Royal Road Test Update

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Abstract: an even further collection of anecdotes regarding falsified and exaggerated qualifications.

ROYAL ROAD TEST UPDATE

Brien Briefless-Cuesey and Kenneth Branagh of Walsh

Barristers: England is not the only country where the legal profession is overdone. Hungary swarms with barristers.¹ It is the ambition of the Hungarian peasant to make one of his sons an advocate, as it is the ambition of the Breton and the Irish peasant to make one son a priest. It is related of the son of a small farmer near Pesth, who was sent to the law school of that town, but who, either from the want of parts or application was plucked in the qualifying examination, that not daring to return home empty-handed after all the money that had been spent upon his education, he forged a legal diploma. The father was not, however, so ignorant as not to be aware that such diplomas are always written on dogskin parchment in Hungary. “Why is your certificate not made out on dogskin?” asked the old man. “The fact is,” replied the youth, “there are more barristers than dogs in Hungary, and so there is not enough dogskin to make diplomas for all of us.”

Willock, Legal Facetiae (1887) 419

TRUST ME, I'M A LAWYER

It has been a vintage year for frauds and assorted con artists. We recently saw the jailing of a young woman who passed herself off as a successful barrister after attending lectures and tutorials at the Melbourne University Law School. The accoutrements of fraud included commissioned fake degrees and a practising certificate from the Victorian Law Institute. All we at Bar News know is just what we read in the newspapers and given the emphasis by the papers on the young woman attending lectures, tutorials and faculty social functions without being enrolled in the Law faculty we make the observation, having gained our legal education at the other place, that if enrolment at Melbourne is anywhere near as horrendous as it is at Monash, who can blame her for skipping enrolment? We make the further observation that her fraud/fantasy was bound to come unstuck when she sought to clothe herself as a “successful barrister.” What a giveaway! As is commonly recognized

¹ We understand that these days Victoria swarms with hungry barristers.

* Research assistance by Bar nerd de Shonk is gratefully acknowledged by the authors.
these days, successful barristers are about as rare as sincere politicians, truthful used-car salesmen, honest real estate agents or even modest Foreign Ministers.2

At the time of writing a one-time lecturer at RMIT and the Police Academy is awaiting sentence after being found guilty of perjury in the County Court on the basis that his claimed law degree from London University is but a figment of his imagination. We note that the lunchtime Essoign Club wags - they are a droll lot - are arguing and laying wagers over who was being referred to in the Australian's headline: “Bogus” lawyer in court.3

Notwithstanding the spate of lawyer jokes - you've heard the one about the kid in grade school who told his class (and his teacher) that his dad played piano in a whorehouse because his dad had been too ashamed to tell his own son that he was a lawyer - there seems no shortage of non-lawyers desiring to pass themselves off as lawyers. The latest to come to light is Steven Welchons, who for two years held down the position of deputy public defender in Wampsville, NY State, and represented over 1,400 defendants of which, so far at least one hundred are seeking a retrial of their cases.4

In an effort to dislodge some pesky journos in hot pursuit, the award-winning writer Helen whatsername claimed to be a lawyer with wide courtroom experience and quite capable of assessing the weight of evidence.5

MORE DUBIOUS QUALIFICATIONS

This year saw the publication of Michael Crick's unauthorized biography6 of Lord Archer of Weston-Super-Mare7, better known as Jeffrey Archer, reputedly the highest-paid author in the world. Crick documents the discrepancies between reality and the myth and misstatements (mostly of Lord Archer's own making) regarding the antecedents and

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2 The Age (July 29, 1995) 3; The Herald Sun (July 28 and 29, 1995) 1.
4 Curriden, “Impostor lawyer fools many”, ABA Journal 14 (September 1995).
6 Jeffrey Archer: stranger than fiction reviewed by Davie, “Underneath the Archer”, The Age Saturday Extra (July 8, 1995) 7 and Hawker, “Why Archer might have been off-target”, The Sunday Age (August 6, 1995) Agenda 8.
7 What a gobstopper that is! - it sure beats Briefless-Cueseys.
biographical detail of his life concluding that Lord Archer’s “own life is a more compelling story than his own fiction.”

We hope that none of our readers were tempted to purchase a computer on a “pay now, wait for delivery” basis from Osborne Computers which has gone belly up leaving such trusting consumers in limbo. A check by Computer Age on the company returns lodged by Osborne Computers for 1992-93 and 1993-94 revealed apparent discrepancies in the details provided by Osborne’s MD John Linton. In the documents lodged with the ASC, Linton lays claim to a B Ec(Hons) from Sydney University and a B A from the University of Melbourne. Neither institution has records of a John Linton with these degrees and when Computer Age attempted to contact Mr Linton they were unsuccessful.  

NAMES

Almost forgotten in the recent brouhaha concerning the judiciary in Vanuatu is that Charles Adolphus Vaudin, a British barrister en route to the position of Vanuatu’s Chief Justice alighted from the `plane in the previously joint French/British colony of New Hebrides as Chief Justice Charles Adolphus Vaudin d’Imecourt, a name almost certain to gain the confidence of the ruling francophone population and get up the noses of the anglophile Opposition. Whether the name change was brought about by traversing the Equator or the International Date Line or both we are unable to say.

INTERVIEW YOURSELF

Last year, in a remarkable week for autohagiography, the publication of Bob Hawke’s Memoirs was topped by a columnist (who each week interviews a mover and shaker in our society), interviewing himself.

The present Professor of Poetry at Oxford is James Fenton. In 1994 Fenton told an interviewer that he had made two key contributions to his campaign for the Oxford preferment (elected by the Convocation of graduates). Fenton had failed in 1984, did not stand in 1989 and in 1994 was determined to win. One of the key contributions was to plan a party, in his garden, to be held on the second (and final) day of voting. (“Of course it was a vote-rigging exercise,” Fenton says. “You think I don’t know how to vote-rig?”) The other

8 Cookes, “Queries on records”, (July 4, 1995) 29.
was to allow himself to be interviewed in the *Times*. The interview included this vote-winning exchange:

**Q:** [The Australian poet] Les Murray, who I suppose is your main rival, told another paper that he had heard that the duties of the professor of poetry were not particularly onerous. Is that your impression?

**A:** I saw that article. . . . I have to say that it made me think that Les Murray had been very badly advised. First of all, it seems insulting to imply that the job you are standing for is a doddle. Secondly, it is very much in my mind that the task of writing fifteen worthwhile lectures on poetry is not to be taken lightly.

It is important to know that the questions as well as the answers were Fenton's. The *Times* was somehow persuaded to allow Fenton, quite openly, to interview himself. This was a "filthy trick", Fenton says merrily. He is capable of making the display of avidity seem endearing.\(^\text{11}\)

**PURCHASED QUALIFICATIONS**

A recent advertisement in the *Weekend Australian* advertises for sale:\(^\text{12}\)

**Noble Title / Knighthood** (Religious Order)

Unfortunately, further information can only be obtained by sending $25 to an address in Leichhardt NSW. For the $25 we receive (in addition to the comprehensive report containing the history and price of the honour) a sample issue of *The Distinguished Gentleman* (an entrepreneur's journal). It's just too bad that those two glasses of Essoign house red last Thursday completely blew the whole of this year's *Bar News* budget for investigative expenses, otherwise we'd provide our thirsty readers with the good oil on this superb investment. Us - we'd prefer to put the $25 towards one of the guaranteed turf investment systems advertised in the old *Truth*.

Recently at the Southwark Crown Court two entrepreneurs, Stefanos Kollakis and Martin Lewis, received non-custodial sentences after pleading guilty to flogging off royal titles to gullible Americans. Victims included New York attorney Jeffrey Schnepper who "purchased" the title of Lord of Bradley and the Moors believing it entitled him to share a carriage with Queen Elizabeth II in the Queen Mother's birthday celebration procession. The scam was

\(^{10}\) “Driving each other crazy”, The *Sunday Age* (August 21, 1994) Agenda 4.

\(^{11}\) Parker, "Auden's heir", The *New Yorker* (July 25, 1994) 62 at 64.

\(^{12}\) (March 25, 1995) page 15.
well organized with the defendants creating the Institute of Heraldic Affairs, a firm of solicitors, and the National Office of Heraldry to reassure wary "investors".\textsuperscript{13} We offer the suggestion that the two miscreants escaped gaol because the sentencing judge was persuaded that ripping off credulous American lawyers was a "victimless crime."

The \textit{Age} has reported on unqualified pilots gaining qualifications by bribing their flying instructors.\textsuperscript{14}

\textbf{SELF-CONFERRRED QUALIFICATIONS}

In Victoria we have recently seen the resignation from the Aboriginal and Torres Strait Islander Commission of a Commissioner whose "aboriginality" was disputed by Victorian aborigines. The resignation forestalled continued investigation but not before his sister declared he had no more aboriginal blood in his veins than she did and she had none.

This year's Anzac Day parade in Gulgong NSW was led by the highly decorated Brigadier Gilbert Richard Barrow. In answer to a parliamentary question, the Defence Sciences and Personnel Minister Gary Punch said that Mr Barrow was "not entitled to wear any medals and has never served with the regular army ..."\textsuperscript{15}

US Marine Corps Captain and Judge Advocate Jeffrey Zander was exposed when it was learned that he had awarded himself numerous medals for bravery including the French Croix de Guerre and overcome the problem of Bar admission by adopting another lawyer's Californian Bar Admission (Zander has graduated as a lawyer but has not passed the Bar admission necessary to practise).\textsuperscript{16}

Notwithstanding the ALP affirmative action policy, the second-placed ALP Queensland Senate ticket candidate Jeff Slowgrove withdrew following admissions that he had three drink-driving offences against his name and that he neither possessed a B A degree nor

\begin{itemize}
\item \textsuperscript{13} Kennedy, "Pair face court over royal title swindle", The \textit{Weekend Australian} (April 29-30, 1995) 14.
\item \textsuperscript{14} Ewing, "Flying instructor jailed for selling exams he filled in", (April 19, 1995) page 7.
\item \textsuperscript{16} Caplan, “The Jagged Edge”, 81 \textit{ABA Journal} 52 (March 1995).\
\end{itemize}
had he graduated from the University of New South Wales as the party had been led to believe. We are of the view that neither of these "problems" is a bar to political representation and indeed, feel that the combination of both is unbeatable. Should there be any doubt that the would-be candidate is eminently suited to represent the good folk of Queensland we offer the following from the torrid questioning of Mr Slowgrove by journalists following his withdrawal from the Senate ticket:

Yes, I do have one daughter.
No, I am not married.
But No, she is certainly not illegitimate. She is legitimately mine and I love her.
Yes, I guess I have to say that I'm not a perfect person.17

In 1991 Forbes magazine slapped Bruce McNall, owner of the LA Kings hockey team, movie producer, chairman of the National Hockey League and one of LA's top power brokers on the wrist for garnishing his resume with bogus graduate work at Oxford University and fictitious past partnerships with Howard Hughes and J Paul Getty. Upon being queried he admitted "No question, I do embellish, no question," bobbing his head and flashing a sheepish grin.18

One of the persons behind the discredited BCCI bank was Sheikh Gaith Rashad Pharaon who insisted on being called "Doctor" Pharaon. His detractors noted that while others may give you the title of "sheik", you take it reluctantly, you don't assume it yourself. His aides pointed out discreetly that their boss had a Ph D from the Harvard Business School - a not very subtle reminder that the only other well-known Saudi businessman Adnam Khashoggi was a college dropout. In fact, Pharaon's Harvard degree was an MBA, but few people bothered to check. Former associates explain that Pharaon favoured the title "Doctor" because it was used by men like Henry Kissinger and Armand Hammer, although they, of course, had earned their degrees.19

17 Meade and Harris, "Senate candidate quits over drink-driving", The Australian (March 30, 1995) 3.
18 Burrough, "Raider of the Lost Art", 57(4) Vanity Fair 34 at 36 (April 1994).
19 Truell and Gurwin, False Profits: the inside story of BCCI, the world's most corrupt financial empire (1992) 37, Beaty and Gwynne, The Outlaw Bank; a wild ride into the secret heart of BCCI (1993) 54 and 171-173.
MORE NAMES

During the trial of William Remington in the heat of 1950s McCarthyism in America the Federal prosecutor Irving Saypol cross-examined a defence witness regarding his decision to "anglicise" his name from Rothenburg to Redmont. Remington's appeal was upheld on other grounds and thus the Court of Appeals criticism of the cross-examination is only *obiter dicta*. What the trial jury was unaware of was that the prosecutor conducting this cross-examination came into this world as Ike Sapolsky.

Adoption of a new moniker does have advantages. The donor of the Delacorte Fountain in New York's City Hall Park, whose family had immigrated from Russia, contributed two other fountains to the city, as well as the Alice in Wonderland statue, the clock with the dancing animals, and the Delacorte Theatre, all in Central Park. Once when he was asked why he had changed his name to one ending in "Jr", he explained, "When your name is George T Delacorte Jr, no one asks what your name was before it was George T Delacorte Jr."

DENIAL OF PREVIOUS ASSERTIONS

Carl Laemmlle is said to have created the first "name" actor when he planted a story in the *St Louis Post-Dispatch* that Florence Lawrence, previously known only as "the Biograph Girl", had been killed by a trolley car, and the next day took out an ad in the trade publications denouncing his own plant as a vicious lie.

US professional basketball player Charles Barkley published his autobiography *Outrageous* and then charged that he had been misquoted in his own book.

PUBLISH or PERISH - PUBLISH AND PERISH?

American author and alumnus of the Citadel (and supporter of Shannon Faulkner's fight to enter the males-only State Military College) Pat Conroy describes his introduction to publishing at age 24 as a public school teacher in South Carolina:

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23 Deford, “Barkley's Last Shot”, *58*(2) *Vanity Fair* 102 at 105 (February 1995).
I will tell you of the first book I published. . . . It was called *The Boo*, and it was about a guy named Colonel Courvoisie at the Citadel who was nice to me as a boy. I took the finished manuscript to him . . . and he looked at me and said “Bubba, you’re an English major. How do we go about getting this book published?” I said, “Colonel, I have no idea.” Puffing on his cigar, he said, “Let’s have a look in the Yellow Pages.” Under “Printing” I found an ad for the Albion Printing Press - business cards, invitations, books. So I went to see them and said, “I wrote this book. I’d like to get it published.” They said, “That’d be fine. For $2 000 we’ll give you 500 copies.” Then I went and got a loan from the Bank of Beaufort, and I published the book. I would have published my next book, *The Water is Wide*, the same way, but someone suggested I call the agent Julian Bach in New York, and I did, and he took me on. Then one day Julian called to tell me Houghton Mifflin wanted to publish the book. He said, “Here’s the great news, Pat. Seventy-five hundred dollars!” And I said, “Julian, I don’t think I can raise that much money.”

Among the multitude of sins being attributed to the award-winning writer Helen whatsername is lifting a Patrick Cook satire from the *Bulletin* and having it published as hers in the Queensland University student paper *Semper Floreat*. We don’t consider this a hanging offence given that nobody ever reads student rags and in Queensland, a state populated by persons who spell “beer” as “XXXX”, we doubt many are able to or desire to read the *Bulletin*.

**NO FALSE MODESTY**

The French sculptor Jacques Lipchitz liked the food Gertrude Stein served at her receptions. He also enjoyed her self-regard; she asked him: "Jacques, of course you don’t know too much about English literature, but besides Shakespeare and me, who do you think there is?"

When growing up in Los Angeles as the son of the West Coast comptroller for Columbia Pictures, Tony Blankley was a gifted violinist and, he says, a mediocre child actor. In the 1956 boxing movie "The Harder they Fall", Blankley played opposite - well, in the vicinity of, at least - Humphrey Bogart. Bogart was dying of cancer at the time, and Blankley likes to tell people, with mock pomposity, "Bogie and I made our last picture together."

Two years ago, when asked to nominate a "Book of the Year" for the *Daily Telegraph*, English author Jeanette Winterson chose her own fifth novel, *Written on the Body*. In March 1994 when the *Sunday Times* asked her to select her favourite author, Ms Winterson chose

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26 The *New Yorker* (January 9, 1995) 24.
herself saying "No one working in the English language now comes close to my exuberance, my passion, my fidelity towards the language."\textsuperscript{27}

**SELF-CONFERRRED QUALIFICATIONS**

Discredited Wall Street inside trader Ivan Boesky constantly tried to burnish his resume and family connections in conversations with New York colleagues. He often implied that he had graduated from Cranbrook, a prestigious prep school outside of his native Detroit (he attended for two years though he didn't graduate), and the University of Michigan (again, he was enrolled but did not graduate). Others assumed he had attended Harvard, since Boesky made so much of his Harvard Club membership. Boesky graduated after five years (twice dropping out) at the Detroit College of Law, a low-prestige law school that didn't require a college degree for admission. Every law firm he applied to turned him down and his father made him a partner in the Brass Rails - a chain of bars which had introduced topless dancing and strip shows to boost profits and which, according to critics, had hastened the decline of their neighborhoods.\textsuperscript{28}

Boesky was enormously proud of his Harvard affiliation - it offered the establishment respectibility he craved. The club is independent of the university although membership is restricted to Harvard graduates, faculty members and faculty-level appointees. Boesky gained admission through the most arcane route imaginable: he donated heavily to Harvard's least-known graduate school, the School of Public Health, and had been named to the school's board of overseers, a "faculty-level" appointment. Boesky bought his way into the Harvard Club.\textsuperscript{29}

With apologies to those readers who have OD'ed on the OJ trial in California, we note from the \textit{Age}\textsuperscript{30} that the pioneering US psychologist and leading expert on battered women, Dr Lenore Walker, will be testifying at the trial. What has got the womynists' knickers in a knot is that she will testify for the "wrong" side - the defence. What should enrage lawyers, logicians and philosophers is the basis of Dr Walker's testimony: wife beaters are not necessarily wife murderers. To be paid an estimated $50 000 for stating the obvious would seem to be a nice little earner. Having got the women's movement offside, the more militant feminists are carefully releasing discreditable facts regarding the turncoat's background. Presumably these facts were less important before her treachery and selling out to the OJ

\textsuperscript{27} Rocco, "Winterson's Discontent", \textit{58}(2) \textit{Vanity Fair} 98 at 100 (February 1995).

\textsuperscript{28} Stewart, \textit{Den of Thieves} (1991) 40-42.

\textsuperscript{29} \textit{Ibid} 110.

\textsuperscript{30} Reed, "Women's anger on the boil as psychology takes a battering", (February 17, 1995) page 13.
defence. While her cv lists herself as holding a post at the University of Denver's School of Professional Psychology, that school's dean has no knowledge of any affiliation with her.

MORE SALES TO MUGS

While we are unable to report further on the importuning of the International Parliament for Safety and Peace, Honorary Doctorates Department, we are able to relate the most recent missive from Jocelyn Timothy of the International Biographical Centre announcing the publication later this year of the third edition of *International Leaders in Achievement*. They have already allocated space for our biography and photograph to provide "permanent recognition not only [of our] various achievements but also to [our] personal philosophy of life, which will act as a stimulus for others." While there are no glaring acceptional spelling errors in the latest letter, we can only wonder whether her use of "embellishments" is a telling Freudian slip. There is a specially-commissioned Certificate of Authenticity to celebrate our gullibility in coughing up US$190 (Standard edition), $295 (Luxury edition) or $595 for the Royal edition. Given that this new edition will list the "thousands of [our] fellow achievers", we hope that not all of them will order the Royal edition which is "limited to 100 copies."

The standard edition is bound in cloth which does not square with the promise of fine quality leather made by Ms Timothy in her letter. This standard edition is available to biographees, professional libraries and research institutions worldwide and comes with a personalized Certificate of Inclusion. This causes us to wonder just who is nominated on the personalized Certificate when the purchaser is, say, a professional library? Who is it that gets to have their name embossed (in gold) on the front cover?

The luxury edition is bound in elegant *simulated* leather, while the Royal edition is bound in *real* leather and supplied in a matching fleece-lined slipcase together with traditional bookplate. This is debasing the language - leather is leather just like pigs is pigs - or is it possible the slipcase is lined with simulated fleece?

Lawrence Money’s “Spy” column in the *Sunday Age* of February this year (we hesitate to list those members of the bar who have featured in this column given the propensity of the
Bar News editors to suffer from runny noses and worse at the mere whiff of a libel suit) reports this advertisement from the Far East Economic Review:

British Lordship for quick sale at a price of £18 000 or nearest offer. Excellent lineage, well-respected title with no debts attached. Many documents included in the sale, many of which are dated 1688 to 1888. Allows you to legally use Lord in your name and can be held by any individual or race. The purchaser will be the eighth lord and the title is fully inheritable.

[We interpolate to recollect the 1960s footballing Lord twins playing for Geelong, and believe a representative of a newer generation is in the current lineup - presumably these persons legally use Lord in their names! A further aside for those too impatient to await the CJ’s nod or perhaps fear that the AG may abolish the rank of Queen’s Counsel is the use of the double-barrelled surname - the one-time British Labour MP (1974-1986) and now BBC TV presenter and Times columnist Robert Kilroy-Silk may provide inspiration. We are of the view that Briefless-Jay rolls smoothly off the tongue - better still, how about Briefless-Seajay?]

In a later “Spy” snippet, Money asserts that enquiries have been received from some curious would-be peers. He coyly neglects to inform us whether these include the “Doctor” who ceased describing himself as such only after receiving discreet (and wise) Bar Council advice and was saved only by the editors’ fear of defamation litigation from being included in the original article.31

FALSE ADVERTISING

The pages of Bar News - an august journal of record - are perhaps not the proper place to discuss Miss Kylie Minogue’s Gossard “Wonderbra” - two journalists (Lisa Cooke and Joal Ryan and we sure as hell hope that the second-named is female, but then again, they both hail from California - who knows?) actually tested this device and concluded that the agony outweighs the ecstasy.32 This brings to mind the new BOD line of men’s athletic underwear whose designer John Andrews was quoted:33

I designed all my boxer shorts to have a fitted bra pouch. . . . Also, it’s quite flattering for a guy to have a little bit of a noticeable bulge.

31 89 Vic BN 85 (Winter, 1994).
32 “Stick that up your Wonderbra”, The Summer Age (January 2, 1995) 3.
33 Huntingdon, “Pad the Parcel”, The Age Saturday Extra (February 25, 1995) 14.
In fact, designer Andrews may well be able to enter into a joint venture with Los Angeles custom menswear designer Brian McKinney who seeks to address the problem of where the stylish male can park a mobile ‘phone without spoiling the line of his designer duds\textsuperscript{34} - Is that a ‘phone in your pocket or are you just glad to see me?

The idea of wearing your mobile ‘phone inside a pair of John Andrews’ boxer shorts may save money for Australia’s medical health scheme Medicare. AAP reports\textsuperscript{35} that Britain’s National Health Service has added a new and novel procedure to its list of state-subsidised surgical operations: penis enlargement to ease the mind. While the NHS had previously only paid for the operation for men who had suffered accidents or infections, it has recently permitted two married men to become the first in Britain to claim the £3 000 operation on the NHS for psychological reasons. These men were suffering from “Locker room syndrome” and were unable to undress in front of other men for fear of being laughed at.

Having gone this far we can relate how the now defunct Oz magazine credited Mick Jagger with introducing the male falsie to Australia although it was unsure whether the item was a Coke™ bottle or a cucumber.

**CONCLUSION**

Everybody’s doing it - exaggerating their attributes. Those who don’t will be left behind and because of the universally recognized exaggeration, all qualifications - legitimate and otherwise - will be devalued. Thus our recommendation is a paraphrase of Captain Yossarian’s response to Major Major’s question of what if everybody did it.
- *Then I’d certainly be a damned fool not to do it myself. Wouldn’t I?*

\textsuperscript{34} Roberts, “Calling all fashion victims”, The Age Saturday Extra (April 15, 1995) 14.

\textsuperscript{35} “A big breakthrough”, The Age (June 6, 1995) 10.
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