

## PHIL JENKYN OAM BA LLB

Phil is a retired barrister and a community activist.

He has proposed a possible solution to the present *Australia Day* dilemma of celebrating our nation on 26 January – a date which marks the beginning of British settlement and the dispossession of Australia's Indigenous peoples.

His proposal is to celebrate over an *Australia Long Weekend* at a time in January that everyone can support.

Such a time is over a Saturday/Sunday/Monday approximately two-thirds of the way through January that pre-dates the 26<sup>th</sup>. In the yearly calendar, it is the second last long weekend in January.

He has written an article titled 'What about an *Australia Long Weekend*?' setting out the proposal, which is supported and co-signed by Geoff Cousins AM and Professor Elizabeth Elliott AM.

Phil was a barrister in Wentworth Chambers, Phillip Street, Sydney for over 33 years. He had a busy and successful practice specialising in the common law, and also appeared in criminal and commercial cases and family law.

However, he has always been interested in communities and the important role they play in our society. He was in the 1980s elected as an alderman to Hunters Hill Council and was Hunters Hill Citizen of the Year in 1989.

Various State Governments have attempted to forcibly amalgamate Hunters Hill Council – in 2003 with Ryde and in 2015 with Ryde and Lane Cove Councils.

The Hunters Hill community strongly opposed both attempts for good reason. A group called *Save Hunters Hill Municipality Coalition* was established with Phil as spokesperson and co-convenor. This community group worked closely with the Council and was successful in both campaigns.

In 2017 he was awarded the Freedom of the Municipality of Hunters Hill "in recognition of his extraordinary and ongoing advocacy, service and contribution to the Municipality of Hunters Hill over many years".

He remains a committee member of a NSW coalition of groups called *Save Our Councils Coalition* (SOCC) that is supportive of communities that wish to keep their local councils from being forcibly merged.

Phil was Chair of the *National Trust Vienna Cottage Committee* that saved an historic 1871 sandstone cottage from destruction, and helped raise the monies needed for its purchase, repairs and restoration. It is now in the hands of the National Trust of Australia. In 1992 he received the National Trust Voluntary Service Silver Medallion Award and in 2010 the National Trust Lifetime Achievement Award for his contribution to heritage conservation.

In 1996 the Department of Defence was in the process of vacating its sites in Sydney Harbour. These sites at North Head, Middle Head and Georges Heights, Woolwich and Cockatoo Island were places of national significance. Defence and the Commonwealth Government were determined to maximise their financial return by selling to private developers a significant proportion of these public sites.

Phil was instrumental in establishing a coalition of community and environmental groups called *Defenders of Sydney Harbour Foreshores* and became the Chair. A very determined and difficult campaign ensued to keep these sites in public hands which was eventually successful. The Government was forced to back down and after a further battle a Commonwealth Trust was established securing the sites with legislation in 2001 and eventually funding. He continued on with his involvement as a member of the Sydney Harbour Federation Trust's Community Advisory Committee until 2015.

In 2001 he also helped establish a coalition of community groups, environmental organisations and councils called Protectors of Public Lands (PPL) whose aim was to keep significant public sites in public ownership and control. A number of sites were protected, including Quarantine Station at North Head, Callan Park, Ballast Point, the ADI site at St Marys and Hunters Hill High School.

In 2005 he was awarded an OAM "for service to the protection and preservation of the environment, particularly heritage sites on the Sydney Harbour foreshore".

Phil loves his skiing and is a member of the Munjarra Ski Club. He is also a passionate walker. He has been a member of *The Walking Volunteers* since 2004 and part of a team that has developed and mapped an interconnected walking network in the Greater Sydney region in partnership with Governments, their agencies and local councils. This walking network with map is freely available on their website.

Phil has always loved history. At the leaving certificate in 1958 he attained first-class honours in modern history and a Commonwealth Scholarship to Sydney University. He studied both modern and ancient history in the Arts course. Julius Stone Challis Professor of Jurisprudence and International Law at the Sydney University Law School described him thus: "He was in the top dozen of his graduating class over the whole law course. In my own subjects of Jurisprudence and International Law his performance was definitely first-class, and in the former he was close to the top of the year."

Phil strongly believes that members of the community should seek solutions to difficult issues and problems and not stoke division. "In public affairs one needs to pursue the public interest, not private interests. In doing so one should be respectful of others".

#### Further Personal Information

Phil was born in Sydney on 4 July 1941, son of The Hon. Mr Justice Norman Jenkyn and Edeline Jenkyn (nee Cousins) MBE OSTJ. He had two elder sisters, Val who married Peter Grogan and Helen who married Don Booth.

Phil attended primary school at Barker College (1947-1952) located at Hornsby in Sydney, and secondary school at SCEGS (Shore School) at North Sydney. He graduated in 1958 as a Prefect, a Warrant Officer in the Cadets and a member of the First XI cricket team. In the Leaving Certificate he received first class Honours in modern history and a Commonwealth scholarship to Sydney University.

He was a resident in St Pauls College (1960-63) and played inter-college cricket and represented Sydney University in inter-varsity matches.

He graduated from University in Arts (BA 1962) and Law (LLB 1966) and went overseas (1966-67). He worked for a time in London in a solicitor's office and travelled extensively.

Phil was admitted to the Bar as a barrister-at-law in 1967 and took up Chambers on the Eighth Floor Wentworth Chambers in Phillip Street, Sydney.

He was a practising barrister for over 33 years, retiring in July 2001. He developed a busy and successful practice specialising in the common law, while also appearing in criminal and commercial cases and family law. He enjoyed being in court and on circuit in country centres. He took evidence in cases overseas, appeared in the Privy Council and the High Court and frequently in the Supreme Court. He believed that the secret of success comes from detailed preparation, appropriate tactics, flexibility and by being respectful. He had a reputation as a fearsome cross-examiner and was affectionately known, but not by every opponent, as "Fighting Phil".

Phil married Gloria Mitton on 7 July 1984. Gloria worked in travel and they have one daughter Victoria who is a secondary school teacher. Victoria resided in Womens College at Sydney University, and graduated with a BA and a Masters in Teaching specialising in history and geography. She is married to Ruaridh who is a neurologist and they have a daughter Maisie.

Phil and Gloria live in a heritage listed stone house in Hunters Hill, which they restored in the 1990s.

He is a member of the Union, University & Schools Club, Munjarra Ski Club, Palm Beach Surf Club and the NSW Bar Association.

July 2024