The recent death in England of lawyer John Poole has severed a half-century link with Australia of one who made his name here in two very different, but important, spheres. In 1954 Poole was the first to have the courage to expose rampant police brutality at Manly police station, and suffered near professional annihilation at the hands of a vengeful Labor state government, an incompetent (if not worse) NSW Supreme Court judge and a vicious attack from a counsel for his pains. The next year, at the height of the Cold War, Poole was appointed to bring to fruition Australia’s second uranium mine, and ensure vital supplies to the British Atomic Energy Commission.

John Rea Poole was born in 1912. After singing in the choir of St George’s Chapel, Windsor, secondary education at Dean Close School, Cheltenham, and a choral scholarship to Trinity College, Cambridge, he graduated with a BA in 1934. He took an MA in 1938, as well as Law Society honours, graduating as a solicitor, and became assistant solicitor to the City of Cambridge. He contracted polio in 1933, which left him lame in his right leg for life. In 1935, he married the musically gifted Joan Buttress, of Cambridge. When war broke out, active service was out of the question and Poole was charged with inaugurating a system of food rationing for Cambridge. He, Joan and their baby, Roger, were temporarily housed in a cottage without heating, lighting, water or sanitation. Later service came as company signaller in the Local Defence Volunteers (which became the Home Guard) and from 1942 to the end of the war as deputy county controller of civil defence for Bedfordshire and prosecuting solicitor for the Bedfordshire County Council. During this time his daughter, Delia, was born. In 1947, the most severe winter in living memory had to be endured with strict fuel rationing, no office lighting, no office heating and no coal at home. Poole was advised that such conditions meant that his leg might need amputation if he did not move to a warmer climate.

In April 1948, the family sailed for Australia and settled at Manly. Both children eventually attended the Sydney Conservatorium of Music — Delia (piano) as the then youngest scholarship holder and Roger (violin) after several years at The King’s School, Parramatta. Poole began private practice as a solicitor. However, the family’s peace was soon rudely shattered. Poole was consulted by a client, David Studley-Ruxton, who had been bashed by the police while being questioned at Manly police station. Poole faced decisions over issues that were to challenge his family’s peace, but his courage and sense of duty prevailed. John Douglas Pringle (the former editor of The Sydney Morning Herald), in his autobiographical Have Pen, Will Travel (1993), described a traumatic incident: “I was working in my office one evening when an English solicitor called John Poole, whom I did not know, called to see me on an urgent matter. “John Poole was a tall, impressive, courteous man with a bad limp. . . [He] told me that a client of his called Studley-Ruxton had been brutally bashed by the police while being questioned at the police station.” Poole asked the Herald to publish the facts that night, and, if it would not, then at 9pm he would take the allegations to The Daily Telegraph. When, on legal advice, the Herald refused, the Telegraph published forthwith.

That afternoon the state government announced a royal commission to be conducted by Justice Bill Dovey of the NSW Supreme Court. “The royal commission [was] frankly, a hatchet job.” Pringle writes. “The government was determined to destroy Studley-Ruxton, his lawyer John Poole, and the press in one grand slam. As the case went on it seemed that the royal commissioner, Justice Dovey, was only too glad to help.” Dovey’s conduct forced Jack Cassidy QC to withdraw from the commission. He returned his brief and Poole was left to represent Studley-Ruxton alone. Oddly, Poole was called to the witness box 17 times. Jack Shand, appealing for a policeman, asked Poole 1500 questions. The counsel for the non-commissioned officers asked Poole 400 questions.
Astoundingly, Dovey asked him 1400 questions. Pringle condemned “the mean and shabby courtroom. . . where the judge failed to preserve that august and aloof detachment which is his function and participated in the inquiry as though he was counsel engaged for an interested party”. As a schoolboy friend of Poole’s son Roger, I knew Poole during this time. All his files were seized, ruining his sole practice. I formed a great admiration for, and love of, this honourable man caught between the rocks of police brutality and government oppression. His fortitude has been a lifelong inspiration. The NSW Bar Council condemned Dovey as having failed “in a signal degree”. It also censured certain counsel appearing for failing to observe “proper restraint and a proper sense of fairness”. It deplored Dovey’s conduct of the inquiry as “a great disservice to the bench and the legal profession”. Dovey never sat as a royal commissioner again, and was transferred to the divorce division of the court.

Poole, his solicitor’s practice in tatters, was called to the bar on September 3, 1954. Financially straitened, in 1955 the family sold up and returned to England, despite the danger to Poole’s leg. However, none of the family ever lost a love of Australia. In August 1955 Poole was appointed legal adviser to the Rio Tinto company in London. Sir Val Duncan, then managing director, brought him to Australia. Poole became the first managing director of the Rio Tinto Mining Company of Australia, charged with bringing the nation’s second uranium mine (the Mary Kathleen Uranium Company) into production. For the next five years he divided his time between England and Australia. The English winter of 1962–63 was even more severe than that of 1947. It caused serious injury to Poole’s leg, resulting in hospitalisation and a lumbar sympathectomy. For the next 10 years, Poole returned to practice as a solicitor in Cambridge, eventually amalgamating smaller firms into Vinters, one of the largest in East Anglia. He and Joan bought and converted a derelict 17th-century barn to prevent its demolition. Merton Barn, Grantchester, remains a monument to their creativity and dedication. Partial retirement, further operations on his leg, hyperbaric oxygen treatment, hospitalisations and decreasing mobility all failed to dampen Poole’s spirits. His refusal of amputation of his leg resulted in his death.

Poole is survived by Joan, Roger (PhD Trinity, Cambridge), Delia (BSc Illinois), four grandsons and a granddaughter. An Englishman in whom there was no guile, Poole was a lover of and advocate for Australia and its development. A gentleman of great courage whom none could deflect from the path of duty, he was an adornment to both countries. Beloved of his family and friends, his happy disposition made light of all challenges. He had a self-deprecating phrase to explain away his triumphs over any adversity, attributing success only to “a little clause in the Ways and Means Act”. Poole’s courage was never “little” and his “ways” were never “mean”.