

Elder Patrick E. (Pat) Kilbride 1936-2016

The Bar, Flies, and a Crabby Judge

Patrick E. Kilbride, Senior Lecturer in Law, was one of the six pioneers at the first meeting of the Australian Chapter of the Crabtree Foundation in 1975. The meeting was called by Professor Arthur Brown, who had been a member of the London (UCL) Crabtree Foundation. Pat Kilbride gave the third Oration in 1978: *Lux Gentium Lux (The Law is the Light of the Nations)*.

Pat Kilbride was originally from New Zealand. He studied Law part time at the University of Auckland where, in addition to his studies, he gained a reputation as a good winger in the University Rugby VII team, a skill he was to demonstrate to the Crabtree Foundation in later life.

After graduating he began his legal career as a Court Registrar in Auckland, which led him to being appointed to a Lectureship in the Law School at The University of Otago. He met and married his wife Bernadette in New Zealand, they had two sons, Matthew and Simon. One of his achievements at Otago was his tireless work on the establishment of the Otago Law Review.

Patrick was appointed Senior Lecturer in Law at Monash University and came to Australia with his family to take up the position in around 1968. In his journey to Australia, he was accompanied by John Salmond and Tony Wood, both of whom subsequently became Crabtree Scholars. Pat taught Criminal Law and Administrative Law. He was particularly known for his teaching of Criminal Law, which was highly entertaining and full of true crime, often funny and (sometimes) salacious stories. I was a law student at Monash when Pat was teaching there and signed up for his afternoon Criminal law class. It was well known among law students that Pat was more convivial and the lectures were more entertaining after lunch. As a lecturer, Pat had a charming ease and a narrative style uncommon in a law school.

Always an enthusiast, Pat threw himself into the University's social life soon after he arrived, particularly the Monash University Club where he spent a considerable amount of time, and where Crabtree Foundation dinners and meetings were held. Elders remember that Pat and Bernadette would visit the Club every day at about 4.30 to 5 pm and stay until around 7pm. Pat also enjoyed the local Notting Hill Pub which was a haunt of Monash staff and students alike. He was a frequent attendee on Saturdays with a beer in one hand and form guide in the other.

It was likely at the Monash Club that he developed a close and convivial relationship with Arthur Brown, who was Chair of the University Club and a daily attendee for most of his time at Monash. It is also likely that Professor Brown introduced Pat to the Crabtree Foundation and encouraged him to become a committee member of the Club. After Arthur Brown passed away in 1979, Pat took over the role of Club President which he held for many years. Bernadette went everywhere with Pat including to all the Crabtree Annual Dinners and Orations. They both loved and revered Arthur Brown.

Pat became Secretary of the Crabtree Chapter, succeeding the late Rick Belshaw and later Graham Erbacher in around 1991, a role he filled until his retirement in 2010. Jim McGrath recalls that each year as it got closer to the Annual Crabtree dinner, Pat would go into the Club around lunchtime, looking for potential Orators.

It is through Pat's untiring efforts as Secretary (by his description "dilatatory") that The Crabtree Foundation Australian Chapter survived through the late 90s and early 2000s during a period of

change in the University, when it seemed that the cause might die through diminished interest. For this, he was honoured as Emeritus Secretary of the Chapter.

The Reporter, Monash's "unofficial staff newsletter", published a substantial article about Pat's Oration: "Crabtree had distinguished Bar career". It outlined how "Crabtree's Judicial talents were put to use during his sojourn in the embryonic nation of Australia in the early Nineteenth Century". The staff magazine was edited by Keith Bennetts, another Crabtree pioneer, and no doubt he was the author of the articles on Crabtree Orations which appeared in *The Reporter* between 1976 and 1979. Bennetts had given the Oration the year before Kilbride and established that Crabtree came to Australia and settled at Lake Charliegrark near Lake Boorooopki where "he eked out his judicial pension by writing for various journals and newspapers". Pat extended this research by revealing, inter alia, that Crabtree had served on various Boards of Inquiry, the first of which "concerned the deaths of several workmen who were erecting a stringybark bridge over the Boorooopki River (*Boorooopki being an aboriginal word for entry to the West or Westgate*). Pat also revealed Crabtree's outstanding legal skill in drafting pleadings. When he was challenged by a fellow barrister (as a bet) to turn some lines from *Paradise Lost* into Interrogatories, Crabtree wrote:

Was it man's first or some other or what disobedience, and the fruit of that forbidden or some other and what tree, whose mortal taste, brought death into this or some other and what world and all our woe, and if not, why not and how otherwise.

As Elder O'Brien (the Elder) remembers, the power of Pat's oration was only exceeded by the time he spoilt the appetites of Scholars by reverting to his rugby days and performing a Haka at a Crabtree Dinner.

After an extraordinary commitment to the Crabtree Foundation, Pat stopped attending after the 2011 Oration, for family reasons; he lost his life partner Bernadette in that year. By then he was well retired, and the Crabtree dinners had moved from the Monash Club to the Savage Club (in 2010). For some Scholars and Elders who had been involved for many years, the University environment was an integral part of the experience, and Pat had loved the Monash Club. Pat sadly passed away five years after his wife. He is remembered with great fondness as a Crabtree (and Monash) legend.

Elder O'Brien (the Younger) as advised by Elder O'Brien (the Older)