

# The Lawyers' Lawyer

David Sydney Farquhar – 4 April 1952 – 11 March 2011

David Lisson  
Executive Director,  
Solicitor for the Northern Territory;

Terry Lisson,  
Director Promotion Appeals & Grievance Reviews  
Office of the Commissioner for Public Employment, Northern Territory

David was born in Tasmania, the second son of Betty and Reg Farquhar. His brothers are Graham, a distinguished scientist, and much younger Scott, a dashing park ranger. David moved through school in Melbourne, upstate New York, Wesley College in Melbourne, Deakin High School in Canberra and then to his law degree at ANU.

David's two main interests through his later school years were cars and girls. He was crazy about the former; in absolute fear of the latter. He was also very involved in sports (perhaps to compensate for his lack of success with the ladies?).

None of his interests were particularly conducive to high academic achievement, and David was often subjected to scepticism as to whether he was really the brother of the brilliant Graham who had done so well in maths and science; perhaps explaining why David moved to an entirely different field. David always was

quick to state that he hadn't excelled academically, but, if that was really the case, it clearly shows that school marks are a pretty poor indicator of future excellence as a lawyer (take heart, all you less-than-impressive students).

While at ANU, David found his nerve and wooed another student, the love of his life, Jean McDonald. In that endeavour his first love, cars, came in handy, since he was able to tempt Jeannie with offers of riding in his car to visit her family on their farm Ardrossan in Balldale NSW. As Jeannie tells it, he was a persistent devil who just hung around until she eventually had to ask him to take her back to the farm.

David and Jeannie married in 1976 and went off travelling in Asia for six months. Then, in July 1977, at the behest of David's law school friend, Peter Bracher (who had married Ros Paspaley), the young couple moved to Darwin "for a year or two". Peter moved David's admission to the Northern Territory

Supreme Court, following which David commenced what was to be a distinguished career in the law over the following three and a half decades.

*Left: David during the Cannonball Inquest, October 1994.*

*Below: David's admission into the Supreme Court of the Northern Territory, July 1977.*



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*Jeannie, Susan, Elizabeth, David and Alison in Corowa, NSW on a family holiday in June 2008.*

David's career blossomed, commencing at the (then) Department of Law as a prosecutor, then to Legal Aid, followed by private practice, first with Masters, Reeves and McQueen, then Poveys, and finally, through merger with Cridlands and Bauer, to create

the firm Cridlands in 1989.

The combination of his self-confidence, founded in his supportive and happy marriage to Jean; his Tasmanian farmer's work ethic; his intellectual rigour (which had only been hibernating

during his school years); and his natural characteristics, including: a wry, self-effacing sense of humour; unfailing courtesy to everyone he met; fierce loyalty to his clients, friends and partners; sound judgement on the law and evidence, and on what was improbable and

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*Quietly, but effectively, David became the 'go to' lawyer whenever another lawyer needed a lawyer, which confirms his achievement as the consummate professional; a lawyer of unblemished integrity, offering wise and valued counsel.*

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*Sally Sievers, former colleague who was mentored by the serial-hugger as a young lawyer, on the receiving end of one of the famous hugs at David's 58<sup>th</sup> birthday party.*

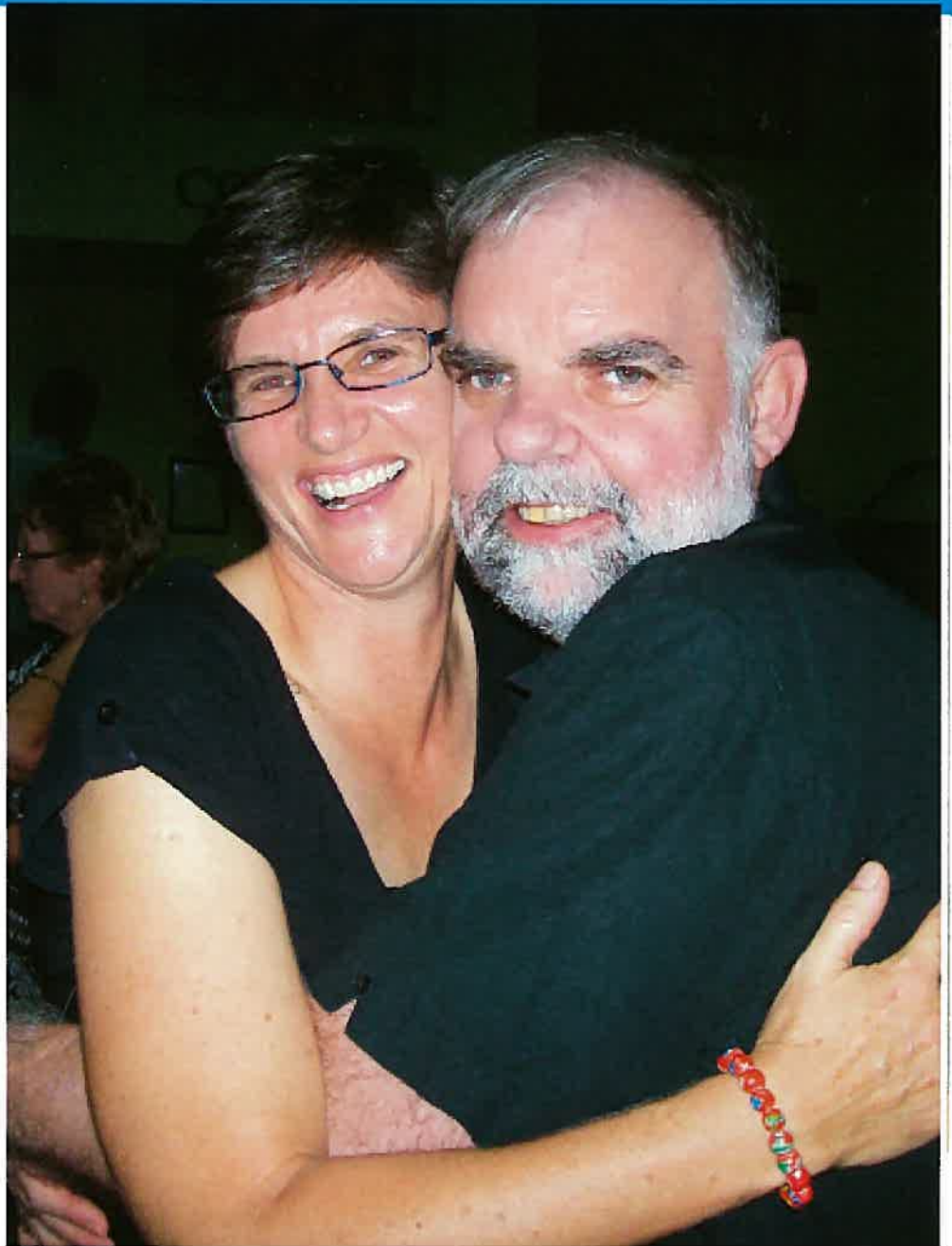
what was achievable, led David to the pinnacle of the legal profession in the Northern Territory.

David's many high-profile cases included prosecuting looters after Cyclone Tracy, defending convicted murderer Daniel Heiss (much to Jean's dismay), assisting in the Royal Commission into Aboriginal Deaths in Custody, representing former Chief Magistrate Hugh Bradley through to final victory in the High Court, representing families of two dead Japanese racers at an inquest into the tragic 1994 Cannonball Run, the McArthur River Mine case, and many others.

Significant positions to which David was appointed included:

- Chairman of Northern Territory Legal Aid
  - Deputy Chair of the TIO Board
  - Chair of the Police Disciplinary Tribunal
  - Deputy Chair of the Forster Foundation
  - Deputy Chair of the Escort Agencies Licensing Board (He loved telling people about this one!)
  - Legal Practitioners Disciplinary Tribunal
  - Police Promotions Appeal Board
  - Superannuation Review Board
- .... and many others

In recent years, David acted as lead advisor to the Northern Territory Government on Tort Law Reform, and chaired the review into MACA. Quietly, but effectively, David became the 'go to' lawyer whenever another lawyer needed a lawyer,



which confirms his achievement as the consummate professional; a lawyer of unblemished integrity, offering wise and valued counsel.

David and Jean's plan for "one or two years" in the Northern Territory was long forgotten, as they raised their three beautiful, intelligent and lovely daughters: Elizabeth, a lawyer with the Solicitor for the Northern Territory; Susan, a brilliant geologist, now studying for her Masters/PHD; and Alison, just graduated after studying genetics and biochemistry at her father's alma mater, ANU. Although David was a top lawyer, it was obvious

to all, and mentioned by him often, that he thought of his family as his "greatest achievement."

David had many, many friends, not just other lawyers, but also a wide range of people from all walks of life. They will miss his genuine interest in their issues and problems, his wonderful and world-famous hugs, the fun and good times they had with him, and hearing him ask, in his lovely, caring voice:

*"How have you been, my friend?"*



*Deputy Chief Minister and Attorney-General Delia Lawrie MLA with David at his 58<sup>th</sup> birthday party.*

and loved ones knowing how much he cared for them.

David's star in the legal profession was still rising when he was stuck down by that cruel disease. He would have made a great judge; he would have mentored many more superb young lawyers; he would have led TIO in new directions, and he would have come to the rescue of many more lawyers needing help.

David Sydney Farquhar has left his mark in many ways – as the ultimate lawyer, as a mentor and role model in everything he did, as a loving husband and proud father, as a truly gifted serial hugger, and as a wonderful and loyal friend who will never be forgotten, and impossible to replace. ●

*Dedicated followers of fashion, David Lisson, Graham Cole (lawyer in Katherine) and David Farquhar on holiday in Bali, February 2005.*

David learned that he had terminal cancer one year before his death. Throughout that year he was incredibly brave in the face of the terrible news he had received, with never a word of self-pity or

bitterness. His only concern was to make things as easy as he could for his devastated family and friends - giving generously of his time and ensuring he did all he could to leave his affairs in order, and his friends

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## Requiescat in pace:

*We acknowledge the passing of a true gentleman, the lawyers' lawyer, a generous colleague and a dear friend. We will miss the greeting "How are you, my friend?"*

TOM AND TESSA PAULING

*David was an extraordinary man - an inspiration to many.*

DELIA LAWRIE

*David was a kind, gentle, fair man who treated everyone the same, regardless of whether you were a cleaner, rounds clerk, or lawyer. He always made me feel important and worthy of his time.*

DEB CARR

*Scrupulously honest and fiercely defensive of the principled position. A great advocate; I would always want David Farquhar on my side. A great friend; always had time to listen and talk; always interested in family and friends. He was the finest of men and a great mate.*

RICHARD GILES

*David is one of the very few people about whom I can fairly say that I have never heard a negative statement. He has the skill and personality to be able to communicate, relate to people and conduct himself in such a way so as to earn universal support and respect.*

HUGH BRADLEY

*David was a good friend of the SFNT and provided a role model to which we should all aspire, not just in terms of his superb legal skills, but also his high standard of professionalism, ethics, courtesy and dedication to the ideals that our profession represents.*

DAVID LISSON

*David had the respect and jealousy of all his colleagues, for his work, but especially for his principles. When you can't find a lawyer, of all people, to say a bad word about you, you realise how special he was. When I have to deal with some tricky problem, with people and principle involved, I think, how would David go about that? It never fails. We are much better people for his influence, care and friendship.*

ALAN LINDSAY AND ALISON LOWRY

*David has a variety of skills and abilities, but the skill that I have always admired most is his ability to squeeze a cuddle out of any good looking woman who happens to come within arm's reach!*

DANNY MASTERS

*"David was the best hugger in the whole world."*

SALLY SIEVERS, ALISON LOWRY, TERRY LISSON, SUE OLIVER, ALISON MAYNARD, JENNY BLOKLAND, JUDITH KELLY etc, etc, etc

*David made a great contribution to the development of public policy in the areas of public liability reform, motor accident compensation and insurance arrangements in the Territory. His prodigious skills and determined charm will be greatly missed.*

THE UNDER TREASURER AND STAFF

*Robert liked David so much that on one occasion he was even pleased for David's sake about the Doggies beating St Kilda - even though he had some money on St Kilda!*

BARBARA BRADSHAW

*David made an extremely valuable contribution to the health and wellbeing of Territorians and was always a pleasure to work with.*

DEPARTMENT OF HEALTH

*David was greatly respected and admired by all in the Northern Territory Legal Profession and he will be sorely missed by all that knew him.*

CHIEF JUSTICE, JUDGES, MASTER AND STAFF OF THE SUPREME COURT

*David was a kind man who spent more time coaching and listening to me than I deserved. I appreciated his stories both professional and personal, and I still giggle to myself as I remember the story he told me that someone came to his house and commented on the bodgey flooring job that he had up until then been quite proud of doing himself!*

CLAIRE DENNING

*A wonderful lawyer always ready with wise counsel and good humour; a true and valued friend.*

NORTHERN TERRITORY LEGAL AID COMMISSION

*I have known David Farquhar for decades and have always liked and respected him, both as a lawyer and as a friend.*

GRAHAM NICHOLSON

*David made a huge contribution to TIO through his tireless work on Motor Accident Compensation reform, as a trusted advisor, and as a Board member. David had a keen desire to ensure that TIO had a "heart and soul" and did the right thing by both its customers and its staff.*

RICHARD HARDING CEO TIO

*"David was the best hugger in the whole world."*

## Requiescat in pace:

*David was my principal during my articles some 20 odd years ago and his influence and style is reflected in the way I practise the law even today.*

DAVID DE SILVA

*David was all class. He treated the small with the same respect and dignity as the mighty.*

SIMON WIESE

*I have always held David in the highest esteem. His legal acumen is without equal. I have been thinking of how best to describe David as a lawyer. I quite like "pillar of the legal profession", but I also like, "elder statesman of the law".*

JOHN LOWNDES

*When I first arrived in Darwin as a Magistrate, David was one of the first legal practitioners who came up and spoke to me. He was very welcoming and gracious, and suddenly the Northern Territory didn't seem so strange. Over the subsequent years we have shared many a courtroom and David has always been an exemplary lawyer, well prepared and courteous, with unfailing integrity.*

SALLY THOMAS

*David's advocacy style?: "Come with me, Your Honour, you can trust me (as opposed to that other piece of poo). Take my hand, I will take you through these dark woods and bring you home safe." WHOA!!*

JOHN LAWRENCE

*When I was little I wanted to marry a man like Dave, who loved so freely and openly.*

STEPH DAVIES

*David always was, and will be for a very long time, a shining light for Northern Territory lawyers. David inspired us to remember values, and to try to be better lawyers, better advocates, better officers of the Court and better people.*

DUNCAN AND CHRISSEY  
MCCONNEL

*Dave was a feminist. He truly believed in the strengths and abilities of women and their right to be treated equally. Of course with four brilliant women in his life some would say he had little choice. But it went deeper than that – he was a great encourager and mentor of women.*

SUE OLIVER

*David was a profound influence in my life. I remember his kindness and assistance he gave to me as a young green solicitor and I have tried to emulate that for others.*

MERRAN SHORT

*As a colleague of David's since I was an articled clerk in 1996, I have long respected him as a true gentleman admired for the dignity he brings to our profession. He was a true adversary, but without ever losing common decency.*

JODI TRUMAN

*David was an outstanding lawyer and had the gift of making people feel valued. A rare combination.*

MELANIE LITTLE

*He was always unfailingly polite and provided guidance in the way you would expect a model litigant to do. He was also such a happy and jovial man. It never mattered where he was or what was happening, he never failed to*

*envelope you in a huge hug which lifted your spirits for the rest of the day.*

CATHY SPURR

*I have so many memories of happy, and sometimes serious, times hanging around the Courts with David passing on so much knowledge.*

JENNY BLOKLAND

*David's congratulatory hug and encouragement gave me the confidence needed for years to come. He has always been for me a shining example of what a lawyer should be.*

TANYA FONG LIM

*David encouraged me and inspired me to be a lawyer and I loved him sharing his university stories with me (Failing is not the end of the world??)*

EMMA FARNELL

*David was a warm and welcoming role model for younger lawyers, including myself.*

INGRID MEIER

*David freely gave learned counsel, strong advocacy, and care and support to many frontline health staff.*

BOB WHITEHEAD

*The Farquhar I knew was fair, and reasonable, and measured and sensible. Even his light words carried great weight. The best lawyers are those who keep their clients out of court and that was certainly David's modus operandi. But when people ended up in deep trouble, David was their first port of call. He was a great fixer of problems.*

PETER BARR

*"David was all class. He treated the small with the same respect and dignity as the mighty."*