

To find out more about Sir John Barry

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Works by Sir John Barry

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Many thanks to John Myrtle, whose knowledge of Sir John Barry's achievements was of great assistance in the preparation of this booklet.



Sir John Vincent Barry – His Life and Legacy

John Vincent Barry was born in Albury in 1903, was admitted to practice as a barrister and solicitor in 1926, became a Kings Counsel in 1942, and a judge of the Supreme Court of Victoria in 1947. By the time of his death in 1969 his accomplishments in the fields of criminology and law brought about significant and lasting changes in the areas of penal reform, parole, family law, civil liberties, and medic-legal issues.

Capital Punishment

As a young lawyer, Barry briefed the defence in the trial of Angus Murray who was eventually hanged for murder, leading to Barry's lifelong and unshakeable opposition to capital punishment.

"I was just twenty and the hanging of Murray upset me a good deal. I felt intuitively it was wrong for the state to take that man's life. I have found intellectual reasons for my attitude since then, and I still believe capital punishment is wrong.." (Barry, quoted in Hetherington)

Barry became an active abolitionist who lent his support to the campaign to prevent Ronald Ryan's hanging. The campaign would eventually fail but brought to an end the use of capital punishment in Australia.

Civil Liberties

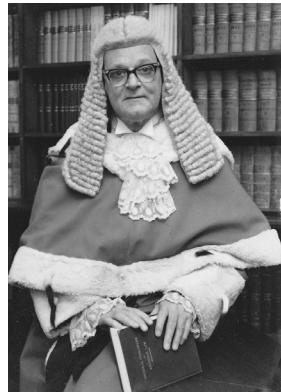
In 1942 Barry was appointed as counsel assisting Mr Justice Lowe of the Victorian Supreme Court for the Commonwealth Government's commission of inquiry into the Japanese air-raids on Darwin, and in the following year Barry represented Labor MP Eddie Ward in the 'Brisbane Line' Royal Commission. In wartime Australia more than 7000 people had been interned by the end of 1942. Many of those interned were refugees from Nazi occupied regions of Europe and in 1943 the Government established the Aliens Classification and Advisory Committee to make recommendations on the status and treatment of refugees. Barry was appointed to the Committee and made a significant contribution to its work. Later in the war, and in the immediate post-war period, Barry headed a series of inquiries for the Commonwealth Government, all related to the impact of the war in Papua New Guinea or the conduct of RAAF officers serving in the territory.



Penal reform

Sir John Barry was one of the architects of Victoria's parole system, and was chairman of the Parole Board from the time of its establishment in 1957. He had advocated the introduction of the parole system as a means of encouraging the public to accept an alternative to imprisonment. His leading role here was substantially copied elsewhere in Australia.

"[Parole]... enables an administrative body to direct the release of an adult offender after he has served the period which the judge regards as essential to satisfy the punitive requirements of the law ... It is by such methods as these rather than by the abandonment of traditional social institutions which still enjoy the confidence of the community, that advances should be made in the correctional system." (Sir John Barry)



Divorce Law Reform

Correspondence in 1959 between Barry and Sir Garfield Barwick, the Commonwealth's Attorney-General, indicates that Barry, long before it became a legal reality, was beginning to develop ideas for a radical no-fault approach to divorce:

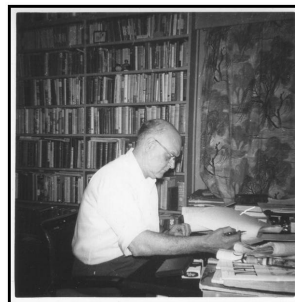
"Personally, I would prefer an entirely different approach to the problem of divorce, basing it not on the concept of fault or matrimonial offence, but on the social inutility or worse of preserving a marriage bond that has no meaning."



Criminology

"Something should be done to create an interest in criminological training and I shall be only too happy to join... in any attempt to set up [a] body which has as its object the supplying of a real need." (Sir John Barry in correspondence, 1942)

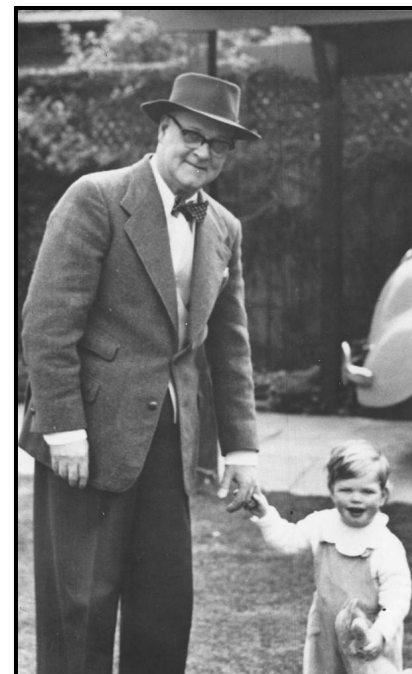
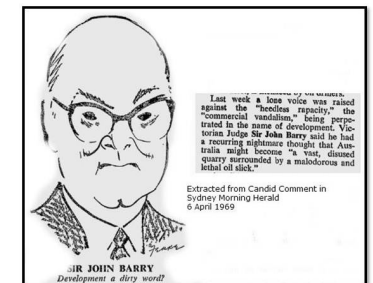
More than nine years passed before these ideas were transformed into an institutional reality. In 1951 George Paton, as Acting Vice-Chancellor of the University of Melbourne, wrote to Mr Justice Barry: "At its meeting yesterday Council approved of the creation of a Department of Criminology in the University."



Barry was appointed to the University's new Board of Studies in Criminology and was elected Chairman. As Mark Finnane notes in his biography of Sir John Barry, involvement in this unique institutional development steered the direction of the rest of Barry's life. He was tireless in his involvement and advocacy in the field of criminology. He was the first person to advocate the establishment within Australia of a national institute of criminology that was established after his death as the Australian Institute of Criminology in Canberra.

Environmental Concerns

Later in his life, Sir John Barry became increasingly concerned about the impact of unrestricted mining upon the landscape of Australia. His vocal participation in public debate about the issue attracted the attention of the cartoonists of the day.



The John Barry Memorial Lecture in Criminology

The John V Barry Memorial Fund endows an annual public lecture in criminology, thus continuing Sir John's commitment to criminological research. It was created by the Australian and New Zealand Society of Criminology in 1971 in recognition of the importance of Sir John's contribution to the field of criminology, and has also subsequently been supported by members of the Barry family. Sir John Barry did much in his lifetime to stimulate the growth of criminology, not only at the University of Melbourne but also throughout Australia, and the John Barry Memorial Lecture each year seeks to inform and educate on topics of key criminological significance.