSW; Professor Patrick Keyzer, UTS; Daniel Brezniak, NSW Bar; and John Pilger, Journalist and Filmmaker.

The conference is scheduled for the 30th March and 2nd April 2007.

"The Law, in its majestic equality, forbids the rich, as well as the poor, to sleep under the bridges, to beg in the streets, and to steal bread."

- Anatole France



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Bob Dylan and Australia

By Jeff Shaw QC

The new students at the University of Sydney who in 1968 walked across Parramatta Road and up the stairs by the Old Union saw a group of stalls at which various political spruikers plied their trade. There was one lonely representative of the Liberal Club. More popular was a bench headed by those leading the Students for a Democratic Society (SDS). It featured a small, tinny cassette recorder blasting the lyrics of one Bob Dylan, telling us that the times were “a changin”.

Some of the students were unfamiliar with the nasally voiced, strident, folkish singer who was used to buttress the SDS claims of the need for students to lead the fight for a new and better society. Sure, we knew Dave Brubeck, Louis Armstrong, Beethoven and Mozart, but the lyrics of Dylan came as something of a culture shock.

Robert Zimmerman, who took on the name of Bob Dylan, when he moved from Minnesota to New York in the early 1960s, has paid more attention to Australia than most of his contemporary

popular/folk/rock singers from the United States of America.

Perhaps he was attracted by the slightly old-fashioned, rough edged aspects of Australian culture. Certainly, Dylan claimed to lack pretentiousness in that he eschewed the title of a ‘poet’ and said he was a trapeze artist, and more seriously, a song and dance man (ed. Jonathan Cotts, *Dylan on Dylan: The essential interviews* (2006) p.49) a recent article in the *New York Review of Books* of 6 April 2006 drew analogies between the cartoon art of Robert Crumb and Dylan’s music. As the author of the article – Deanne Buruma – points out Dylan imitated the styles of an earlier, rougher and more rustic proletarian culture, and so it was argued, like Crumb, transformed the style of a bygone era into something different and personal, reworking popular arts using “popular idiom to express feelings and ideals normally reserved for more sophisticated forms...”

(The present writer set out some more general observations on Dylan’s work in his review of Ricks, *Dylan’s Visions of Sin*, 2003 in Vol. 76, September-October 2004, *Australian Quarterly* (AQ), pp 38, 39)

Dylan himself declared that he liked Australia, liked the towns that he had played in and the people that he had played to, but at the same time, was somewhat critical, thinking that it was not ‘a land for explorers’ and that ‘you had to have permission for everything’ (*Dylan On Dylan*, pp.246-247).

On his fourth album (*Bringing It All Back Home*), one of the non-serious songs (*Outlaw Blues*) contained the following reference:

*‘Well, I wish I was on some
Australian mountain range
Oh, I wish I was on some
Australian mountain range...
I’ve got no reason to be there, but
I imagine it would be some kind
of change.’*

(*Bob Dylan Lyrics*, 2004, p.148)

Dylan was also prepared to include Australian folksongs in his recorded works: Jim Jones at Botany Bay and the Wild Colonial Boy.

And then there were Dylan’s many visits to Australia and live performances in the various States, including Wollongong, at the State Theatre in Sydney and elsewhere.

Dylan will remain controversial. Some people are utterly devoted to his work; others think it a sell-out of original radical ideas and otherwise unattractive. But what cannot be underestimated is Dylan’s influence over the youth culture of the mid-1960s into the 1970s in Australia as in other comparable countries where dissidents were attracted by his vision and his use of traditional American forms to present radical ideas.

Some have deprecated the use of the term “folk singer” in favour of references to singers of old (or in the Australian tradition, bush) songs. (see, for example, Warren Fahey, “Some Observations On



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Australian Folk Music – and the use of necessary labels” at warrenfahey.com/articles/observations.html).

“The Wild Colonial Boy” fits into this category as one whose author is “lost in the mists of antiquity” with an obscure date of compilation and involving many versions (ed. Will Lawson, *Australian Bush Songs and Ballads*, Sydney, 1944, p.102)

The usual form begins:

*‘It’s of a wild Colonial boy –
Jack Dowling was his name:
Of poor but honest parents,
He was born in Castlemaine.
He was his father’s only son, his
Mother’s pride and joy,
And dearly did they always love
Their wild Colonial boy.’*

This song has been described as the ticket-of-leave man triumphantly bellowing over his pannikan of rum... [the] naïve and uproarious challenge...” (ed. D. Stewart and N. Keesing, *Australian Bush Ballads*, Sydney, 1955, p.vii).

It was on his 1992 album of traditional, unaccompanied (apart from his own guitar) songs (Good As I Been to You) that Dylan included a version of “Jim Jones”, a radical Australian convict song, using the Irish tune “Irish Mollie” as he sings:

*‘O listen for a moment lads,
And hear me tell my tale –
How o’er the sea from England’s
shore
I was condemned to sail.
The jury says, “He’s guilty, Sir,”
And says the Judge, says he –*

*“For life, Jim Jones, I’m sending
you
Across the stormy sea.”
And late at night when everything
Is quiet in the town,
I’ll kill the tyrants one and all,
I’ll shoot the bastards down,
I’ll give the law a little shock;
Remember what I say,
They’ll regret they sent Jim Jones
In chains, to Botany Bay.’*

(See Charles MacAlister, Old Pioneering Days in the Sunny South).

Well Dylan is back in the charts with his latest album Modern Times, his first new songs for five years. No reference to Australia is to be found there.

But there is possibly some resonance with our contemporary industrial relations debates when the singer says:

*“The buying power of the
proletariat is going down...
they say low wages are a reality
if we want to compete abroad.”*

(“Workingman’s Blues #2”)

*“Each time a man stands up for
an ideal,
or acts to improve the lot of
others,
or strikes out against injustice,
he sends forth a tiny ripple of
hope.”*

- Robert F. Kennedy

John Hendry SHAW 1922-2006

John Hendry Shaw, geographer, adult educationist and author, died last month at the age of 84 after a long illness.

He was the youngest son of a militant Glaswegian moulder, Jock, whose siblings were Alex (a senior Lecturer in accounting at Sydney University) and Bill (a letterpress printer), growing up in Meriton Street, Gladesville. Jock came from Scotland escaping from the grinding property of Glasgow in the midst of Great Depression to find a better life and was to meet his wife in Australia. The boys were born in, then, working class Balmain.

Too young for the second World War, John, or Jack as he was known, went off to Fort Street Boys High School and then University to study geography and was subsequently to hold academic positions at the Australian National University, the University of New England and finally, in the field of adult education at the University of New South Wales. Along the way he graduated as Master of Science (with a thesis on the New South Wales town of Deniliquin), a Master of Education and was a fellow of the Royal Geographical Society.

The family home, where the clan gathered each Christmas day, was a curious admixture of Scottish memorabilia, including the poems of Robbie Burns and, reflecting the monarchism of his mother, Herietta, pictures of the Royal family, Jock was a pipe-



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smoking, hard-bitten worker whereas his wife was a gentle pianist who probably voted conservative. Both influences can be discerned in the offspring. The traditions were both Presbyterian and Masonic.

Before commencing his academic career, Jack was one of an ambitious group of intellectuals who worked under Dr. H.C. (Nuggett) Coombes in Ben Chifley's Department of Post-War Reconstruction.

But it was as a writer that Shaw really made his name. One of the few text-books that made it out in time for the Wyndham secondary school generation was his co-authored social studies work "Man and His World" an attempt to merge the disciplines of history and geography. It included an early acknowledgement of the role of indigenous people and the relationship between the body politic and the physical environment.

A massive, important undertaking was Jack's editorship of the Collins Australian Encyclopaedia, published in 1984. It asserted "the material is a broad, yet contains representative coverage in topics in almost every field of knowledge.... a convenient reference for people in all works of life."

In his old age, Shaw announced to one of his startled nephews that he had become active in the Bennelong Council of the Liberal Party and befriended John Howard. But Uncle John, the callow youth enquired, I thought we were socialist? No, I've

abandoned that project, was the taciturn reply.

It was thus unsurprising that when Shaw produced memoirs "Growing Up In Gladesville" Prime Minister Howard Contributed a handsome forward extolling the writer's "solid and dependable character" and praising the work as a "microcosm" of life in a small urban community.

John Shaw is survived by his wife Gloria, his sons Ian (a medical practitioner), Phillip (a solicitor) and his brother, Alex.

J. W. Shaw