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Turnbull's father-in-law Tom Hughes QC's life laid bare in biography

Tom Hughes, left, in 2013 with his son-in-law Malcolm Turnbull. Picture: Stephen Cooper.

ROY WILLIAMS THE AUSTRALIAN 12:00AM August 6, 2016

Most Sydney lawyers have a repertoire of Tom Hughes stories. He became a legend in his lifetime, and was still practising as a barrister well into his 80s. His trademark was a rare ability to persuade and intimidate: judges, juries, witnesses, legal opponents, clients, colleagues, all. Instructing solicitors were fair game, yet it was always an honour to work with Hughes. For more than 50 years he was a commanding presence in Australian and English courts. And as Ian Hancock demonstrates in this excellent biography, he has lived a life of multifaceted eminence.

For a start there are two of his closest personal relationships: those with his son-in-law since 1980, Malcolm Turnbull, and with his younger brother Robert Hughes, author of *The Fatal Shore* and perhaps Australia's greatest art critic. But Tom Hughes, now 92, is an important Australian in his own right.

A Cab on the Rank touches on several key aspects of Australian history: military, political, cultural and religious, as well as legal. And Hancock is a fine writer: his prose is clear and his research thorough. He makes splendid use of Hughes's

private diaries and sheds valuable light on the inner man.

Thomas Eyre Forrest Hughes was born in Sydney in November 1923 into a distinguished upper-middle-class family. It was Irish-Catholic but — unusual for those sectarian times — fiercely loyal to the British Empire. The Hugheses were scions of the establishment and committed to public service.

Tom's boyhood was comfortable and well-ordered. He finished his schooling at St Ignatius (Riverview) and always remained grateful for "the spirit of inquiry, or inquisitiveness, inculcated by Jesuit teachers". He moved on to the University of Sydney, before his legal studies were interrupted by World War II.

In late 1941 he enlisted in the RAAF, but, as Hancock explains, his father's was a difficult act to follow. Geoffrey Hughes — "the man [Tom] most admired and respected" — had been a World War I ace, a genuine hero who duelled over France with the Red Baron himself and won the Military Cross.

For Tom the skills of flying came harder: he was far from a natural. But he persisted gamely and survived — in his own words — "a relatively lucky and safe war". He saw action in 1943-45 in Europe as a flying-boat pilot over and around the Bay of Biscay, hunting U-boats and enemy shipping, and escorting Allied convoys. Hancock quotes liberally from Hughes's jaunty letters to his family back home: "[It is] quite conceivable that a bloke will go through the whole tour and not see a sub. On the other hand there may be bags of fun. The tendency to ease up because nothing seems to be doing has to be combated all the time.''

After the war, Hughes continued his hard slog: completion of his degree, followed by 14 gruelling years establishing himself at the bar. He took silk in late 1962, at the same time as Gough Whitlam. This was accomplished while he endured an unhappy first marriage and a gradual loss of religious faith.

It appears that the two things were interrelated: Hughes chaffed at various tenets of the Vatican's moral teachings. A diary entry on premarital sex shows how candid and wide-ranging a biography this is: "If we [that is, he and his first wife] had slept together we would perhaps have discovered such incompatibility as would have prevented us from going on with marriage."

Politics was the next phase of Hughes's career. He had been politicised during the (unsuccessful) "powers" referendum of 1944 — another thing he had in common with Whitlam, though they were on opposite sides of that debate — but his ambitions had been laid aside.

One day in 1963, after a hit of tennis at Royal Sydney Golf Club, Hughes was persuaded to run for the Liberal Party in the upcoming federal election. His brief was to win the marginal Labor seat of Parkes in inner-western Sydney. His campaign manager was a 24-year-old apparatchik named John Winston Howard.

This section of the book is engrossing. Hughes ran as an unabashed anti-socialist and Cold Warrior. Aspects of his campaign were, even he later admitted, "scurrilous" — but they did the trick. He won, the Menzies government was returned, and a pleased prime minister greeted him happily: "My boy, you have a future here!"

Indeed he did. He was re-elected in Parkes in 1966, and won in blue-ribbon Berowra in 1969. In both those elections the Vietnam War was a major issue.

Hughes evolved from a cocksure reactionary into a thoughtful small-l liberal. Famously, he became close to John Gorton (the subject of another Hancock biography), and served as his attorney-general from November 1969 to March 1971. After Gorton was overthrown as prime minister by Billy McMahon ("a shocking little person", in Hughes's estimation), Hughes was soon sacked himself. He retired from politics shortly before the 1972 "It's Time" election.

As attorney-general, Hughes's most notable achievements were in the field of restrictive trade practices. He also took vital steps to clarify the scope of the corporations power in the Constitution and commonwealth rights over the coastal seabed vis-a-vis the states. Opposition leader Whitlam enthused: "The Australian people and parliament should acknowledge the drive and skill of the honourable, learned and gallant member for Berowra".

Hughes dealt even-handedly with protesters against the Vietnam War. Indeed, Hancock implies that he ultimately repented on the war itself: his attitude in the early stages had been "too fervent, too unquestioning". But here the detail provided is skimpy. On such a momentous issue, the reader is left hanging. I wanted to know much more about the when and why of Hughes's change of heart.

By contrast, some of the space devoted to Hughes's cases at the Bar seems excessive, even humdrum. But there are delectable snippets, and not only for legal aficionados. It appears that before his (very happy) second marriage in 1981, Hughes was something of a ladies man. Way back in 1979 he said of Turnbull that "[he] will have to learn the art of taking it on the chin". Also interesting is Hancock's treatment of Hughes's fluctuating religious beliefs. He regained his Catholic faith in the mid-1990s.

Finally, Hancock explains the root cause of Hughes's notorious "frostiness". It is a symptom of inner tension. To quote Hughes's diary again: "This idiosyncrasy must be difficult for those around me at the time; but that is the way I am made; and I fear nothing will alter me."

Roy Williams was a litigation partner at Allens Arthur Robinson. His most recent book is Post-God Nation?

Tom Hughes QC: A Cab on the Rank

By Ian Hancock

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