

ONE MAN'S JUDGMENT: AN AUTOBIOGRAPHY. By LORD WHEATLEY.
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BIOGRAPHIES and autobiographies of English judges are found in abundance but this is not the case with Scottish judges. This book is a refreshing departure from the norm. Lord Wheatley was Solicitor-General for Scotland in 1947, Lord Advocate from 1947-1951 and Lord Justice Clerk from 1972 till his retirement in 1985.* In addition to his judicial duties, he was also Labour Member of Parliament for Edinburgh between 1947 to 1954.

This short book comprises 14 chapters in which Lord Wheatley relates his life, each of the first 12 chapters detailing a particular phase in his career. In the introduction to the book, Lord Wheatley states quite emphatically that he had never contemplated writing an autobiography and therefore had no note or memoirs to consult.

The first chapter starts with an account of his family. John Wheatley, Baron Wheatley of Shettleston, was born into a staunchly patriotic pro-Labour family. The reader is introduced to Lord Wheatley's family and there are many interesting and often amusing insights into his early childhood. For instance, Lord Wheatley states that his first ambition was to be the 'tottie boy' shovelling potatoes in the Shettleston Co-operative, and his second ambition was to be a soap boy at Jimmy Harton's barber shop. Needless to say, his parents did not approve.

Lord Wheatley was very much influenced by his father, Patrick Wheatley and his Uncle John. They were both men of politics and were involved in the Scottish Labour Party, Patrick being the Secretary of the Shettleston branch of the Independent Labour Party (ILP) and Chairman of the Glasgow ILP Federation, and John was a career politician who

* For those unfamiliar with the Scottish legal system, the office of the Lord Advocate is akin to that of the Attorney-General in England, and the Lord Justice Clerk is the second highest judicial officer in Scotland after the Lord Justice General.

eventually became Minister of Health in Ramsay MacDonald's Labour Government. Through both these men, Lord Wheatley became involved in politics and in the chapter entitled "The Budding Politician", he recounts how he helped sell and distribute books and pamphlets to further the Labour cause and how he became the youngest "Honorary Member of the Shettleston ILP".

Lord Wheatley was sent to a school ran by the Jesuits where he excelled in both his studies and in the football and rugby fields. He refused the opportunity to sit for an Oxbridge scholarship because he felt that he had been enough of a financial burden to his parents and returned to study law at the University of Glasgow. There Lord Wheatley did well but did not take an active part in either politics or games. He felt that politics at the University level was superficial and that the students were not entirely concerned with the "real issues". For most of the time, they "were rather frolicsome affairs" and those "who were keenly interested in the fundamental matters . . . were overshadowed by the people who looked on the political scene as a platform for frivolity."

Graduating in 1930, Lord Wheatley did not begin "devilling" immediately but started his apprenticeship as a solicitor. In the meantime, he continued to study at the university and eventually took all 11 subjects offered and taught at the Law Faculty. After his apprenticeship, he devilled for John Cameron, whose son was later to succeed Lord Wheatley as Lord Advocate. At the bar, Lord Wheatley found criminal work most interesting and handled lots of criminal cases. In one interesting case, he relates how his master asked him to gather appropriate quotations from Robert Burns for an important case because it was held in "Burns Country".

In 1954, Lord Wheatley was appointed judge and he spent the remaining 31 years of his career on the bench. Much of the second half of the book discusses and documents his life on the bench as well as life in politics. There are many amusing anecdotes and the section where he discusses his numerous matrimonial cases is most interesting. One case he dealt with involved a man of 82 years who was seeking a decree of nullity of marriage on the grounds that his wife, aged 52 years was incapable of consummating the marriage. Lord Wheatley granted the decree because of the uncontradicted evidence.

The remainder of the book talks about life in the army, Lord Wheatley's own family and his numerous extramural activities. The most interesting chapter for me was the last, where Lord Wheatley reflects on various aspects of his life, his role and the legal system in general. He voices his opinions on such diverse topics as capital punishment, corporal punishment, legal aid and sentencing policy in general. This book is endlessly fascinating. It is sincerely and humbly written and many of the points made by Lord Wheatley are thought-provoking. In concluding, I can only say that the book wonderfully captures a very full and productive life which has abided by that sound laconic advice given to him by his father: "Do your best and then whistle."