

O B I T U A R Y

With two superb obituaries by Lord Roskill and Sir Robin Dunn encapsulating the essence of Roger's character and achievements, among many others already published, and with Professor Jeffrey Jowell to follow, I will be as brief as the unique character of Roger will allow and, if only he were here, as he would himself require.

He was a very special man. His intellect, wit and wisdom were recognized by those who knew him from his earliest days and recognized with increasing acclaim and increasing appreciation of his radicalism until his dying day. His generosity with his time and his hard earned resources went far beyond the benevolence of most generous people. He and Anne created a home for their contemporaries, for the offspring of their contemporaries and for a commonwealth which became their family. Life with the Ormrod's was always stimulating and fun. Although some would say that to have become both a Lord Justice of Appeal and a Fellow of the Royal College of Physicians made him unique - and they would be right - yet to those who had the privilege of knowing and

loving him and of being loved by him and by Anne, the supreme quality which we would identify was his capacity to be the caring and concerned father of an ever changing and varied household although he and Anne were never blessed with children of their own. To those who knew him only as a colleague or elsewhere than at 4 Aubrey Road or in Withypool, this very special quality may not have been as well known as his exceptional intellect and breadth of learning. But for others who had the privilege of being taken under the Ormrod wing - Anne and Roger played the role of mother and father and as friends and advisers beyond any ordinary level of charity.

He always said that having highlighted the best point, matters should be taken chronologically. I will follow his precept.

Born in October 1911, his father was a solicitor and the Town Clerk of Whitehaven in Cumbria. He went to school at Shrewsbury in the same House as His Honour John Coplestone-Boughey to whom and to whose wife I am indebted for some of the early history. Roger's interests were intellectual rather than sporting although he was always very active physically and enjoyed walking. We will always remember his tall lean figure and characteristic walk with quick and purposeful short steps, as Sir Robin said, more akin to the busy consultant hurrying through the wards than of a stately Judge. Indeed I suspect that very few people here today would have thought

that he had any sporting ability. What I only recently discovered may, in a moment or so, come as a surprise to you. To stay with his school days, even today he is remembered for his active role in school debates, particularly against the overweening acclaim given to sporting achievement. He took an open scholarship in chemistry to the Queen's College Oxford of which in 1966 he was to be made an Honorary Fellow. His prelims were taken in animal physiology for at that stage he was more inclined to medicine than the law, but by about the end of his first year at Oxford, despite his father's concerns about the uncertainties of life at the Bar, he considered that he would prefer that career and took his final degree in jurisprudence.

In fact, at Oxford, he had not eschewed all sporting activity and although you will find no reference to it in his entries in "Whos Who" or elsewhere, he had taken an eccentric interest in sport and obtained "half blue". The method by which he achieved this may bear repeating. He prepared a large and complex chart by which to calculate and analyse the easiest method of obtaining a blue or half blue. Having determined that badminton was the most likely sport to give him that opportunity, he duly took to badminton perhaps to prove to himself that he could do it and played for Oxford for 2 years. He set no score by it. Indeed he set no score by any of his achievements.

By this time he had already met Ann, whom he was to marry in 1938 and from all that I have been told by his friends from those years in Oxford and then in Lincoln's Inn and then back in Oxford before and at the start of the war, they brought out the best in one another and it was a very special best by all accounts. Their homes were then as always to be the homes of their innumerable friends. Their conversation was informed, fast moving and sparkling.

Roger was called to the Bar in November 1935 and practised from the Chambers of Edward Pearce, later Lord Pearce, in Fountain Court first as a pupil and then as a tenant; albeit only the tenant of a fireplace at the outset. With the onset of war and the willingness and ability of Anne to support him in his wish to practise medicine as then being of greater public benefit they moved back from the charming but eccentric gatehouse flat in Lincoln's Inn to John Street in Oxford. It proved impracticable both to practise in London and to study medicine, even for Roger, and the house in John Street became a home for many and all. He cannot have lost his legal touch for when being vivaed in his final medical exams, there came a time after about ten minutes when Professor Howard Florey, soon to be a Nobel Prize winner in Medicine and later the Provost of Roger's College at Oxford said : "Ormrod, I would remind you: We are meant to be viva'ing you. You are not meant to be viva'ing us." He became a houseman at the Radcliff in 1941 and joined the RAMC in

1942. He served in Normandy and North West Europe as DADMS 8th Corps. He was the first or one of the first doctors into the Belsen Concentration Camp, an experience which remained with him for ever although he almost never spoke about it. In fact he was able to save many of the lives of the people there incarcerated by introducing vital control over their nutrition and obtaining a very large number of blankets from German inhabitants of Celle nearby. After service in India he was demobilized with the rank of Major and returned to practice at the Bar from Fountain Court.

During the war, his chambers expenses like those of others in war service were met by the generosity of another member of Fountain Court, Baron Profumo.

Roger built up a substantial practice in divorce. He was a formidably quick thinker, extremely efficient and very thorough. His speed of work was prodigious. He moved with the Chambers to Queen Elizabeth Building which continued to be a stable for the judiciary following in the path of Lord Pearce; Lord Justice Phillimore; Lord Justice Dunn; Mr. Justice Comyn and more recently Mr. Justice Johnson, Mr. Justice Cazalet and Mr. Justice Connell. Chambers at tea time was a vibrant place where the anecdotes of the day in Court were repeated and reported with that easy fluent conversation and wry sense of humour with Roger always at the heart of the party. The acuity of his observation of others added piquancy to his power of narrative. The doctor/observer was never far

below the surface. There was no vanity in him. He was sublimely indifferent to the esteem in which he was held, and although he was deeply concerned about the quality of his work his true concern was for others.

It was not surprising that he should also be involved in medical negligence work, at which he excelled. He lectured in forensic medicine at Oxford University from 1950 until shortly after he took silk in 1958. He thoroughly enjoyed his time in silk but it was very short because in 1961 he became a Judge of the Probate Divorce and Admiralty Division. I recall one particular case that he conducted in silk which may serve as an example of his original thinking as well as of his typical application. A vicar was accused of misconduct in the vestry with one of his parishioners. There were two supposed witnesses. Roger required that he be provided with all the parish magazines for the period of time surrounding the alleged misconduct. A careful examination of these magazines identified the persons who had acted as servers at Holy Communion. The two supposedly shocked and offended witnesses proved to have been servers immediately after their alleged witnessing of misconduct. Their credit was thenceforward open to question. The vicar was acquitted.

Once on the High Court bench Roger quickly made a name for himself as a powerful, very quick and very discerning Judge. His profound knowledge of divorce law and of

human nature, in whose quiddities and oddities he was perpetually interested, combined with a speed and clarity of thought and permitted him to see to the heart of any problem. This earned him a reputation for very speedy justice. His difficulty was that his powers of perception and of reasoning were so rapid that his thinking was as far ahead as even most able advocates and far farther ahead than their clients. Professor Jeffrey Jowell will be able to give you a more objective judgment about his contribution to the law and to legal education in a few moments. All I would wish to say is that he was profoundly concerned with producing a fair result in all cases. He was determined that procedure should never obstruct justice. He recognised the futility and unnecessarily painful workings of much of the legal approach that he had had to practice and welcomed and was a leader in the new approach which gave preeminent emphasis to the needs of children and their mothers. Upon retirement he offered to draft a Children's Bill. It is perhaps a pity that that offer was not taken up.

His judicial approach reflected his very wide charitable interests and other concerns. In 1968 he agreed to become the Chairman of the Notting Hill Housing Trust which had been formed a few years earlier to provide decent housing for people with low incomes in the deprived area of North Kensington, lying to the north of his house in Aubrey Road. The Trust's campaign enjoyed considerable success in buying

large dilapidated houses and converting them into self contained flats for those unable to provide decent housing for themselves. But that very success created considerable difficulties for an inexperienced organisation. There were administrative and structural problems so often associated with rapid growth and the volume and visibility of the Trust's work made it the object of some political controversy. The Notting Hill riots occurred at about that time. There could have been few people with greater ability to provide the unquestioned stature, experience and political neutrality around whom and through whom the internal and external pressures could be contained and met. This was a daunting role for a High Court Judge to undertake with obvious risks of potential personal and professional embarrassment. Such was his skill and wholehearted devotion to the task which he discharged for the next 20 years that under his leadership the housing stock of that Trust rose from some 300 units to more than 7,500 when he left it in 1988 and the Trust was able to remain apart from political debate and get on with its job.

Roger was a Governor of both St. Bartholomew's and the Maudsley Hospitals. He was Honorary Professor of Legal Ethics at the University of Birmingham and a regular visitor to many Universities and places of education. He was the Chairman of the British Post-Graduate Medical Federation. With Sir David Napley and Professor Francis Camps he recognised the problem of obtaining independent expert opinions and the further

problem of poor cross fertilisation between medicine, science and the law, and this led to their joint founding of the British Academy of Forensic Sciences. He was the Chairman of the Committee of Management of the Institute of Psychiatry for many years and was accorded the unique distinction as a High Court Judge of Fellowship of the Royal College of Physicians in 1969 just over 4 years before he was elevated to the Court of Appeal.

Once in the Court of Appeal, the full breadth of his wisdom and radical leadership in divorce law became yet more apparent. Again for an appreciation of his contribution to the law and legal education I will defer to Jeffrey Jowell and will leave you with a few final memories and thoughts: when in need of refreshment from the law he went particularly to Withypool where he and Anne built a house overlooking the River Barle in the heart of Exmoor. He was always very much at home there and in the more remote parts of England and Scotland. If he had any extravagant characteristic it was either his love of special cars, notably his gold Alvis coupe or his sublime indifference to the damage wrought by his Yorkshire Terriers. He was brilliant with his hands. He would have made an excellent joiner and therefore doubtless an excellent surgeon. Indeed it is probable that he would have excelled at anything to which he turned his mind. To those who knew him at home, he was always welcoming; never too busy to help; always modest; never pompous; and ever generous to those

in need. There can be few other households who for decades have provided many dozens of substantial food parcels at Christmas time for the poor and deprived of their area. We all miss a great man with an abundance of virtues and abilities who was a great Judge, a perfect gentleman, a great leader of a family that was not his by blood and a perfect husband for Anne.