

An address by Vibert Lampkin delivered to the church of St. Edward the Confessor Catholic Church on Wednesday, May 30, 2018

When I was invited to speak to you, I was in a quandary to know what I could say that would be of interest to a group of middle-aged, Church-going, up-standing Canadians. The President of your 55 Plus Group said I could speak on any subject I chose and then she gave me a hint – I could speak of my native land, I could speak of myself, I could speak of my work. That involves a lot of history.

Guyana, formerly British Guiana, where I was born, is the only English speaking country on the mainland of South America. It has Spanish speaking Venezuela on its western border; Dutch speaking Suriname on its eastern border; Portuguese speaking Brazil on its southern border and the Atlantic Ocean on its northern border. It is the only country in South America that was invaded and captured by the British three times. The third and last such invasion was in 1803, when it was won from the Dutch. A capture that was confirmed at a treaty in London in 1814.

Guyana is the home of El Dorado, the mythical city of gold, which Sir Walter Raleigh and others have searched for in vain since the 1500's. It is fair to say that Guyanese have long since given up the hope of ever finding it. But there is gold in them Thar Mountains and gold mining is a major industry today. There are also precious stones and manganese as well as bauxite and timber. Lots of timber. Since Brazil has been cutting down its rain forest, Guyana has the only sizeable bit of rain forest in the world.

"Guyana" is an Amerindian word meaning "land of many waters". There are mighty rivers in Guyana, and the three counties – Essequibo, Demerara and Berbice - which were formerly distinct colonies, take the names of the main rivers that flow through them.

The Essequibo River, the largest river, has 365 islands in it, two of which are larger than Barbados. It has room to accommodate all the islands of the former British West Indies, including Jamaica. Essequibo is the wealthiest county. Within the past few years oil has been discovered off the coast of Essequibo. It has not started to flow but it will bring enormous change to the country. Kaieteur Falls, five times the height of Niagara Falls, is in the county of Essequibo. It is on the Potaro River, a tributary of the Essequibo River. Venezuela has laid claim to the County of Essequibo which constitutes 2/3rds of Guyana, alleging that the British stole it from them. That claim will be settled by the World Court to which the issue has been referred by the United Nations.

The most important county is Demerara. Georgetown, the capital of Guyana, is at the mouth of the Demerara River. Demerara sugar and Demerara rum are world famous. You can tell that Georgetown was built by the Dutch, those great reclaimers of land from the sea. It is 5 feet below sea level. The Atlantic Ocean is kept out by a concrete wall known to lovers as "The Sea Wall" that runs for miles and miles, and by a system of dykes and kokers.

The third county is Berbice, which takes its name from the Berbice River. The economy there is dominated by the rice industry, but oil has recently also been discovered off the coast of Berbice.

The area of Guyana is 83,000 square miles. Larger than the Provinces of Nova Scotia, New Brunswick and Prince Edward Island combined. But the population is small. It has always

hovered between 750,000 and 800,000 people. 90 per cent of the population live on 2 per cent of the land along a thin fertile coastal strip bordering the Atlantic Ocean.

Guyana is also known as the land of the six peoples. Amerindians, the first inhabitants; Europeans, being descendants of the British, Dutch and French; Africans or Blacks, being descendants of slaves; Portuguese, who were brought in from Madeira to replace the former slaves beginning in 1835, after the abolition of slavery in August 1834 when the former slaves no longer wanted to work on the plantations; East Indians, who came between 1838 and 1917 and who built up the sugar and rice industries; and Chinese who came in 1853 but who, like the Portuguese, did not prove suitable for work on the estates. This of course led to some comingling among the groups. The result is that many of us are mixed. I am mixed with English and Chinese. But I have first cousins of Portuguese and East Indian ancestry. My wife Lorna is even more cosmopolitan. She has Amerindian, English, Scottish, Dutch and African blood flowing in her veins.

So you see, we started experimenting with multiculturalism long before Pierre Trudeau dreamt of it in the 1960s. Indeed long before Canada became a country by the passage of the British North America Act in 1867.

With that background, I will now tell you about myself. I would like to track my life through the eyes of *Jacques* in Shakespeare's "AS YOU LIKE IT" when he said:

**All the world's a stage,
And all the men and women merely players:
They have their exits and their entrances;
And one man in his time plays many parts.
His acts being seven ages. At first the infant,
Mewling and puking in the nurse's arms.**

My parents were David and Rosalie Lampkin, born Carter. They were opposites in some respects. My father was the youngest of five children, four boys and one girl. My mother was the eldest of five children, four girls and one boy. My father was a staunch Anglican. My mother was just as staunch a Roman Catholic.

I was born on 14 April 1933. There was nothing remarkable about my birth apart from the fact that I was born on Good Friday. I was the first born of my parents and the first grandchild on my mother's side of the family. I was delivered at the home of my grandparents Kemp Ridley Carter and his wife Gertrude Beatrice Carter in Kitty, then a village that bordered Georgetown on the east. I grew up - as we all did - calling the Nurse-Midwife who delivered me "Aunt Mimi". She always wore a scrupulously clean, stiffly starched, white uniform and carried a medical bag. I smile sometimes when I hear the debates here in Ontario about only doctors being allowed to deliver babies. Like all babies, I am sure that I mewled and puked in my nurse's and my mother's arms.

Jacques continues:

**And then the whining school-boy, with his satchel
And shining morning face, creeping like snail
Unwillingly to school.**

I don't think I was a whining school-boy. In my early primary school days I attended the school in Georgetown where my father was a teacher. He towed me to and from school on his bicycle. There was no opportunity to creep unwillingly to school. When I was about six years

old, my father acquired a new radio. It was probably his first radio. Everyone had an hour and a half for lunch and everyone went home for lunch. That Friday afternoon after lunch, he decided that he wanted to tinker with his new toy. He would cut his time as fine as possible to get to school on time so he said I should walk the mile or so to school. This was over the vociferous objections of my mother. I knew the way but I had never walked the distance alone. I could see my mother now waving to me as I set out. Around the corner from my home I had to walk along a bus route. I had been taught to walk facing oncoming traffic. There was no sidewalk. I saw a bicycle coming towards me. Behind him was a bus. I went further onto the grass border. The bicycle followed me. To go further meant I would have to go into the ditch filled with water. I had nowhere to go. The cycle knocked me down. It had a metal carrying case in front and a type of hook on which to hang a lamp. The hook dug into my chin. I still bear the mark, nearly eighty years later. I must have been picked up by a passing car and taken to hospital. As I was less than two blocks from home, witnesses in the area knew me and my parents were notified. I was stitched up at hospital. My father came to collect me. I don't think he has ever lived it down!

Later when my parents separated, my mother took my sister and me to live in her mother's home. I then attended St. Winifred's Roman Catholic Elementary School in Kitty where I was less than an average student and History was my weakest subject. All the History taught in the Elementary Schools came from a little book called 'The Children's Story of Guiana' authored by Guy DeWeever, himself an elementary school teacher. It covered less than 70 pages including a Glossary and photographs.

In September 1944, at the age of eleven, I entered St. Stanislaus College, the Roman Catholic Boys School administered by the Jesuits. In those days, unless you had won a scholarship – and I was no scholarship winner - your parents had to pay school fees for you to attend high school and purchase the necessary books.

I was an ordinary, middle of the class, student but I took to Latin immediately. At the beginning of term in January 1948, fourteen years old at the time and the second youngest in the class, I realised that I would be taking the General Certificate of Education (Ordinary Level) of the Universities of Oxford and Cambridge in June 1949. 18 months away. Guyana did not have a University of its own – nor indeed was there a University of the West Indies. Students from the British Caribbean took examinations set and marked by Universities in England - either the University of London; the University of Cambridge; or the Joint Board of the Universities of Oxford and Cambridge. I decided I had to start pulling my socks up and get down to work. I made steady progress. From middle of the class, I pulled to within a few marks of No 1.

There is a story behind that. The Latin teacher was Father Boase, S.J. He was more a saint than a teacher. Very quiet and humble. He is residing now somewhere in heaven. There were some boys in the class who would not do his work. One boy in particular wanted to become a ship's pilot. Whether he passed Latin or not did not matter to him. His father had the means to secure his future. One day, while leaving the Latin class, I saw the tears in the eyes of Father Boase. I determined that if those guys did not do Father Boase's work, then I would. Every afternoon thereafter, when I went home from school, if I did not have to play cricket or football or train for athletics, I went for a walk of about 3 miles armed with my Latin Dictionary. Sometimes I would take my textbook of Caesar or Virgil or Cicero. By the time the examination came around, Rafiq Khan and I were the only two to earn distinctions in Latin but I was ahead of him. But he was so far ahead in the other subjects of English Literature, English Grammar

and Composition, French, Scripture and Geography, that, even though he was weaker in Mathematics, Physics and Chemistry, he was first overall and I a close second.

In those days the minimum standard for admission to University in England was matriculation or exemption therefrom. A student needed credits in five subjects at the General Certificate of Education (Ordinary Level) in order to earn exemption from matriculation, and it was mandatory that he must obtain credits in three of those five subjects – English Grammar and Composition; Elementary Mathematics and a foreign language. One classmate got his credits in five subjects alright, but he failed both Latin and French. No foreign language. No matriculation.

In September 1949 I entered the Sixth Form to prepare for the General Certificate of Education (Advanced Level) of the University of London in two years. Based on the results, the coveted Guyana Scholarship would be awarded to the best student in the country less than 20 years of age. You pick your three best subjects. For me it was Latin which included Roman History, Pure Mathematics and Applied Mathematics.

You might wonder why only three subjects. The standard is of the level of the Intermediate or first year of the Bachelor of Arts degree of any British University. In England, you needed only three subjects to obtain your B.A. In North America of course you need a whole slew of subjects. So we used to say that for the English B.A., you learn more and more about less and less, until you know everything about nothing. For the North American B.A., you learn less and less about more and more until you know nothing about everything.

I was not entered for the Guyana Scholarship in 1951. I knew there was no chance for me. It always came down to a contest between three schools - Queen's College, St. Stanislaus College, both of which were all boys' High Schools, and Bishop's High school which was an all girls' High School. Times have changed. Now all the High Schools in Guyana are co-educational. Queen's College usually won the scholarship because they could offer Physics, Chemistry and Biology at those levels because of Government funding whereas my school did not have that facility. We were limited to Latin, English Literature, French, Pure Mathematics and Applied Mathematics, which Queen's College could also offer. When the results came in August 1951, James Munroe of Queen's placed first and won the scholarship. He qualified as a heart surgeon and resides in Jamaica. John Searwar of St. Stanislaus was the first runner-up. He qualified as a Family Physician and resides in Saskatoon, Saskatchewan. The Jesuits had always produced the best Latinists and it was therefore not surprising that Searwar was ahead of Munroe in Latin. What was surprising was that an unknown upstart named Lampkin had got to within one mark of Munroe's Latin results and placed third in that subject in the country. We had all done the same three subjects.

The Principal, Father Scannell S.J., was ecstatic. Father Boase was ecstatic. Father Lynch S.J., the mathematics master, was ecstatic. Saints had not won the Guyana Scholarship since 1948. They felt the school had a strong chance to win the scholarship in 1952. I was only 18 and had another shot at it. They brought pressure on me to return to school. I resisted. By then my parents were divorced. My grandfather, a successful Pharmacist, had died 3 years before. The burden of carrying the family fell on my uncle, John Carter, a young Barrister. I felt as the eldest grandchild, I must leave school and make my contribution. My sister and all my other cousins, living under the same roof in my grandmother's home were at High School. Father Scannell offered me a scholarship for that final year. I was Deputy Head Prefect after John Searwar and would succeed to the Head Prefectship. I resisted all the blandishments. Then he played his final card. I remember his words well. "If I cannot persuade you to come

back to school, can I persuade you to return as an Assistant Master, to teach Latin and Mathematics to the middle school and still take a shot at the Guyana Scholarship?" It was a challenge but I accepted. No crazy before had ever done that. Work full time and study for the Guyana Scholarship. No crazy since has attempted it.

And so I started to teach at my *Alma Mater* in September 1951. That year I carried my full teaching load, teaching boys 4 and 5 years younger than I was and with whom I had been at school as a student. Only once was discipline a problem.

I studied for 5 hours every night: 7:00 p.m. to 12:00 midnight. 3 hours of Applied Mathematics, my weakest subject; one hour each of Pure Mathematics and Latin. That week in February 1952 when King George VI died, I thought I was going crazy. I was reading. Nothing seemed to be going in. So I had to take a break for a few days.

The examination was held in June 1952. My sister Doreen was writing her General Certificate of Education Examination (Ordinary Level) at the same time at another examination centre. On the morning of the first 3-hour paper in Applied Mathematics, it rained cats and dogs. A taxi was called to take Doreen and me to our examination centres. The day simply did not start out right for me. That paper was the most miserable examination paper I have ever written. I tackled what I thought was the easiest of the problems first. I got it wrong and could not find the error. On any given day I could have closed my eyes and done it. Matters did not improve. I must have scored only 50 per cent on that paper. I did not make the same mistake with the second paper a few days later. I went for the most difficult problems first: simple harmonic motion. Everything went well for me that day.

When the results were released in August, Sydney Jaikaran of Queen's College placed first and was awarded the Scholarship. He had done Pure Mathematics, Applied Mathematics and Physics. He qualified as an Orthopaedic Surgeon and was at Mount Sinai Hospital in Toronto for many years. He died about 15 years ago in Peterborough, Ontario. I was 1st in the country in Latin, 2nd in Pure Mathematics, one mark behind Sydney Jaikaran. But I had lost too much ground in that first Applied Mathematics paper and only earned a credit rather than a distinction. The time for winning the Guyana Scholarship on 2 distinctions and a credit had passed. Since 1947 every winner had earned 3 distinctions. Of the 10 candidates who had come up to the standard of the Scholarship, I was placed 6th in order of merit. Only a mark or two separated each candidate from the other. I was the only candidate from St. Stanislaus. Many believe that had I gone back to school for that final year and devoted all my attention to my studies, I would have won the scholarship. I don't think Father Scannell has ever forgiven me. One journalist, Donald Robinson, who had attended St. Winifred's Roman Catholic Elementary School with me and gone on to Queen's College, writing of the results in the Sunday Chronicle, the leading newspaper in Guyana, referred to the year 1952 as my *annus mirabilis*, saying that I had dumbfounded everyone, perhaps even myself, by writing the examination while being fully employed. He adverted to the fact that together with Denys Harewood who placed fourth, and Sybil Blair who placed eighth and won the first scholarship awarded for girls, we had earned for Kitty, the honour of having three students among the ten best under 20's that year. But then if I had won the scholarship, I would have pursued other goals and may well not have been speaking to you today.

The next year I applied for a scholarship to the University College of the West Indies. It was then a College of the University of London with a campus in Jamaica and the degrees earned were degrees of the University of London. After writing the examinations, the students were interviewed by the Principal and Vice-Chancellor of the University. I was still teaching.

The Principal and Vice-Chancellor told Father Scannell that the University would offer me a scholarship in Engineering. Father Scannell knew that I was only interested in a medical scholarship. Father Scannell told them it was medicine or nothing.

The University proposed a plan to the Government of Guyana. It was suggested that 7 scholarships be awarded, mine being the only one for medicine. Messrs. Jagan and Burnham had won the General Elections in April 1953. My uncle John Carter was a prominent member of the political party in opposition to Jagan and Burnham. He, Jagan and Burnham had all attended Queen's College and had known each other from their high school days. Burnham was the Minister of Education. He assured my uncle that the University's proposal would be implemented so that I looked forward to entering the University in October 1953. But that did not happen. The Government said they did not have money. They dropped the medical scholarship and awarded scholarships to some of the Arts and Science students. It has always been felt that the decision was politically motivated because I had campaigned for my uncle in the elections. Five months later, Britain suspended the Constitution, threw out the Government of Jagan and Burnham and flooded the country with money. But it was too late. My chance was gone.

Jacques continues in As You Like It:

**And then the lover,
Sighing like furnace, with a woeful ballad
Made to his mistress' eyebrow.**

Lorna does not know anything of what I will say and I still have to live with her so I won't say much. Suffice it to say that I used a ruse to meet her on the eve of my 18th birthday and she accepted my invitation to accompany her to the cinema the next day. Before that I used to eye her off, riding behind her as she rode to her high school, which was just three blocks away from my own school. Whether she knew it or not, I knew from the beginning that she was the girl I wanted to spend the rest of my life with. But I knew I had to make something of myself before marriage. And so she gave me the opportunity to complete my studies.

Jacques moves to the fourth age:

**Then a soldier,
Full of strange oaths, and bearded like the pard,
Jealous in honour, sudden, and quick in quarrel,
Seeking the bubble reputation
Even in the cannon's mouth.**

Well, I was never a soldier and have never served in the armed forces. But I remember very distinctly when the Second World War started. I was six years old. I was travelling from Mackenzie to Georgetown by a river steamer, the R. H. Carr. Mackenzie was the Town 65 miles up the Demerara River where the Demerara Bauxite Company, a subsidiary of Alcan of Canada, mined bauxite. It was my favourite place to holiday with my aunt and uncle who had no children of their own. And as the first grandchild, the first nephew, I always had the first choice. The steamer used to take all day to travel those 65 miles because it stopped along the river to pick up farmers and unload cargo and the longer it was on the river, the more I enjoyed it.

About 3:00 p.m. on Sunday, September 3, 1939, the R. H. Carr slowed and blew its whistle to attract the attention of the captain of another steamer docked at Diamond Estate,

about 2 hours out of Georgetown. Captain Benjamin of the R. H. Carr, known to all and sundry as "Benji", picked up his bull-horn and shouted to the other Captain. These were his words exactly: "Come to Georgetown. Come to Georgetown. Britain has declared war on Germany". At the same time he waved his hands gesturing to follow him. In later life I often wondered if they were going to steam out to meet the German U-boats which subsequently were patrolling the Caribbean Sea.

Since I was never a soldier, I will tell you of my entry into law. After the fiasco with the medical scholarship was over, my uncle John Carter, the barrister, and another family friend also regarded as an uncle, had a talk with me. My uncle's opening words were: "Boy, we all knew you wanted to study medicine and I always thought that your grand-mother had some money put aside for you. But it just isn't there. Why don't you consider law? It is cheaper and easier. Moreover, you can be articled to me and you won't even have to go to England. You can complete all your studies here".

By suggesting that I could be articled to him and complete all my studies in Guyana, he was signalling to me that I study for the Solicitors Examinations rather than the Bar Examinations. At that time there were two branches of the Legal Profession in Guyana and the rest of the British Caribbean, as it was, and still is, in England. Barristers-at-Law had to enter one of the four Inns of Court in London where they were trained and were required to eat a certain number of dinners with the Benchers of their Inn. Upon successful completion of the examinations set by the Bar Council, they are 'called to the Bar of their Inn' at which time the degree of Barrister-at-Law is conferred. They did not have to obtain a separate law degree from University. After the call to the bar, they enter the chambers of a senior Barrister for a period of pupillage of six months before being let loose upon the public to practise their profession. Barristers are generally advocates or 'court-room' lawyers hired to argue cases in court. The average student could complete his bar examinations in three to four years. Because there was a dearth of Solicitors in Guyana, Barristers were allowed to act as Solicitors in certain circumstances and to have articled clerks.

Solicitors are also lawyers but were considered the junior branch of the legal profession. They had to be articled for five years to a practising Solicitor before they could take examinations set by the Law Society of England. They are more 'office lawyers'. They see the clients, draft wills and agreements, transact real estate business and 'brief' barristers. The Solicitors' Examinations were regarded as tougher than the Bar Examinations which drove a British judge to state that "the Bar is the backdoor of the profession. Those who do not get through the Solicitors Examinations turn to the Bar". When I told that to my uncle, a Barrister, he said: "Yes. Ask him how he became a judge". That was because the Judges in England at that time were drawn only from the Bar, not from the Solicitors' branch of the profession.

By contrast, in Canada the legal profession is fused – as it is now in Guyana and the former British Caribbean - and lawyers qualify as Barristers and Solicitors. The lawyer is free to practise either as a Barrister or a Solicitor or indeed as both.

Law was the last thing I wanted to study. We already had one lawyer in the family. All I wanted to be was a ship's doctor. I thought long and hard about my uncle's proposal. I continued teaching for another year but I gave in.

In September 1954 I entered into Articles of Clerkship with my uncle for a period of 5 years, the normal period of Articles. If you had earned your law degree before Articles, the period was for 3 years. If you earned a degree during Articles, you may petition the High Court

to have the period reduced to 4 years. I decided that I must complete my Articles in 4 years. Lorna was not going to wait for me forever.

I took my first law examination in September 1955. The Intermediate LL. B. of the University of London as an external student- that is by private study without the benefit of University Professors and Lecturers. Fortunately for me my uncle had an extensive law library fully stocked with the All England Law Reports and the English and Empire Digest of cases going back to the seventeenth century. In addition I discussed points of law with my uncle. The results were published on December 31, 1955. Five were successful. I was one.

Under normal circumstances, I would have had to wait until June 1957 to take the first part of the Finals. But because my marks had been good, the University granted me permission to take the examination in June 1956 - in six months instead of eighteen. I was one of two successful candidates at the examination.

Four months later, in October 1956, I wrote the first part of the Solicitors Examination set by the Law Society of England. Another candidate, the brother of a magistrate, who had written that examination 4 times before, was also a candidate. Unfortunately he came down again and gave up after that. I was successful.

In June 1957 I was the only successful candidate at the second part of the LL.B. Finals. I could now stick those letters behind my name. The High Court granted my petition to reduce my Articles to 4 years. That left the final obstacle, the Solicitors Finals, regarded at that time as the greatest memory test in the world. 23 subjects. If you failed one, you failed all. I started to prepare to take the examination in October 1958.

As it happened, Lorna was a civil servant employed with the Government Information Services as a Schools Broadcast Officer. She was required to go to England for about a year for further training at the BBC. She left in February 1958, and returned in November. That meant my entire attention was devoted to my studies with no distractions. The results came on Saturday January 3, 1959. Both candidates were successful.

I was admitted to the Roll of Solicitors in Guyana by the Chief Justice on Saturday, January 10, 1959. My uncle and I practised as partners. We had a roaring general practice.

I remember an amusing case before a Magistrate. I was appearing for an unwed mother who claimed maintenance for the child from the father. Against me, appearing for the father was the most experienced Solicitor of the day and the acknowledged 'King of the Magistrate's Courts'. I led my client through the evidence proving access and that only the defendant had relations with her at the time of conception. My client was skilfully cross-examined. The defendant took the stand and denied that he had anything of an intimate nature to do with my client. I rose to cross-examine and asked a few innocuous questions. I knew it would come down to her word against his. There was no DNA testing in those days to establish paternity but I had a plan. Unknown to the Defence, I had arranged for the child, still a babe in arms, to be brought to court and kept out of sight. At the appropriate moment I signalled for the child to be brought in. I took the child in my arms and approached the witness. Holding the infant under his face so that he had to look at the child, I said to him: "Here. This is the child you say is not yours. Take it in your arms and swear before God that you are not the father." He did not take the child as I had requested. Instead he fainted. There was pandemonium in the courtroom. Court was recessed. He was revived and returned to the witness box. The Magistrate turned to him and asked: "So, what do you want to say now? That you are the father"? He feebly said: "Yes, yes, I am the father". Case over.

Solicitors, unlike Barristers, had to read income tax, estate duty and stamp duty laws for their examinations. I was Solicitor for the Executor of an estate in which a deceased civil servant had been granted a Government gratuity. The Tax Department claimed estate duty on the gratuity. I argued saying that since it was an *ex gratia* payment, no such duty was payable. They insisted on payment. I paid the sum and took the Tax Department to court to recover the sum paid. I argued the case personally both in the Court below and in the Court of Appeal. I relied on some English cases as there were no precedents in Guyana on the point. Both levels of court agreed with me. Many years later Chief Justice Luckhoo heard of the case. He told me I should have been around when his father, a former Chief Justice, had died because the Government had extracted thousands of dollars from the gratuity that had been paid to his father's estate.

In May 1966 Guyana became independent. Burnham, who had broken away from Jagan, was now the Prime Minister. He and my uncle had mended fences years before. In June 1966 my uncle was appointed Guyana's first Permanent Representative to the United Nations, Ambassador to Washington and High Commissioner to Canada, which earned him a Knighthood from Her Majesty the Queen. I inherited his practice.

I was already becoming somewhat disenchanted with the practice of law. I began to regard myself as a pariah. I was earning money from people who had been involved in criminal activity or whose marriages had gone on the rocks. I did my fair share and more of *pro bono* work, mind you. There was no Legal Aid in Guyana. But I wanted to do more corporate work. I also wanted to read for my Masters. And so in July 1967 we migrated to Canada. Everyone thought we were mad. I was a young successful Solicitor with a very healthy practice. Lorna was a very successful Businesswoman in her own right. I encouraged a young Solicitor to leave her firm and take over my practice. She subsequently became Chief Justice and Chancellor of Guyana. The first female Chief Justice and Chancellor in the Caribbean. She went on to be the first female Judge in the Caribbean Court of Appeal. Our life in Canada proved that we made the right decision.

I had to qualify in Canada. But it was not difficult. A year of Articles and a 6-month Bar Admission Course for which I hardly studied. Lorna said she never saw me take such an easy-going approach to examinations. I was more interested in the 1968 Olympics in Mexico City when the examinations were on. But I had done most of the work already having written the Solicitors Examinations of The Law Society of England. That little country, England, has given to the entire English speaking world, not only its language and system of government, but also its system of law.

I was fortunate to obtain Articles with Joseph Rosenfeld, Q.C., Senior Partner of Rosenfeld, Schwartz and Brown, a medium size firm in Toronto. After I was called to the bar in March 1969, I was invited back to my old firm where in 1973, I was admitted into partnership.

At first I did mainly corporate work and all the estate work in the firm. Between 1974 and 1977, I completed my Master of Laws degree in Business Law at Osgoode Hall Law School of York University. But Guyanese and West Indians started getting into trouble and were consulting me. You can say therefore that I backed into criminal law. From criminal law it spread to immigration and family law.

Only on one occasion did I feel there was any racism towards a client of mine. A Guyanese of East Indian descent had been found guilty of careless driving. I did not represent him at the first trial. He consulted me to argue the appeal. It was before a County Court Judge by way of trial *de novo*. That is the whole trial had to be gone through again. The principal

issue was the identity of the driver of the car which had collided with the complainant's car and who had left the scene. The accident had occurred during winter late at night and the lighting was bad. The complainant identified my client as the driver. She testified that the driver was black. I asked if she meant that he was a member of the Negroid race. She said: "Yes". I asked her if she knew the difference between an East Indian and a Black person as defined by her. She said: "Yes". I asked her to state some of the differences. Before she could answer, the judge chipped in with a wave of his hand saying: "They all look alike". I was furious. But I held my tongue. I was too young at the bar to risk being cited for contempt.

Apart from that one instance, judges have been extraordinarily kind to my clients. I remember one case in which a young Guyanese about 20 years old and another man had robbed a bank at knife point one Friday afternoon. The police caught the accomplice and he identified my client as the other person involved. The police went to his home to arrest him but he was not there. The Sunday night, 2 days after the robbery, he went to his girlfriend's apartment building and rang her number. She refused to let him in because she had heard about the robbery. He buzzed the superintendent and pretended that he was a repairman of some sort. He was let into the building. He went to her apartment and broke down the door. She had a female friend visiting. A quarrel erupted between him and the girlfriend. He picked up a knife. In the altercation she suffered a cut across her face. The police were called. He was caught, arrested and charged with assault with a weapon and the robbery. I was consulted to represent him on both charges.

I arranged with the trial co-ordinator to have the charges heard separately. He was dead on the robbery charge. I informed the investigating officer that we would be pleading guilty to the robbery charge but going to trial on the assault charge. Also I wanted to have the assault charge tried first. He had no criminal record. If he had pleaded guilty to robbery first and then gone to trial on the assault charge, the conviction for robbery would have been disclosed to the jury and that would have had a devastating effect on his credibility.

So we went to trial before a judge and jury on the assault charge. His defence was that he was waving the knife around and the girlfriend was accidentally cut. If the jury believed it was an accident or had a reasonable doubt about it, he was entitled to an acquittal. They accepted the evidence of the girlfriend and her witness. He was duly convicted. I did not recommend an appeal.

The judge ordered that he be committed to prison pending the preparation of a pre-sentence report. The matter was adjourned for 2 weeks. I visited him in the Don Jail the Sunday afternoon before he was sentenced. I advised him to expect a sentence of at least 6 months. And even a sentence of 18 months would not be out of order. The slash across the girlfriend's cheek had taken 17 stitches. Her career as a model was probably ruined. The judge was a tough judge. Two or three years before he had sentenced my client who had pleaded guilty to robbery of a taxi cab driver to 3 years in prison.

I went home that night from the Don Jail and prepared my submissions for sentence next day. The Crown was seeking two years less a day. I made no recommendation with regard to jail time but I spoke of his background and his antecedents, the fact that he had no criminal record and that he had already had a taste of prison life during the adjournment and that there were other alternatives to the Crown's recommendation. The judge ranted and raved that he should have been charged with attempted murder, aggravated assault or wounding, all of which carried much higher penalties. I feared the worst. When he pronounced a suspended

sentence and probation for 2 years, I nearly fell onto the floor. My client was not going to prison. But you win some. You lose some.

I arranged for the robbery matter to be dealt with in December of that year. By that time my client's mother had suffered a nervous breakdown as a result of his behaviour. She was hospitalised at an institution in Buffalo. I obtained letters from the psychiatrist and other medical practitioners treating her that it would be beneficial to her health for the family to be together with her over the Christmas holidays. Following the plea of "Guilty", I called the investigating officer as a witness. He testified that I had indicated to him more than a year before that there would be a plea of guilty to the charge of robbery. He admitted that there was nothing that prevented my client from leaving the jurisdiction before he had pleaded. He expressed the opinion that he would return if allowed to join in the family gathering in Buffalo. The Crown opposed the application to have my client go to the family gathering and wanted him sentenced immediately. The poor old Judge was in a quandary. He had never been faced with such a situation. He adjourned for an hour to consider the matter. No doubt he had a talk with his colleagues. When he returned, with some misgiving he agreed to adjourn the sentencing to January. I was told subsequently that the officer got into trouble with his superiors because of the testimony he had given. My client returned to face the music. The Crown and I made our submissions. My client was again very lucky. He was sentenced to only 6 months imprisonment. The sad end of this story is that some months later my client's mother committed suicide by jumping through the window of the institution in Buffalo. He has had to live with that on his conscience for the rest of his life.

Jacques describes the fifth age of man as follows:

**And then the justice,
In fair round belly with good capon lin'd,
With eyes severe and beard of formal cut,
Full of wise saws and modern instances;
And so he plays his part.**

Very little of that fitted me when I was appointed to the Bench. I had no 'fair round belly'. My inside was not lined with capon, a castrated cock fattened for the table. My eyes have never been severe. I would like to think they are kindly. I have never had a beard of any sort. I would like those who appeared before me to think that I was full of wise sayings and everyday examples. And I believe I played my part.

After I had been in practice for about 10 years, on two occasions certain influential persons suggested that I seek an appointment to the Bench. Even a Judge spoke to me about it. Almost every lawyer who goes into practice in England hopes to be appointed to the Bench. It is the crowning glory of his career. I felt that I was not ready. Late in 1981, my firm entered into negotiations to join a much larger firm. A third offer came forward to go on the Bench. Lorna and I spent Christmas in England to be able to think it through away from the fray, so to speak. We decided that the time had come. I sent in my application and was sworn in on September 29, 1982.

What are the qualities of a judge? Lord Denning, the most beloved English Judge of the 20th century, sets out some in his book 'The Family Story'. He writes:

"When a judge sits to try a case ... he is himself on trial before his fellow countrymen. It is on his behaviour that they will form an opinion of our system of justice. He is robed in scarlet

to show that he represents the majesty of the law". – I pause there to say that our judges wear much black, no doubt to denote the seriousness and the solemnity of the occasion. He continues: "He must be dignified so as to earn the respect of all who appear before him. He must be alert to follow all that goes on. He must be understanding to show that he is aware of the temptations that beset everyone. He must be merciful so as to show that he too has that quality which 'droppeth as the gentle rain from heaven upon the place beneath'.

Socrates defined the classic qualities as follows:

"Four things belong to a judge: to hear courteously; to answer wisely; to consider soberly; and to decide impartially".

Our former Chief Justice, Bora Laskin, had this to say:

"Imagine, if you will, that a man or a woman, has been appointed a member of a court. That person has joined an organization which, by constitution or by statute or both, has been given form, size and function. The position provides security of tenure, an assured salary, and a pension upon due retirement or after a prescribed number of years of service. It demands a stated length of experience in law which has been underpinned by educational qualifications that any aspirant to the Bar must meet. In Canada, as in Great Britain and the United States, ... the neophyte judge is neither a civil servant, as is the case elsewhere, nor has he joined the executive branch of the government, as is also the case elsewhere ...

Protected by absolute privilege, the judge may say what he likes in his reasons for judgment; he may chide the parties, their counsel, even the legislature, and pour scorn on reasons delivered in like cases by judges of his own court or judges elsewhere. That this is seldom done attests to an institutional pattern of behaviour that derives from mutual respect, the civility that is the reflection of a mature legal system and a tradition that tends to depersonalize the adjudication of disputes...

The isolation that sets in upon the acceptance of judicial office ... grows with the years of service, with age taking its toll of energy and this is accentuated if there is an increasing work load ... (But) he need not avoid lawyers' gatherings nor law schools' visitations; he may properly speak or lecture in such places and may, with prudence, contribute an article to a scholarly publication".

I found my close to 26 years on the Bench interesting and challenging. Please note that I have refrained from saying that I enjoyed it. That is what I used to say shortly after my appointment. But on New Year's Eve, 1982, just weeks after my appointment, I heard the rebroadcast of an interview with the late Guy Lombardo who used to ring in the New Year at the Royal York Hotel. He was asked how it was that he seemed to enjoy his work so much. He said when he was at work playing his music, he saw the happy side of people, laughing and dancing and so he enjoyed his work. It struck me that in my work as a judge in the criminal court, I saw the sad side of people. I saw people often charged with serious offences. Sometimes on the way to jail. And believe me, there is no fun in sending anyone to jail. It is the last option to be considered by a judge. And so I say I found the work interesting and challenging.

Every person who came before me was different from the one who preceded him and from the one who followed him. No two people, no two cases, are exactly alike. That made it interesting. Unlike the lawyer who lives with his cases for weeks, months, years sometimes, until I arrived in the courtroom in the morning, I knew absolutely nothing about the cases I would hear on any particular day. Unless of course if it was a continuing case. That made it interesting.

The challenge came in following the evidence and seeking to arrive at the truth and in hearing counsel's submissions and seeking to separate the chaff from the grain. The greatest challenge came in sentencing someone who is found guilty. The judge must deal with that person having regard to the law which he serves, the community in which we live - because a sentence that may be appropriate in Vancouver may not necessarily be appropriate in Toronto - and the dictates of his conscience. And at the same time he must not remove all hope from the convicted person. And he must do all that reasonably quickly and decisively. And that is a challenge.

Finally I would like to say this. All judges are human beings. They are not an Olympian race apart but have the same quirks and foibles like other men and women. They talk about their families and worry over their children. They complain about the cold weather. And of course they all have that human failing – they make mistakes. I have often said that one of the luxuries of being a trial judge is the knowledge that when I made a mistake, the Court of Appeal was there to set me right. And if they make a mistake, the Supreme Court of Canada is there to set them right. Of course the Supreme Court of Canada has also been known to make a mistake.

The sixth and seventh ages of which *Jacques* speaks are:

**The sixth age shifts
 Into the lean and slippered pantaloon,
 With spectacles on nose and pouch on side,
 His youthful hose, well saved, a world too wide
 For his shrunk shank, and his big manly voice,
 Turning again towards childish treble, pipes
 And whistles in his sound. Last scene of all,
 That ends this strange, eventful history,
 Is second childishness and mere oblivion,
 Sans teeth, sans eyes, sans taste, sans everything.**

Apart from the fact that I have spectacles on my nose, I have not reached the sixth and seventh ages of man as described by *Jacques*. But I say this. All judges in Canada must retire upon the attainment of their 75th birthday – though they may do so at any time after their 65th birthday. I retired in April 2008 on the attainment of my 75th birthday. Since my retirement I have principally taken on two endeavours. I have been more involved in St. Stanislaus College Alumni Association Toronto and St. Stanislaus College (Guyana) Alumni Society. Both are not-for-profit corporations incorporated under the laws of the Province of Ontario. I was President of the Association from September 2015 to September 2017. Now I am President of the Society. The principal objects of both corporations are to assist our *Alma Mater*, the students and staff in various ways such as providing scholarships and bursaries to students; bonuses to the staff; furniture for the College; books for the library; equipment for the science

department. Both put on functions each year to raise money to carry out their objects. The Society is also registered as a Charity with the Canada Revenue Agency and as such issues Tax Receipts for donations made to it. Both corporations are 'staffed' by volunteers, all of whom are alumni/alumnae of the College.

Secondly for the past nine years I have been working as a volunteer in the Emergency Department of Sunnybrook Hospital. I find it very rewarding. So in my old age I am close to what I had hoped to do in my working life. In a sense I am now travelling the road I had not taken. But there are no regrets.

Lampkin.