

## IN COURT

By Jack Batten, Macmillan, Toronto, 1982, 212 pp.  
Cameron Harvey\*

This is a sequel to *Lawyers*. Whereas *Lawyers* was a collection of word-sketches about a cross-section of the practising Bar, *In Court* focuses on ten litigators, from both the civil and criminal Bar. Although this book is every bit as readable as *Lawyers*, I think that the format is wearing thin. Contributing to this conclusion are two factors. First, as with *Lawyers*, I am sure that I have read the pieces on Dave Humphrey, Joe Sedgwick, and John Robinette previously in magazines such as *Toronto Life*, *The Canadian Lawyer*, and *Saturday Night*. Second, as one would expect from articles recycled from these magazines the treatment is surfacey and journalistic.

I do not mean by these observations to put down Jack Batten as a writer, because I enjoy his writing. I simply think that it is time for Jack to take on a bigger challenge, such as a full-length biography or a book-length account of a significant Canadian case.

Two Winnipeggers appear in the book, Will Hechter and Harry Walsh. The second chapter of *In Court* is about Caroline Lindberg getting her feet wet as a young barrister with Hechter. Hechter practices in Toronto. Fortunately for him, insofar as his cameo appearance in the book is concerned, he took on Lindberg as junior counsel to assist him in the defence of a young man charged with murder. Harry Walsh, "the courtly counsel from Winnipeg", is the subject of chapter six. The chapter is disappointing. There is too little about Walsh; essentially he is used as a mouthpiece to describe all too briefly three interesting cases.

The best chapter is easily the one about the ultimate triumph of Mike Robitaille who was so shabbily treated by the Vancouver Canucks. Again, what makes this chapter so engrossing is not the author's treatment of the lawyers, Bruce McColl and John Laxton, but rather his telling of Robitaille's story.

The lawyer whom Batten fleshes out to the greatest extent is Dave Humphrey, a rough and ready Toronto criminal defense counsel, who as Batten puts it, is "the sort of natural comedian . . . who could work one of the high roller rooms on the Strip at Vegas". I am going to end this review by quoting the anecdote with which Batten opens the chapter on Humphrey. It is almost worth the price of the book:

"I had a rape case . . . There wasn't evidence against my man and the Crown's case looked pretty weak. But sometimes it's the weak cases that slip out of your hands if you are not careful. All the witnesses had testified, and it was . . . [time for] arguments to the jury . . . I thought to myself, instead of a long harangue, I'll keep this thing tight . . . I got up, walked over to the jury box and I said, 'Members of the jury, if this case is rape, then I'm a monkey's uncle and though the resemblance may be amazing, I ain't. Then I went back and sat down.'"

It took the jury only a few minutes to bring back a verdict of not guilty.