

# Sir Dormer George Andrews

## *Distinguished service in war and law*

**T**he Honourable Chief Justice Sir Dormer Andrews was born in 1919 on 8th April, the son of Miles Dormer Andrews and Margaret Mary Robertson. During the 1930s he attended St. Joseph's College, Nudgee. In 1936 he was awarded an open scholarship to the University of Queensland.

During 1940 to 1944, he served in the RAAF. As a pilot flying a Hurricane aircraft with RAF 127 Squadron, he was shot down in aerial combat near El Alamein in October 1942 after long service in England and the Middle East. He returned to Australia as the result of an exchange in Turkey of badly wounded prisoners of war. He was discharged from the Air Force in 1944.

In 1943 he married Joan Merle Tear, who would bear him three children.

He did his articles at Williams & Williams, under Mr. Leo Williams Senior. His Bachelor of Arts was obtained in 1945 from the University of Queensland then his Bachelor of Laws, winning the Virgil Power Prize.

In 1947 he was admitted as a Barrister of the Supreme Court of Queensland and called to the Bar on 8th July.

### DISTRICT COURTS OF QUEENSLAND

He was sworn-in on April 2, 1959 alongside W.M. Grant-Taylor and R.F.J. Cormack as a Judge of the District Courts of Queensland. In recognition of his talents, he was appointed the first Chairman of the District Courts in 1965. Also, in this year, he became an Acting Judge of the Central Court of Nauru.

### SUPREME COURT OF QUEENSLAND

1971 saw him sworn-in as a Judge of the Supreme Court of Queensland, alongside Edward Stratten Williams on 14th May. He became Chairman of the Law Reform Commission in 1973 and served until 1982.

In 1982 he was sworn-in as Senior Puisne Judge of the Supreme Court on 18th February.

He served as Acting Chief Justice of Queensland in 1985 before being sworn-in as Chief Justice on 8th July, upon Sir Walter Campbell's appointment as Governor of Queensland.

His service was recognised by the Queen in 1987 when he was created Knight Bachelor for Distinguished Service as Judge of the Supreme Court and as Chief Justice of Queensland.

On 7th April 1989, he retired as Chief Justice of Queensland, aged 69, to be succeeded by Justice John Macrossan.

### RETIREMENT

In an industrious retirement, he served as Chairman of Bundaberg-based public company Bonel Manufacturing Ltd from 1994-6. Appointment as head of Queensland Community Corrections Board then occurred in 1997.

The Centenary Medal was awarded in 2003, an honour in recognition of contribution to society or government during the first 100 years of Federation.

His Honour passed away on Monday, 28th June 2004, aged 85.



War medals of the Honourable Chief Justice Sir Dormer George Andrews

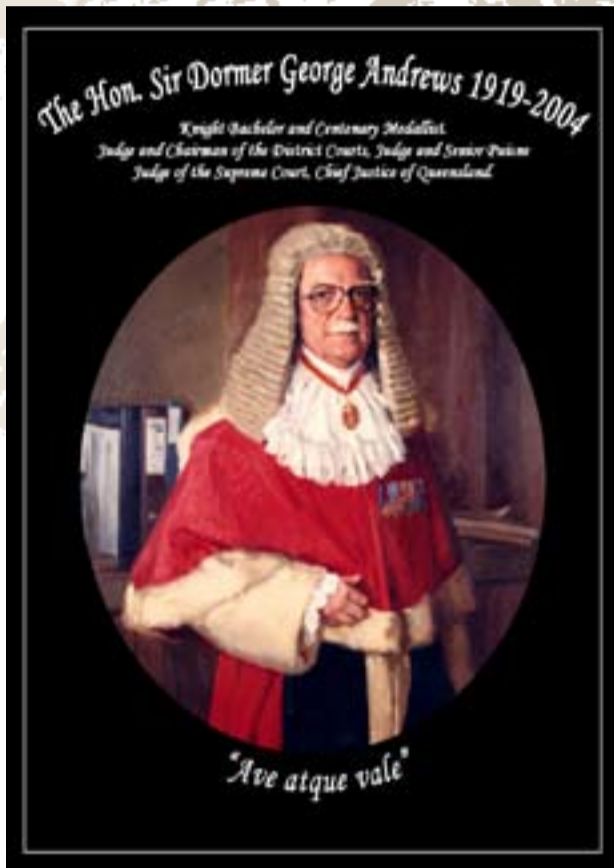
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The Queensland Book of  
**MEMORIES**



# Sir Dormer George Andrews

## *Eulogy for "Bob" (1) - The Early Years*



In 1905 not far from a reef of gold, an eight year old girl who eventually became Bob's mother ran into her home calling, "Mother, mother come quickly there is another one like father". When they walked outside they saw a visitor. He was the first white man apart from her father the little girl had seen in her eight years. It was that bizarre episode and the desire to see the little girl well educated that led that independent pioneering family to abandon their gold mine and to journey to Croydon and then to Normanton on the coast in north west Queensland and back to civilisation.

Fourteen years later on 8 April 1919 Bob was born. His mother and grandmother were primarily responsible for raising him in their homes in Ayr in North Queensland and Chelmer in Brisbane. Both were always short of money, neither owned the homes in which they lived and each eventually separated from her husband. Yet they were two of the people Bob admired most in life. In the last year of his life he spoke increasingly of his admiration for them and of his desire to die so that he could, as he truly believed, see them again after death. Bob and his grandmother never once hugged nor kissed in life, though she was more mother than grandmother to him.

**CHILDHOOD:** In Ayr in North Queensland he would ride his bicycle to catch fish for the evening meal after school. He was driving a car before his teens. At 13 during a flood, Bob's father was stranded in Townsville. Bob drove from Ayr to Townsville, collected his father and drove him back. As a 13 year old Bob could do all the running repairs to the vehicle. At 17 he offered to do a driving test for his licence. The local policeman knew he had been driving for years and so he dismissed Bob's offer with contempt but gave him a driver's licence.

He spent more than half of his childhood based at the home of his grandmother in Chelmer. From there he would go to the movies whenever he could. As an 11 year old he went alone to the Brisbane Exhibition Ground to watch Donald Bradman in his first test match. When the father of Australian comedy, Roy Rene, known as "Mo", passed through Ayr, Bob, then 11 sat in the back row. One joke required knowledge of classical Greek language which Bob recognised from his beloved ancient history. Bob realised he was the only one laughing in the audience when the comedian walked from the stage to the back of the theatre, shook his hand and said, "Thank you".

### **Eulogy for Sir Dormer George Andrews "Bob"**

Delivered on 2nd July 2004

St Stephen's Cathedral  
Elizabeth Street, Brisbane

by  
Mr David Andrews

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**EDUCATION:** Bob showed academic promise. The inspector of schools was invited by Bob's teacher to observe him in primary school in Ayr and he was advanced by two grades. His grandmother enrolled him in the Taringa State Primary School to advance his education. Like his mother before him he came top of that school. His grandmother took him to Nudgee College with the first term's fees and presented him there for enrolment for grade 8. His father had trouble raising fees for his secondary schooling. Only once had his father saved enough to buy a home for his family. He set out in the morning and returned having lost the money at the races.

While at Nudgee College, Bob was a talented boxer. It was not an authorised school sport but Bob was permitted to compete outside the College. He lost one match to the Queensland champion in his weight class on a technical knockout. Bob claimed that he was ahead on points. The only fight outside the boxing ring which he admitted to me was as a schoolboy. There was a District Court Judge, the late Leo McNamara. Bob told me that when Leo was a little boy at Nudgee College an older and bigger boy was bullying him. Bob told me that he stepped in and won the fight and had remained Leo's friend ever since. Ten years, or so, after Leo's death his daughter married Bob's son, me. Leo and Bob posthumously share three grandchildren.

By the time Bob was in the first term in grade 12 at Nudgee College he learned that his father was in debt to the College for fees and so Bob, refusing to accept charity, left school intending to work initially as a sugar cane cutter. His ambition was to become a cane farmer. His determined grandmother saw that the fees were paid and so Bob returned to school and in 1936 was Nudgee's hurdler in its championship-winning athletics team, the breakaway in its premiership-winning first XV rugby union team, the winner of its essay competition, the winner of its oratory competition and dux of the College. He obtained a place in the top 10 in the State and won a Commonwealth open scholarship to attend university.

**PRE-WAR:** The Majestic Hotel and then the Grosvenor Hotel in George Street had each displayed a photograph of Bob with two arms and working behind the bar. But Bob had always been silent about those three years after he left school. This year I asked him why. He was embarrassed. He explained that he won the oratory prize in grade 12 explaining why it was inevitable that there would be another great war with Germany and that Australia would enter it. He was marking time in those years.

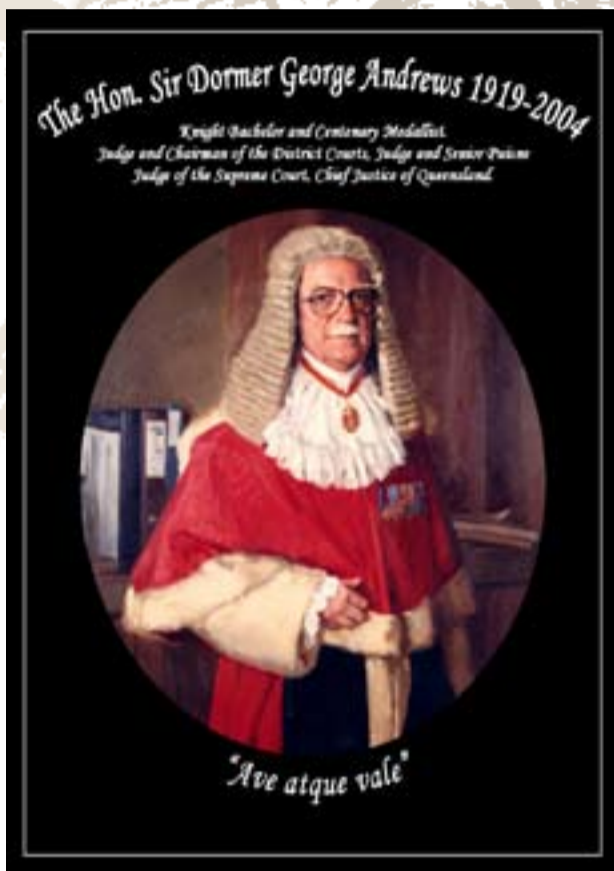
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# Sir Dormer George Andrews

## Eulogy for "Bob" (2) - The Australian Pilot



### Eulogy for Sir Dormer George Andrews "Bob"

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When attending Professor Fry's lecture on constitutional law the Professor said, "I am pleased to see you here Mr Andrews. If you miss another lecture you will not be obtaining a degree from this university". Bob walked out. He hatched a serious plan to become a crocodile hunter in North Queensland. He was saved from this second career choice by Australia's declaration of war in 1939.

Bob lied about his age to enlist first with the infantry. When he learned his mates were joining the RAAF he used his age and his mother's help to withdraw from the army and enlist in the RAAF. He said of those years, "I was a fool. I failed some exams. I stayed out late. I drank alcohol and I chased women".

It seems he caught one. Three months after his 21st birthday he became engaged to Joan Tear at her 17th birthday party in July 1940.

Two months after Joan's party, Bob left Australia in September 1940 for Canada and began a great and tragic adventure. At dawn, after one night's sailing, he woke in a canvas awning suspended over the ocean with Dermot Kelly, Chief Judge Wolfe's uncle, on one side and Henry Douglas, Richard's uncle on the other. All three awoke to the sunrise, hung over and astonished that none had fallen into the ocean. Bob was the only one to return.

FLYING: He trained in Canada as a pilot and excelled. He was transferred to England. His friend Dermot drove from Scotland to London to have one beer with him before immediately driving back to Scotland so that he would not be absent without leave. Dermot died within three weeks.

My father's squadron was seeing no action so he transferred to the 127th RAF squadron and spent 5½ months in North Africa.

Bob loved flying. He loved to dive until he was at the verge of blacking out. He was determined that after the war he would remain in peace time with the RAF so that he could continue to fly. He intended to send for Joan. He had burned his bridges at the University of Queensland with Professor Fry.

24 OCTOBER 1942: By this date he had flown Spitfires and Hurricanes and survived three plane crashes. Aged 23, with 11 other pilots from his squadron he was flying a Hurricane and supporting the Australian 9th infantry division in their decisive battle at Alamein, protecting them from bombers of the Luftwaffe.

Greatly outnumbered, his squadron succeeded in saving countless lives by forcing the German bombers to drop their bombs harmlessly clear of the 9th infantry division. Six of the twelve pilots from his squadron were shot down that day. My father was shot down attacking another enemy fighter when his "second" was no longer there to protect him.

He was left handed. He lost his left arm just below the elbow from cannon fire in flight. His body peppered with shrapnel, his uniform, his right hand and his face on fire he jumped from the plane and lapsed into unconsciousness. During his freefall he woke for the necessary few seconds to pull his parachute's ripcord before lapsing into unconsciousness again.

He credited his grandmother with miraculously waking him for those seconds. She had been deeply religious. While at war Bob learned that she had died after a lengthy stay in hospital and that on the night of her death each of the Catholic nuns at the hospital had come to her bedside to seek her blessing.

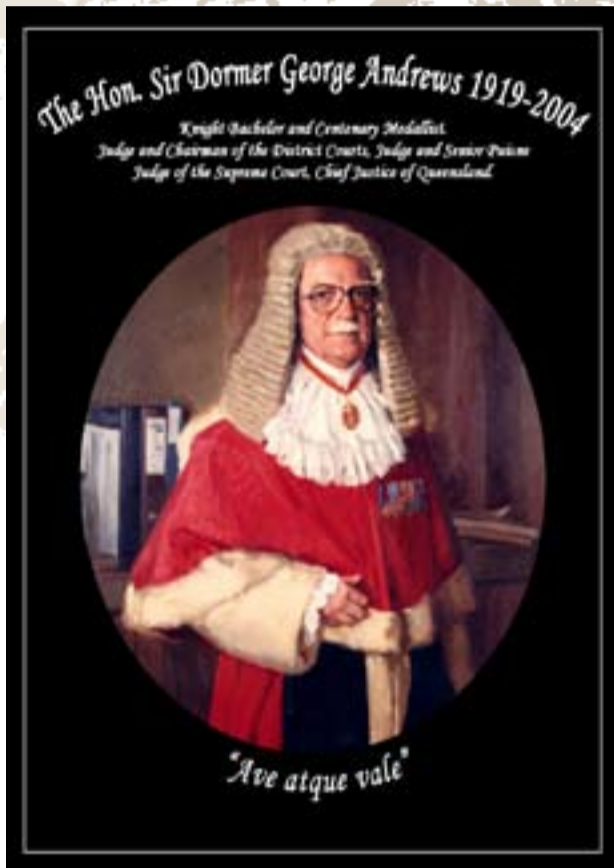
I was with him in the street some years ago when Clive Williams (uncle to Sid and Tony) stopped my father and told him that he had seen him through his binoculars in the parachute and seen him slump as if dead and Clive apologised that but for that he would have sent troops to recover him.

CAPTIVITY: My father was captured by German soldiers. His life was saved by a German surgeon. He was given a pain killer for the first and only time in captivity when the surgeon attended to what remained of his left arm and stopped the blood loss. Without instruments to remove the bone it protruded from the wound for months.



# Sir Dormer George Andrews

## Eulogy for "Bob" (3) - From Captivity to University



### Eulogy for Sir Dormer George Andrews

"Bob"

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**B**ob was placed in the back of a truck with four enemy soldiers, three with only slight injuries were sitting in the truck while one with a single simple wound to the leg lay beside him. My father was in charred clothes, his face and remaining hand badly burned, his body pocked with shrapnel wounds. But he told me that he was experiencing overwhelming pride and arrogance as a result of the achievements of his squadron and the 9th infantry division.

Time after time as the truck struck a bump in the road the enemy soldier beside him would cry out, "Mama mia". Bob who thought acknowledging weakness was undignified eventually called out, "Mama bloody mia you snivelling bastard", hauled himself off the floor and sat up on the bench with the other three enemy soldiers. The three muttered between themselves. One was obviously translating Bob's insult. A tense minute passed until the truck went over the next bump and the three enemy soldiers called to the fourth, "Mama bloody mia you snivelling bastard".

Bob had won his first enemy admirers.

Not all the enemy were admirers of Australian pilots. He was soon being mistreated by one embittered German soldier who claimed to have seen an Australian bayonet his brother in the act of surrender. Bob was rescued when a group of Italian soldiers took pity on him, took custody of him and so it was that he became an Italian prisoner of war and was sent to a hospital outside Naples.

He did not have the use of his remaining hand for months. The scarring of his face and hand was removed daily. When it was time to remove the bone protruding from the stump of his left arm the Italian surgeon had only a blunt scalpel and several times failed to pierce the skin. There were no anaesthetics. Bob grabbed the surgeon's hand and drove the scalpel into the wound himself and said, "Now do it".

For the rest of the operation he was held down by four soldiers. He claims not to have cried out during the procedure but as soon as it was finished he sat up and called for the lunch trolley. His weight had fallen to less than 45 kilos and he knew he had to eat at every opportunity if he was to stay alive.

The Catholic nuns at the hospital cried and prayed over him during his several months there. Never comfortable with receiving sympathy he asked one for money instead of tears and learned the Italian for Australian barbarian. Another asked if his fiancée was Catholic and if his children would be Catholic and he replied, "Mia sposa e Protestanti. Mia bambini Protestanti". But, after months in her care, as he was put on a truck to be transported away from the hospital he called out, "Sister Sorelli. Mia bambini Catholichi".

Bob kept his promise and raised his three sons as Catholics.

PRISONER EXCHANGE: Bob left that hospital because a prisoner exchange had been negotiated. He was placed on the ground at a dock waiting to be transported. He lay with a rag over his face to keep the flies from his facial wounds. Only his eyes, protected in flight by goggles, had escaped burns.

An enemy soldier informed him that there had been an error. He was a security risk and was not to be part of that prisoner exchange. The soldier told him that he was going to ask him some questions. Bob took the rag from his face and said two words not fit to be repeated in a Cathedral and successfully negotiated his way to Alexandria.

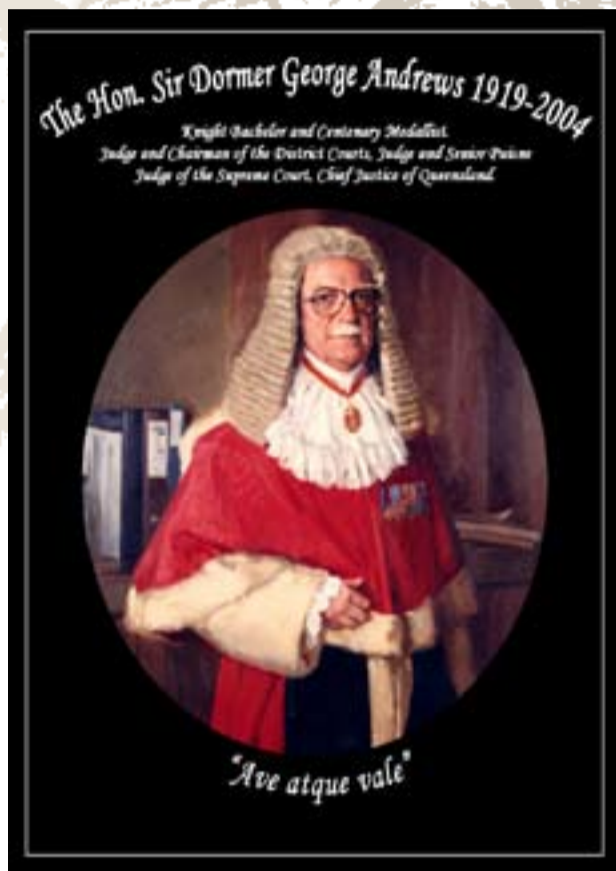
There is no photograph left of Bob to show how he looked in his early convalescence. He sent one to Australia from Alexandria but his mother burned it because she said, "He looked like Frankenstein".

RETURN TO AUSTRALIA, MARRIAGE and THE LAW: Joan married him anyway, shortly after his return to Australia. It was September 1943. She was 20 and he was 24. He returned to the University of Queensland and encountered Professor Fry who said, "A lot of water has passed under the bridge". Bob said, "It has for me too". They became good friends.



# Sir Dormer George Andrews

## *Eulogy for "Bob" (4) - The Bar and The Bench*



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**L**aw wasn't his first choice but it seemed to him the best way that an amputee could make a living to support a family. The head of the law school at the University of Queensland wrote after Bob's death to advise me that Bob obtained his BA in 1945, won the Virgil Power Prize in 1946 and obtained his LLB in 1947. He worked for a short time for Leo Williams Senior then went to the Bar. Leo always referred to him as "the best articulated clerk I ever had".

Bob's career at the Bar flourished.

**DISTRICT COURT:** In 1959 he was twice asked and twice he refused to accept an appointment to the proposed District Court of Queensland which hadn't existed since the 1920's. It would have meant a significant loss of income to him when he had three young children.

He accepted the third invitation and became the first chairman of that court. The position is now called Chief Judge.

In 1965 he was being seriously considered for appointment to the Supreme Court. The Chief Justice at the time had asked him if his bags were packed. But the Bar Association sent a delegation to the Minister for Justice to plead that as a matter of principle there should be no opportunity for further appointment once a person had been appointed to the District Court.

Bob was not appointed in 1965. Until then he had enjoyed his time on the District Court but with that disappointment came to enjoy it less and less. For a few years after that he came to be known to some barristers as "acid guts".

In 1971 he was appointed to the Supreme Court.

While on sabbatical leave from one court or the other Bob took some Queensland reports to Cologne to deliver to a university there. A German professor in law met Bob and they exchanged stories of their war time experiences. It seemed they had each been involved in the aerial battle at Alamein.

As Bob described the events that he recalled the professor apologised. He said he believed he was the pilot who shot Bob down. Bob complained that he wished he had shot down the professor because the professor had shot off the wrong arm.

Bob always retained a sense of humour with the barristers in court although they needed a strong constitution to enjoy it.

One, now a Judge of whom he was very fond, was a couple of centimetres shorter than Bob. I heard him say to this barrister, "Stand up when you address me". The barrister was halfway through the explanation, "But your Honour I am...", when he recognised the joke.

Another, of whom he always spoke fondly and who is now a member of the Supreme Court, was known for being overly thorough, to the point of leaving no stone unturned. In the Full Court on one occasion the barrister was representing the respondent on an appeal. After the appellant's submissions Bob turned to the counsel for the respondent, "We don't wish to hear from you Mr (so and so). But not for the usual reasons".

**THE CHIEF JUSTICE:** Bob was appointed Senior Puisne Judge and in 1985 Chief Justice.

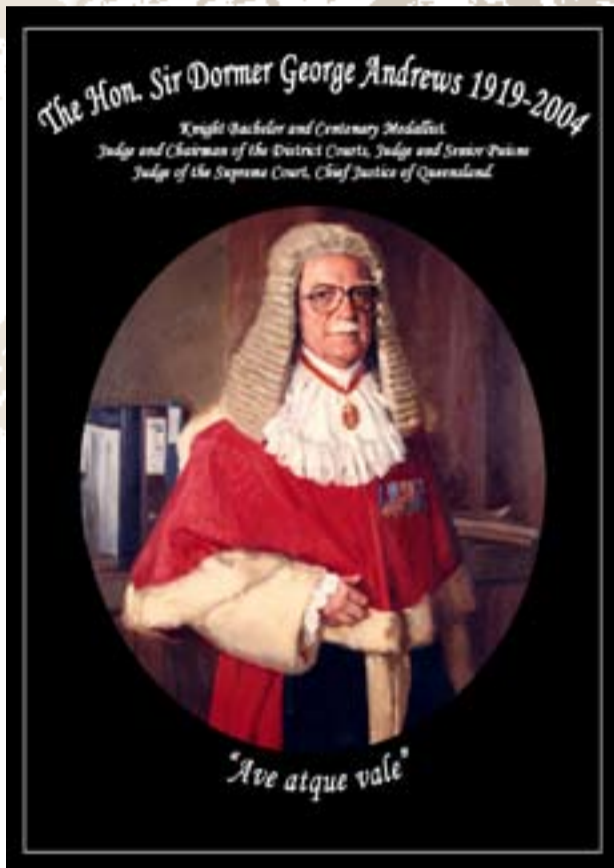
The Bar Association announced its opposition to each appointment, promoting the principle that there should be no opportunity for advancement for a Judge once appointed to the Supreme Court unless it occurred by seniority.

Bob was disappointed but, as a lover of history and its patterns, used one of his favourite sayings each time, "Nothing changes but the date".



# Sir Dormer George Andrews

## *Eulogy for "Bob" (5) - From Bench to Retirement*



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**W**hen Bob was sworn in as Senior Puisne Judge and as Chief Justice, it would have been traditional for some hyperbole from the Bench and the Bar. However, on each occasion, things were subdued. At least in part this was out of consideration for the well loved Judge who might otherwise have received the appointment.

But upon his appointment as Chief Justice there was one display of public support. I never heard it spoken of and its significance seems to have been lost on those who comment on that time. The Chief Justice of the High Court of Australia, Sir Harry Gibbs, sat on the bench with the members of the Supreme Court in an unprecedented gesture for which my father was very grateful.

Bob received some extravagant hyperbole in a letter from another member of the High Court who attended and who sat among the public. Bob was forever grateful.

RETIREMENT: After my father's retirement in 1989 he remained fit and active until he was about 80 when a war wound to the left foot and a combination of other factors put him in a wheelchair for a year.

The probabilities were that he would remain wheelchair bound but I still remember the phone calls as he notched up the metres walked - 50 metres one day, 100 metres the next.

After one bout of surgery in his 80's an occupational therapist was testing her theory of intellectual degeneration with age in high achievers. He spoiled her theory by answering all the questions correctly until the last one which was to repeat a 7 digit number. He asked if she would like it "forwards or backwards". She gave up then.

This year he learned he had stomach cancer and had some surgery but knew the cancer to be terminal. He was then increasingly impatient to die though he was in no pain. His thoughts were more and more on being reunited with his mother and grandmother as he truly believed would happen after death.

He feared only for Joan's welfare after his death but not at all for himself.

He had a peaceful, comfortable last few days at the Wesley Hospital, mostly dozing. Last Sunday morning, when he hadn't spoken and it seemed he had been asleep for nearly 18 hours, I told him that Australia had thrashed England in the Rugby Union test. After the next snore he said, "Wonderful", and went back to sleep.

Four or five hours later he said his last words to his sister Betty and me. They revealed his attitude to dying. "Goodbye, goodbye, hooroo".

Then he fell back to sleep.

He died about midnight of Monday 28 June 2004.

DAVID ANDREWS

