

John Marsden Memorial Lecture 2016

Speech by Jim Marsden

Good Evening Ladies and Gentlemen and welcome to you all.

Firstly, I would like to acknowledge the Gadigal of the Eora Nation, the traditional custodians of this land and pay my respects to the Elders both past and present.

When I first had a brief email discussion with our special guest tonight, Michael Kirby, we reflected on the fact that it's been 10 years since my late brother John's death. Michael suggested to me that perhaps I, in my welcome tonight, might give you a few insights about what it was like to live in my brother John's shadow. I reflected on that and I came to the conclusion that I never actually felt that I lived in John's shadow. Perhaps that says a little bit about me than it does about John.

However, it did give me cause to reflect a bit more on John's life and in particular, his level of happiness in his 64 years as a gay man.

I came to the conclusion that despite outward appearances, John only had one relatively short period of his life where he was truly happy. I also came to the conclusion that it wasn't because John was a gay man that he did not have the same level of happiness experienced by me. It was because society didn't then and still doesn't now acknowledge that all people are born equal. If you are different to the majority, there is a strong probability that you will suffer bias, intolerance and prejudice. A lot of the time you will suffer it alone.

Most of you would know that my family consists of six siblings. Three boys, three girls, three gays and three straights. I'm very pleased to say that all of John's remaining siblings are here tonight. Myself, my sisters Louise, Jane and Sally. My brother Peter died about 18 months after John.

I'd like to give you a bit more detail about John's periods in his life so that I can show you why and when he was unhappy and why and when he was happy. Unfortunately, I don't have time to give you the detail but I can give you a snapshot.

John was born in 1941. Dad was fighting the Second World War and came back to visit for a short period. John had no father around him for the first 4 years of his life. The next 5 years,

his father was traveling and whilst John was spoilt by his grandmother, I'm sure he would have been happier with two parents in his life.

In 1950, mum and dad moved to what was my only home, Lacks Hotel at Campbelltown. With all good intentions but misguided, mum and dad sent John and Peter to boarding school at the ripe ages of 8 and 9. John was at boarding school then from the age of 9 to the age of 17. Imagine the deprivation of love that he felt at that time. Then imagine as he matures into puberty and young teenage hood, the thoughts that he was having about sex and his sexuality. It was repressed as society expected it to be. He could not, and I know was not, happy. His next period was from when he left school and when he went into the priesthood. It is clear why John went into the priesthood. Society expected him to suppress his sexuality and he thought that the priesthood would be the best way to do it. That didn't work and whilst he made some friends in the priesthood, he was not happy. He then took a job for a couple of years that he didn't enjoy at all. He was still not out.

Then he had a period of relative happiness or at least success. He studied law at University, got good articles of clerkship and started his business in Campbelltown. Through hard work and determination, he thrived. But during that time, a time of vital adulthood, John had a secret. A secret he could only share with partners in the gay beats around Sydney and sometimes in some of the secluded and hidden gay bars. He had a secret that he didn't know why it should be a secret. It was one that he kept from everyone including his siblings and his parents. The only reason he kept that secret is not because he was gay, something he couldn't change, but because he felt society would not accept him. He was probably right at that time.

At the height of his business career in his early 40's, John eventually came out. Unsurprisingly, in hindsight, his business thrived even more. John's personal popularity thrived. He extended his horizons beyond Campbelltown to become the President of the Council for Civil Liberties, the Law Society of New South Wales and the Law Council of Australia. He had political connections on both sides of politics. He had both sides of politics at his 50th birthday. A lavish and happy celebration of his 50 years of life – but only 10 years of happiness. He had two Premiers speak at that party, Nick Greiner, the then Premier and Nick Greiner's successor, John Fahey. From the time that he came out and through this period, it is a period that John enjoyed true happiness.

Then in the early to mid 90's, undercover of the ludicrous protection of Parliamentary Privilege, John was accused of paedophilia. The actual accusations related to John in his late 20's and early 30's picking up at the Wall in Darlinghurst and some of those that he picked up may have

been under 18. Consider whether or not had John been heterosexual, would society have been interested in such an allegation emanating from a politician. No way.

John's worst 5 years of his life ensued, he publicly fought the allegations. He went through a Royal Commission. He was then accused on national television by Channel 7. He then took Channel 7 on and fought that battle and won.

But it took its toll. John was a beaten man, emotionally and mentally. From the high levels that he had achieved, he couldn't walk into a room of more than a dozen people without breaking into a cold sweat. Then just as he was getting his life back together, he discovered he had cancer. My unqualified view is that that battle took its toll and manifested itself in the cancer.

Things are better now. They are a lot better. But there is still a long way to go. Only this week Susan Kiefel was announced as a Chief Justice of the High Court. The headline was all about her being the first woman in that position. She was, and I suppose it is noteworthy. But wouldn't it be good to get to a stage in our society where the person's gender is entirely irrelevant and more, just as importantly, a person's sexuality is entirely irrelevant and ultimately we are all treated equally, not just before the law, but as human beings.

Ladies and gentlemen, I am sure you are going to enjoy the evening and I now call upon the President elect of the Law Society and Vice President of the Council for Civil Liberties and former employee of Marsdens Law Group, and a woman (if that's relevant), Pauline Wright.