My name is Rebecca Wright, I'm a barrister and a lecturer in human rights at the Helena Kennedy Centre for International Justice at Sheffield Hallam. I'm also a member of the Inner Temple. I'm here today on Wednesday the 12th of April 2017 to interview Sir Geoffrey Nice QC, Bencher at the Inner Temple. We're conducting this interview at Inner Temple in the drawing room. We're here today to focus on [Master Knight's?] experiences as a Member and Bencher of Inner Temple. However, given that Master Knight is one of the country's most distinguished human rights lawyers, I will of course also be asking him about his legal career, both in the domestic and international arenas.

00:44

RW: Master Nice, I understand you grew up in South London in a family with no connection to the law, and that you read PPE at Keble College in Oxford. What then took you to a career at the bar?

GN: A combination of indecision, I think, and a vague interest in being a barrister that probably started at the end of my time at university, and crystallized when I did a couple of other jobs after leaving university. And so that I decided, probably within a year or so, that I would try and come to the Bar. It was possible then to read for the Bar part-time. And that's what I set about doing, funding it by a job in industry working for a brewery called Bass Charrington in the personnel or training department. In the event the rules were changed and I had to do one year's full-time training, the last year. And so I did that. Both supporting myself by what I'd been able to earn, but also because we were still in one of the most generous periods of the Welfare State, and so my Local Authority, Lewisham Borough Council, [actually] gave me a grant for that last year. So that led to me taking the Bar exams in 19-whatever-it-was, 69 I suppose, or 70, I'm not sure. I remember failing one of them and having to come back and resit it. And I got through, struggled through...

00:02:20

RW: Do you know which one you failed?

GN: ...and was called to the Bar in 71.

RW: Do you know which one you failed?

GN: No idea, no.

RW: And what job did you do after university?

GN: I was in welfare work for one year in an organisation called Taskforce, which was actually set up by a barrister and MP called Anthony Steen, whose career as a barrister I don't think was particularly memorable, and whose long period as an MP ended in some embarrassment with the – can't remember whether it was with the expenses scandal or something else. In any case, at the time he set up this operation to help – to harness the resources of young people, particularly schoolchildren, to work for older people. And I did that

for a year or thereabouts in Kensington and Chelsea. Very interesting, I suppose taught me quite a bit.

00:03:17

Then the next job was for Bass Charrington as I said, and I – at that time there was a great requirement for enlargement of personnel departments. Because the law required businesses of a certain size to do training on a stick and carrot basis. Firms were levied, and they only got the levy back if they did authorised training, so all firms were looking out for trainers and so I went off and joined the training department, and actually became something called a training manager within about a year and a half, and then left to come to the Bar.

00:03:52

RW: What was it about those jobs – you said it was partly – there were jobs that influenced you to go to the Bar, was it –

GN: If I said that, I didn't mean it, no. I think I was slowly inclined towards the Bar because I didn't have any other particularly clear direction. At university I'd been interviewed by MI6, along with many other people, to become a spy, and I didn't fit their bill or they didn't fit mine, and I made a very silly decision in 1968, 1967, not to take their option as a sort of part-time student spy in the Sorbonne, which I've, and I rejected it on the grounds of it being somehow morally unacceptable to spy on students, whereas I was obviously prepared to contemplate spying on grown-ups. And of course if I'd gone to the Sorbonne in 1968 I'd have been able to throw a few bricks at the police, because that was the year of the riots. I didn't do that, and I think that both the MI6 and I regarded me as immature, so we didn't do the job. So I landed up doing other jobs.

00:04:58

RW: Did you speak French?

GN: No, that's why they were going to send me to the Sorbonne.

RW: You were going to learn French by [inaudible]

GN: Learn French and spy on the students. So I didn't do that, I did rather more prosaic jobs in London.

RW: So you became a barrister in 1971. Did you have to complete qualifying sessions at that time, do you remember?

GN: Well, I can't remember... Certainly no, not qualifying sessions in terms of training, there was no such thing. All we had to do was eat dinners, and I can't remember – there was an enormous number of them. Was it 12 a year? I mean, something like that. So I think we had to do it for three years, that's 36, or something. Or maybe two years, I dunno. Awful lot. The food was terrible. And um - really bad. But the – you used to eat in a mess of four, and the quantity of drink was excessive, but not so excessive that the habit of many of us who could pass for white Anglo-Saxons was not to – or the habit was – to ensure that we were sitting in a four with people whose appearance would suggest they were of non-drinking faiths, so that the half-bottle of sherry, half-bottle

of port, and I think bottle of wine - white and bottle of red could mostly be used to disable our sensitivity to the food.

00:06:21

RW: Do you remember why you chose Inner Temple over the other Inns?

GN: I think – yes, I've thought about that, having seen your questions in advance, and I think, having read PPE at Oxford and not therefore having any particular legal connections, I had a couple of friends who had become barristers or were in the process of becoming barristers, one of whom was Elizabeth, also known as Bess, Prideaux, who was here, and I think it was simply that as the connection. I think it was also seen as, Inner Temple was probably seen as an Oxford college, at Oxford. [Inaudible] But that may be wrong, and then I think poss-ibly I had an eye to the size of the carpark which was quite good.

00:07:08

Bess Prideaux by the way went – she's dead now, unfortunately – but she became a teacher at one of the Bar colleges and was very well-regarded for that before she retired.

RW: Were you already, did you already have a pupillage at that point? With a qualifying session and then you...

GN: No, well I can't remember the – way all those things – fitted together. But pupillage was not... getting a pupillage was not quite like it is now. Having no legal connections, I was fortunate to live briefly opposite a chap who was – still alive – of very kindly disposition, a man called John Leech. Seeing that I wanted to become a barrister, had no money and had no connections, he created a job for me at the Commonwealth Development Corporation in the legal department, a summer job, and I'm sure it was completely done just to give me some pocket-money. And also to allow me to meet some lawyers. And so in the legal department I met a man called Michael Konstam, who was a barrister, and I said wanted a – needed a pupillage. So he referred me to a chambers called Farrars Building, headed by a man then called Malcolm Morris, who was just about to go off to become a judge at the Central Criminal Court before he was to die choking on a sandwich. Um, and I went into the pupillage interview with of course the necessary timidity or anxiety, and a tall, patrician figure welcomed me with a cigarette and said, "Well, Michael Konstam says you're all right when would you like to start?" And that is to be contrasted with the modern multiple applications and weeks, months and years of anxiety and failure.

00:09:00

RW: Yes, I think that...

GN: Not failure, an inability to get a pupillage.

RW: Oh no I think aspiring barristers wished it was more – if they have connections, if it was more like that, basically.

GN: So I was really fortunate in that...

RW: And do you remember the call to Bar ceremony?

GN: The call to the Bar ceremony was a reflection of the general um lack of good grace of the Inner Temple at the time. The Sub-Treasurer was a notorious figure called Rodney Flynn, whose characteristics included saying the most terrible things about people from Africa, as I remember, and getting drunk. But the overall atmosphere of the Inn was not much better. The chap who called me was a very nice man, I can't remember his name now, but he was absolutely charming, charming and gave me a completely cursory interview associated with offering me a cigarette again.

RW: You did smoke then?

GN: Yes, that's right, I can't remember I think I probably – yes, I did. And er and that was about as detailed an examination of my abilities as the interview about pupillage. But the call ceremony itself was a disgrace in many ways. We were called in Hall, and I don't even think – I'm not sure if we even went up to shake the hand of any grandee, we may just have stood up in our seats and bowed. But what was really dreadful was that we were allowed ONE visitor, who had to sit in the public gallery, or stand in the public gallery, one only. There was no hospitality, no reception after, nothing. So I think my mother, father and the woman who was to become my wife, was there [inaudible]. And they had to sort of rotate, to go up and down the stairs to get access to the vision of these boring old Benchers, stuck stuffily on their table, doing no more than say "I am – Master Treasurer I move his call" as your name was read out. I might be wrong about the fact that we were called up, but I don't think we were. I think we – I THINK we just stood up and bowed. But I could be wrong. Um, I dunno who – I have NO idea who the Treasurer was, can remember nothing of what was said, but the man who called me – you can look him up on the records – was perfectly nice, and very very hospitable.

00:11.25

RW: And did you celebrate afterwards?

GN: I expect so. But nothing grand, no. It was very different.

RW: And at that point what were your aspirations?

GN: Well, having no real knowledge of the law, and thinking that being a barrister was to do with crime, mostly, not realising that there were all these other fancy fields, and finding myself in a common-law set to which I'd been introduced by Michael Konstam and accepted by Malcolm Morris, it seemed to me a common-law practice was perfectly OK and so I stayed there. I was invited to become a tenant, much against the instinct of the then head of chambers, but he didn't have any choice in the matter for some reason, and so reluctantly he invited me to join. And then I did a mixed practice with a lot of criminal work. And I think by fortune or... bad fortune or good fortune, was that I enjoyed the crimiinal work a great deal and had some facility at it. So I did a lot of that. Also did other things as well, personal injury and other civil work, but I didn't ever really plan a career, I just let it happen. Lazy, really.

RW: And can you remember some of your first cases, I mean I know you've given a great deal of lectures, and that you've given some very good accounts of some of the cases you've worked on...

GN: Later on, yes I mean, you – first of all you – at least, I, but I suspect most people – you never really remember the cases in which you succeed. You only ever remember the cases in which things go badly wrong or very badly wrong. And you tend to remember those. First because they cause you enormous amounts of insomnia, grief and other unhappiness, and secondly because you try to learn from them. Or you do learn from them. So I can remember some of the cases that went wrong, but less about the cases that may have gone right.

00:13:31

RW: I think you did a rape trial very early on you were very junior?

GN: Oh yes, I'd forgotten about that, yes –

RW: I've just remembered, I was reading about that this morning!

GN: No, I did, yes. I'd forgotten that, there was a –

RW: I was filled with horror at the thought!

GN: Yes, that's right, in my second six months, some – yes, I'd forgotten about that – some – in my second six months, some solicitor who had me representing the rapist, as the jury decided he was, at the committal proceedings which you then had to have at the magistrate's court decided to brief me for the trial. And I saw the brief in my tray and sort of looked round it rather like a horse looking at a paper bag, trying to avoid it. Deciding whether I should insist on it being returned, and it was then in the court for the next Monday. So I got – just got on with it. Took two – er, nine or ten days at the Old Bailey.

RW: And how was that experience, can you remember that?

GN: It was fairly [harrowing?]. I can remember buying a lot of um glucose tablets to try and keep my energy level up, but it didn't I'm afraid serve the defendant very well, because he went down. Five years. And it was a rather nasty rape, actually, and of an innocent – not innocent, all rape victims are innocent – of a seemingly fairly um gullible, but not particularly young schoolteacher standing at a bus stop. Picked up by a determined rapist in his motorcar and offered a lift. All in Camberwell. Horrible.

RW: Yeah. What if any training were you given during your pupillage?

GN: I can't remember being given any real training, I think probably in the year of – that I did full-time at the College of Law, we may have had one or two sessions on advocacy or what – I don't even know that it was called advocacy, but we probably had some training. And I mustn't be taken as denigrating too far the level of training or education we were given then. But mostly what training you got in things like advocacy came from your pupil master.

00:15:41

Mine was a man called Michael Lewis, he was, I thought, as every pupil tends to think of his or her pupil master or pupil mistress or supervisor as they're now called – I thought he was very skilful at what he did. And he probably was fairly or very skilful in some things. I don't think he was a particularly good teacher in the sense that he couldn't explain what he was doing. It didn't

necessarily matter. And to some extent I adopted what he did. But also I think, and although I've done a very great deal of advocacy training since, here and abroad and – to the – for the circuit as well as for the Inn, I am departing from the standard belief that advocacy training is a good thing to believing that it may be - sometimes, be inhibiting.

00:16:41

Because I think that advocacy is sometimes a skill that people have that may be inhibited or disfigured – not disfigured, inhibited or affected by an excess of routine training. And so sometimes it's better for people to develop their advocacy skills which are natural to many people in many walks of life, to develop them naturally by all means analysing what happens thereafter. But I haven't yet managed to persuade the new authorities that this is the way forward, although I think it probably is. We must give up all this routine and rather dull Hampel Method which I have indulged in for 30 years. I stopped doing it a few years ago because I no longer believed in it.

00:17:31

RW: You think pupil barristers should just learn on the job? [inaudible]

GN: I haven't yet done it. No, not learn on the job. I think that Hampel's all right for people who aren't very good at articulating how they do something, or people who are not very good trainers, and all sorts of things. But I think that the single thing that an advocate needs in order to be able to draw from herself or himself such natural advocacy skills as they may have, is to the know all the facts and all the law, of whatever the sealed universe of material is for a case, and then to see how they would actually argue it, or present it, and I think that's the, that's the way forward, and then from that you can say, "Well, maybe you could consider this, or that," and you can make certain proposals as to changes, but I don't think it's a good – I don't think it's necessarily a good idea to regiment people into training methods that mean they focus on the method rather than on the content.

00:18:38

So I – I'm afraid I'm a complete er radical, to whom – with whom nobody agrees on this. I do try and run this a little way, and of course I run on another topic. I – waiting for the opportunity to prove it.

RW: It is interesting – I hope we'll move on to your international career, the very fact that you sort of worked in these international courts and tribunals, is a very different type of [law], I'm sure that gives you a different perspective...

GN: That that gave you no – No, I'm afraid that didn't help at all because the advocacy there was mostly lousy um er and pedestrian and slow and all sorts of other things. No, I think just looking around and looking back, at the people who were some of the most impressive advocates um er being careful not to always think that things in the past were better than they are now or to come, which is a sort of folly of ageing, but they had no training no training, and they had innate skills that were natural to the business of being an advocate. And if you explore the issue in much more general terms, forgetting about the boring business of wearing a wig and gown and standing up in court and all

that nonsense, many people have advocacy skills. Example I give in lectures is often the mother who goes to school to complain about the bullying of her child does not need a training in advocacy to make the point to the headmaster. Why not? Because she knows her case completely, and she won't be stopped. And her advocacy will be, almost certainly, very effective. And there are many other examples you can give. And if you then take a [cadre] of people who um actually specifically, apparently want to represent the interests of others, they are quite likely to have natural communication or presentational or argumentative skills. And you do not want to suppress [them].

END OF SHORTER FILE

RW: So if we keep focused for now on your domestic criminal practice, I understand that you were made a Recorder in 1984, and then you began to sit at the Old Bailey, the Central Criminal Court, in 1995?

GN: Something like that, yes.

RW: And how was that experience? What training did you receive?

GN: Well, the whole business of becoming a Recorder was different from now. I was working with a chap called John Madge who was a very talented advocate. We were prosecuting a case, and he just said to me in the wine bar, which is where we spent quite a lot of time, he was a jolly nice fellow, but he – well, that's where we spent a lot of time. He said one day, he said, "I've been rung up by somebody who wants to know some names of people who could be Recorders. Just ring this number and say you'll do." So I did, and I became a recorder. It was as simple as that.

RW: Wow!

GN: And you didn't have to make any application, you just rang up, went on a course, and I then started sitting as an Assistant Recorder as we were then called in Croydon, which from the beginning I found a very interesting and enjoyable way to spend um some of my professional life. You see the court from a different angle, you have a different form of job satisfaction because you see certain tasks through the conclusion. And I sat in all sorts of odd jurisdictions, and I then moved from Croydon to places that were more convenient to me, I think, Maidstone and Canterbury. And then when I took silk I moved to the Central Criminal Court.

00:01:49

But the ramshackle approach – you don't have to include this in your record – but the ramshackle approach of the Lord Chancellor's department was really quite astonishing. I received a letter out of the blue one day offering, saying would I sit as a Deputy High Court Judge in matrimonial matters. And so I – a bit puzzled, because I'd never done – I hadn't done very much matrimonial law. So I rang the person up and said, "Are you sure you mean me?" I said, "I don't, you know, are you sure?" I said, "I don't mind if it's a mistake, but do you mean me?" And she said, "Oh yes, we mean you." And I said, "But I haven't done much matrimonial law." And she said, "Oh well, you've done some lists of undefended divorces or something like that."

00:02:34

So I contacted a couple of leading members of the Bar including a Bencher here, Shirley Ritchie, and my head of chambers, Gareth Williams, Lord Williams as he was to become. And they both gave me the same advice. They said, “Well, accept it, and just ask for some training.” So I did that. And I didn’t see it, because I thought, “Well, I’ll have the training first.” And then after a, you know, a few months I received an embarrassed phone call from a judge in charge of matrimonial things in the High Court. And he said, “Oh, awfully sorry, the – to worry you.” And I knew exactly what he said [meant]. I said, “What, you want me to give it up?” I said, “Well, I don’t mind giving it up, I’m a bit whipped off that you should do it.” And I said, “Why are you suddenly changing your mind now?” And he said, “Oh, well, because the members of the matrimonial Bar have said that you’re not experienced.” I said, “Well, I could have told you that!”

00:03:26

And so they, so they then cancelled my, cancelled my unexercised powers to sit as a deputy High Court Judge, and I – I think I took umbrage and didn’t sit for a year or something. I mean it was just hopeless, really.

RW: Wow!

GN: But you know, and you – I did get slightly annoyed about that, but never mind. And after that I sat at the Old Bailey, and the Old Bailey’s a very – was, and is a very nice place to sit. And I think there’s a very interesting reason why. People complain about the fact – or they note the fact, that until recently you used to have sit-down lunches with the guests of the sheriffs, where you all had to wear wig and gown at lunch, bit funny – where you got served a lot of wine – or SOME wine, until such time...

RW: You wore your wig...?

GN: Oh yes, every day. And champagne some days. And until some member of the present government I think decided it was all a bit un... impossible, so I don’t believe wine is now served at the Old Bailey. But what was interesting was that because you sit down every day - except in August, when there were no guests - with guests, and wearing silly clothes and being on best behaviour, the atmosphere in the court was always very friendly. And there was no gossiping. Or very little gossiping. At least, at that part of it. What happened at teatime when the full-time judges tended to meet on their own I don’t know.

00:05:03

Whereas if you go to other court centres where the judges meet and sometimes with magistrates and the junior circuit judiciary, there are plenty of stories of very unhappy environments being created, and lots of gossip and back-biting and all that sort of thing. And so I think that it was quite an interesting – and probably still is quite an interesting example, even without the wine, because I think they still sit there with wigs and gowns on, for lunch, and talk about the same things with the guests, who are City guests for the most part, I think that formality has advantages in creating friendly environments in court.

00:05:47

Some judges were really good at creating, in other circuits, in other areas, in creating a happy environment amongst the judges, thoughtful, considerate, and other judges were so bad that – I remember one court, Maidstone I think, where the magistrates used to come in for lunch as well, and the circuit judges were so rude to them they complained about it. So there we are – formality has its advantages. And the Old Bailey had very nice court staff, and was actually a very nice place to work.

RW: And you took silk in 1990. Do you remember your silk ceremony?

GN: Oh yes, I remember that, because um, because of course it's a great day for - my father was still alive, my wife and three children turned up. It was very exciting. And all sorts of completely nonsensical clothes and behaviour.

RW: And do you still have the outfit, the full...?

GN: Oh yes, of course. Yes, yes. But another mark of the way things have changed is that in those days you – in – in those days – in 1990, the standard form was to have a small "do" in chambers afterwards. So that was in my case was when other chaps were taking silk at the same time. Sandwiches and a few glasses of wine. All done by six o'clock. I remember the other chaps, rather curiously, took home the remaining sandwiches in a doggy bag. Which struck us as a bit odd! That was IT. There was nothing else. There wasn't these great, grand parties. I can't – it was probably already – still marginally frowned on even to have solicitors, although I think we did have one or two solicitors, or very important clients, but, no – it was just, sort of, small reception.

00:07:43

Now of course poor people taking silk have – not poor people – people taking silk have to spend a fortune both on becoming silk, in the application process, and then in throwing some lavish party, trying to drum up a bit of trade I suppose.

RW: Do you know much about the application process now, do you think it's...

GN: Horrid! Yes, I've advised several people – er, few people – and um – awful! I have bumped into I think a copy of my application not so long ago when looking for something else, and as far as I can see it was about two sides of A4 misspelt! And revealing a level of income that would um – embarrass – so low – level of income so low that um – gosh – I don't think it would attract the engagement of a junior clerk. Never mind, it worked.

RW: I can see from 1995 sort of overlapping from 95 to 2001 you were – you had a role at the Criminal Injuries Compensation Authority?

GN: Yes, I did.

RW: What did that entail?

GN: That's rather interesting and a pleasurable experience, but it was again, I'm afraid an old-fashioned appointment system. I was against a man – a couple of times I think – called Mark Carlisle. Lord Mark Carlisle. Who'd been – he was in the first – um, group of Conservative MPs. He'd been an education

minister under Thatcher. He was in the first group kicked out for being over-liberal. So he was quite a decent bloke. And I prosecuted him in a couple of cases, and he just said, “Would you like to become a member of the board of which I’m chair?” Fine. And he was a thoroughly nice bloke. And I – he ran the board very well, and we toddled round the country sitting in groups of three, getting through this material.

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So you got through some of the material on paper and some of the material at hearings. It was a very generous scheme in those days, more generous than it is now, because it was I think quite probably or possibly the most generous scheme financially in the world, and it had to be reined in because it was costing too much money. But he was a nice bloke, and I remember one of – I actually wrote something about him at his obituary, because I thought he received rather a mean obituary. And here he was, chairman of the board. We’d land up somewhere or other – can’t remember where it was now – Wales, I think, but it might not be.

00:10:27

And he would – first of all, he’d dish out to all - the other two wing members that would be me and one other – cases you should chair. That’s fine. So he didn’t chair everything. And I remember one occasion where we had strong disagreements of view between us - that was him, me and one other – he didn’t pull rank at all. He just said, you know, “This is a problem to deal with”. And so I admired him for that. And the other thing I really liked about him was that one day I was – I suppose he was – I don’t know how old he was – How are we doing for time?

00:11:02

I remember that I was prosecuting him in a murder at Maidstone. I wanted to find him about something or other – ask him. The jury’d gone into retirement and I went to find him and he was sitting in one of the conference rooms with some papers open in front of him, as if working. And I said, you know, something or other. He said, I know he said, “You can’t really work,” he said, “the older you get the more worrying it gets.” And it was an experience I was already understanding. Waiting for jury verdicts. You’ve done what you can, what more can you do? Waiting for jury verdicts got increasingly difficult to tolerate. Not less – not easier. Interesting.

RW: Do you know why that is?

GN: No idea. Just a fact. And I can’t say it’s the same for everyone, but the – I certainly experienced, almost um – very difficult to cope with waiting for their uncertain verdict.

RW: It’s not the severity of the cases?

GN: No, no, no, it was just to do with – I don’t know what it was, but – there he was, he articulated it for me. And I saw this as a great sign of humanity. And so if you – I think, if you look up the obituary I wrote for him in some paper or other, and I didn’t like the way it had been cast. I think I referred to it.

00:12:27

RW: During this time, did you have much involvement with Inner Temple?

GN: I can't remember very much involvement with the Inner Temple. But er – things I can remember is that the IRA bombed London, which was great in one way because it made it so risky to park here that they reduced to nil the number of places for visitors' parking, so that suddenly we all accelerated up the waiting list, and so from a very young age I've been able to park in this car park until 1998 at knockdown prices!

RW: ...the second time you've mentioned the car park!

GN: That was one thing, one thing I used it for. Then the hall was – although the food had been awful, the food I suppose got a bit better, but I mean whether it got better or not, being a complete creature of habit I always used eat at the same table, often with the same chap who's a bencher here, served by the same Irishwoman, Anne, I think, and I always used to eat exactly the same food. And so I enjoyed that.

00:13:39

And then of course the Inn, however many years ago it was, at least 20 – had the greatest stroke of good fortune - greater than is really fully appreciated - when Robert Maxwell threw himself off his yacht. Having, so it is believed, presumably he did, having swindled his pensioners out of their funds. Because he had a chef, and the chef was Martin someone – and Martin had two places to go to, it could either have been Al-Fayed at Harrods or here. And he came here. And since then, not only has the food been spectacular in quality, but he creates in, amongst – I assume it's he who does it – his staff, the happiest of all environments. And so the benchers here are a stuffy lot, they haven't changed much over the years, and much nicer now I think than they were, and I believe – not necessarily all stuffy, they're not bad, but – I think that the happy atmosphere of the place – as probably often happens, percolates – using the word "up", indicates a recognition of class that one shouldn't do, but – percolates from staff to managers, not from managers down.

00:14:59

And this Inn has, certainly over the last 20 years, I think, been – had happier staff, than if you compare it with the neighbours, they always seem to be more cheerful, friendlier, more co-operative. Not saying the others are not friendly and co-operative, it's just that ours are better. And I believe that's contributed immensely to the pleasure of being in the place.

RW: Would you come to many formal dinners here, or lunch maybe?

GN: No, I used to come to lunch, because it was always the best place to eat for – for [all sorts] of reasons. I think I started very limited involvement with students. [And I was] something called a sponsor, and I think sponsors still exist.

RW: Yes.

GN: And I did that for a bit. I'm not sure I was much use. I occasionally used guest night as a member of hall, not as a bencher, to entertain people, which

was a great opportunity then, as it is now, if you want to entertain people in reasonably impressive surroundings and good grub. But I wasn't heavily involved in any activity. I was never really invited to and I didn't push myself forward. And I never have since. Until such time as I got involved with advocacy training, but my initial involvement with advocacy training started elsewhere, when – I think – by the circuit, when I went – how did that come about? – when I was one of the initiators – though not one of the founders of the Keble College course. As I'd been at Keble College as you know, and Tim Dutton who started the Keble course with a judge – fairly recently dead – called David Penry Davey, who was a bencher of this Inn. And so we started that course. Or they started that course, but I was there at the beginning, connected to it. And then I'd already been abroad to Florida, like – that's right, and I then took – that's right, I then took – I first – I was the first chap to take English barristers to Florida, because I could see how good the Florida course was, which is the sort of course upon which our courses have all been based. And that was at a time when senior English advocates didn't think that advocacy training had anything to offer. At that time I took a different view, as I thought it did. Perhaps I still do, I dunno.

00:17:39

So I went to Florida and did that, came back, did the Keble course, and then I got quite heavily involved, or reasonably heavily involved in advocacy training here. And that's because I enjoy it, and I had quite a natural facility at doing it. You'll find out if you ask other people. Though markedly revolutionary. Not revolutionary, not even subversive. But – irregular.

RW: Your style is irregular, or...?

GN: Sorry?

RW: What's irregular?

GN: I don't follow the – I don't follow the routine, and I – but, I'm - but I've been highly innovative, even within the Keble course, on what could be done. And probably because it – it's a reasonably natural skill that I have.

RW: Were you very articulate as a child?

GN: Probably. Reasonably! I mean, I don't think I was extravagantly articulate. Also training, teaching or training, or lecturing, is – I dunno how, I don't know what – what it is you need to do it, but you need a willingness and – a willingness to – to contact your audience about the subject of their concern. Whether you're a teacher or a trainer, or a lecturer, and... er, yeah.

RW: When did you become a bencher here?

GN: Can't remember, about 1993? I don't know, something like that.

RW: So it was before you started on your international...

GN: Oh yes, yes, yes. Long time before. Several years before that I was called by – not called – I was promoted by somebody called Anthony Hidden. Also long dead, I'm afraid.

RW: That moves me on to your shift really from domestic criminal work to – well, you went to the United Nations International Criminal Tribunal for the

Former Yugoslavia. And that was – you were there from 1998 to 2006. Am I right in thinking, was it – I've read somewhere that Louise Arbour appointed you, or were you...

GN: Yes, Louise Arbour was – yeah, um – I think there are a number of things that may interest future – or present young – junior barristers. I was quite bored with what I was doing, I suppose, and my career as a silk hadn't taken off in stratospheric directions and – I didn't earn a huge amount of money or was not very interested in earning a lot of money. Very important! Because it was possible for me to make career shift that wasn't going to be lucrative. And at that time the Yugoslavia Tribunal was not particularly fashionable. It just wasn't. So there wasn't huge competition. And I remember a curious bit of chance. I for some reason saw Heather Hallett, who I knew quite well, and I popped out of the room, where I was sitting in my chambers over there somewhere, and spoke to her. And she – in a conversation simply said "They're looking for someone at this Tribunal". I think, [that's] quite interesting. I'd been to Yugoslavia as a boy, on an exchange from school, so I had just the mildest of interests in the place. And, er...

00:21:13

RW: That's an unusual place to go on an exchange, isn't it?

GN: It was, fairly, yes. Fairly imaginative of our school. So I'd done that, so I spoke Peter Goldsmith, who was the link person with Louise Arbour, and went and saw her in the Hague and that was that. Again, it was not a competition. If there'd been competition I'd have never got the job. But it was just sort of, tip up, do the interview and get a tick.

RW: I've read something you said which you may stand by or not, but you said, basically said the same, "I applied for the UN job because it seemed interesting, not to save the world."

GN: Yeah, I'm not going to save the world.

RW: But did you have an interest in international affairs, or did you grow up in a family that discussed –

GN: Well, I'd stood for parliament twice, in the 80s.

RW: Right.

GN: Unsuccessfully, obviously. On the Liberal persuasion. But I can't – and I had a sort of ordinary person's interest in international affairs - but I can't say I was particularly knowledgeable. And – but when the – when the possibility came, I found it quite intriguing, partly – not least because I thought it was – for a number of reasons, but in a way to begin with I think I was more intrigued by the process. I thought, well I'm not really persuaded by the adversarial system in England, seems to me good fun for a laugh. Good for television, film and all that sort of – and sort of adrenalin rushes. But I wasn't really ever convinced that it's the ideal way to deal with important issues of culpability. I thought it would be quite interesting to go and try something else. And indeed when I got to the ICTY, the Yugoslav Tribunal, in 1998, on the first case that lasted until just into 2001 – I was quite innovative, procedurally.

00:23:09

RW: You had the scope to be - my understanding is there was quite a lot of scope to be innovative.

GN: Yes, well, you had to push quite hard for it, but – just to give you as – whether your listeners, readers, whatever will be interested, but – for example, when I arrived there, the Americans who were on my team – I had a team of three subordinates, two Americans and a Frenchman. And at that stage, evidence of prosecution witnesses would not have been foreshadowed by a witness statement or even a summary. And I couldn't believe it – I could believe it, but I couldn't accept it. And I said, "As a minimum, you've got to serve on the defence a summary of what you expect the witness to say". Which was a bit of a shock to the Americans. And I can't say it was my effort only, but before very long, I can't remember how it came about, but certainly part of my effort, we got full witness statements served.

00:24:12

And then my next move, which was in the Milosevic trial in 2001 to 2006, I actually reached the position of witness statements being capable of being read and standing as evidence in chief, which would be entirely standard in our jurisdiction here, but was again the subject of great resistance. Unfortunately in our – that case, I didn't get the change in procedure until so late that it was almost of no use to us. But nevertheless. But there were other changes that I was associated with, and we also – there was a big problem – not a big problem, but there was a big issue with exculpatory material favourable to the defence, which always had to be dealt with and was always troublesome. And so, yeah, it was fun.

00:25:08

So, to begin with my interest was "Let's do something different and this looks quite fun, quite interesting". But of course, acquaintance with the problem, first of all the specific problem, and the problem in more general terms became completely absorbing. And so I was far more interested in – I wasn't particularly interested in the outcome of the Milosevic trial, just hoped we'd got it roughly right. Or more right than wrong. But I was very interested in the history of how these things happened, or in general, happen. And so that then led me on to what was to follow.

RW: It is fascinating. You were, obviously you were prosecuting, but you still pushed to provide the summaries of prosecution witnesses' statements. In a way you could see that as being – not beneficial to you.

GN: But you do it now automatically here.

RW: Of course, absolutely! I mean –

GN: Oh yeah, I couldn't care less about winning.

RW: But yes, yeah, yeah.

GN: I'm not very interesting in – despite my anxiety about jury verdicts, which takes over from your good sense, I've never been very interested in winning. I'm not very interested in – I'm not at all interested in punishing people, and

I'm much more interested in the general aetiology of things that people do that constitute crimes, than in resolving them through the courts, which seems to me rather late in the day. The important part of a society's activity should be not here in the law courts, it should be over there in Westminster changing society so that people do it less.

00:26:50

RW: Would you still like to stand as an MP?

GN: Yes, well, I did try unsuccessfully.

RW: You've obviously given a number of interesting lectures at the Gresham College, or linked to that, and you've talked, for example, about prisons and whether the benefits of putting people in prison...

GN: Bit radical, that one.

RW: Well, no, it makes for very interesting reading. The – right, to stay with the ICTY for now, one of the other questions I had was obviously you have had an interest to – and I'll ask you a little more about your work at the Bar Standards Board, but – something that really interests me is, are the ethics and the training. There isn't really a code of conduct for lawyers working in the international arena, and I see as well you've written about this point. I don't know if you want to speak a little more about that, and the regulation of international – I will read one quotation to you, from a 2015 talk, and see whether you stand by it. But you said: "The court" – and you are referring there to the ICTY – "The court was political on various occasions, and posed ethical problems that needed personal fight if I was not to surrender standards and compromise a fair trial."

GN: Well, that's completely true. And – I mean it was – it's um – it's an intrinsic problem for that type of court. The long answer includes that any institutionalised law, whether it's a court, or presumably a corporate office in the City, that poses for an individual practitioner an ethical dilemma, will lead to the – may well pose different problems for the employed corporate lawyer than it creates for the self-employed hired gun barrister. Not because one is better or worse than the other, because the controlling parameters or vectors are different. If you're in an employed office and the office wants you to behave badly, then the pressure's on you to behave badly are enormous. Increase in salary, getting the job, getting promoted, being liked by the boss. The pressures against behaving badly are get kicked out, get ostracized, and so on and so forth.

00:29:22

If you're in an independent practice, the pressures on you to behave well are one revealed ethical misstep could destroy your reputation and that may destroy your career. And it is I think as simple as that. Now from the general to the UN, in the UN, or in any of the other courts like the ICC, they are big institutional offices. They're not particularly – they tend to be staffed – they tend to default to mediocrity. Businesses like this are not composed of do-gooders, let alone brilliant do-gooders, they are just big, big offices with lazy people, middle working people, hard-working people. And if they've got a politically appointed leader who wants to do politically motivated things, the

pressure on staff to fall in line is enormous. And so most cases aren't going to throw up those sorts of problems, but once I was in the Milosevic case and once, the chief prosecutor was a woman called [Carla] del Ponte, whose objectives were not always simply the interests of the individual case, the pressures were sometimes extreme.

00:30:40

There are a number of examples which I probably haven't got time to give now, but they were both related to the procedure of the case, to the evidence that was adduced in the case, the disclosure to the accused, and the – dividing them up into categories was also quite tricky conceptually, because – She's your boss. Therefore you owe a duty to obey her. And you cannot break that duty. It's as much a duty as your duty to the law, providing what she tells you to is with, is properly – however ill-advisedly – within her remit. On the other hand, if she wants you to cross an ethical line, then you have no choice. And that's the problem that confronts the lawyer. Because often enough, and I found this on the worst examples, often enough the decisions she was making, which I thought were terrible for the case, and sometimes on the edge of ethically improper, were – if you were actually to stand back – Well, you could say, "Yes, she could instruct you to do that and you should obey".

00:31:51

On one certain occasion, but also – only on one occasion, really, did what she'd do cross an ethical line, so I came to the Bar Council and got confirmation of my position and blah blah blah, and said, you know, "This is not gonna happen". In the others you had to fight it within the office. This one, you could fight it, the only occasion when you could fight it, on the basis of external standards. Now that is immensely difficult for these enterprises, and young barristers should not go off – not young barristers, ju – er, people starting off at a career – are very ill-advised to go to the institutions and stuck into them for life, because they'll never have experience of operating in a more ethically disciplined environment. They won't actually have that sort of fingertip feel of when things are going badly wrong. And also, if you – but the other problem is, if you have become an employed lawyer, you've moved your family to say, Holland, from America or Australia. They're in school. And you're now confronted with an ethical problem, and you know this very powerful personality is going to try and force something onto you. Why should – you know, what, how is the lawyer going to throw all away?

00:33:16

Easy for us from England, because we can just say, "Don't like it, we'll go back across the Channel and get on with our lives as independent practitioners, and I'll probably have another job within, you know, a couple of weeks." So having explained that necessarily very crisply, that is the problem. And I summarised in a part of the book that's coming out to reflect my lectures, I was actually putting in an appendix of the worst examples of Del Ponte's rule, subject to the defamation or excluding it – but interestingly enough, I make the point that nearly all of them, except one, were decisions that she was entitled to make, however ill-advised.

00:34:02

And that's something people insufficiently understand. The decisions she could make could corrupt history, they could corrupt the trials, and corruption – not in a sort of financially corruptive way – they could make terrible mistakes. Wreck trials, wreck results. They were still within her power. And that's quite worrying. And if you go and ask Andrew Cayley, who is also a bencher here, who's now in charge of the service prosecutions and was the joint senior prosecutor at the Cambodia tribunal, and you hear about the pressures, the political pressures he was under – I don't know if you've read about that, or – yeah, or spoken to him? These are not unusual things. And – I think my general proposition at the ICTY was that – first of all, picking up on your question, there should have been ethical bodies to whom you could turn for confirmation of your position, or for support.

00:35:09

RW: You still felt regulated by the BSC.

GN: You still were. Well, it wasn't the BSC then, it was the Bar Council. You still were.

RW: The Bar Council, yes, sorry.

GN: Because you were still a member here, and there was no other body. There wasn't any other body, this was the body. And that was the body I turned to, to say what shall I do about this particular problem, the one ethical problem. They said, "Solve it, or leave the case". It was as simple as that. And I knew that was the answer, right from the beginning. Difficult. And um – the other thing is that you should insti – introduce into offices which have these over-mighty prosecutors and – Del Ponte was one, and then Luis Moreno Ocampo at the ICC was another equally bad hat, in my view. They all – they need some form of oversight other than reporting to the UN, or the state's parties, which are political bodies which probably want them to behave in a political way. They don't want them to behave in a pure, in a purely legal way. And so they need to have imposed on them regulatory methods: peer review or something that would free up the individual employed lawyer from having to be quite so confrontational and at such personal risk.

00:36:21

And it was quite interesting that Louise Arbour, of whom I'm a great fan, although she left the Tribunal too early and has been something of a rolling stone since, really. Human Rights High Commissioner. Supreme Court Judge. Well, too many high-level jobs, really. I've told her that. But she instituted indictment reviews, so that if you were going to indict Mr X or Mr Y, the whole office, or a large part of the office, were able to get stuck in. Sometimes it was a bit unpleasant, but nevertheless, by the time Del Ponte came, Del Ponte decided who was going to be indicted, and if you – if people said – something that happened with Andrew Cayley actually, and he's written about it – if the lawyer said "There isn't enough evidence", she'd go and find some other lawyer who just told her to do it. And so that's the sort of problem you face.

00:37:17

RW: You also there, in what you were saying, you bring up some things, I also read um, in one of your lectures, it was Law and War, which fascinates me as

well. It's almost like the role of law, in times of when – I think you quoted the Roman saying – [inaudible] I'm not sure but –

GN: Yes, that's right, no, it wasn't Cicero it was from some – it wasn't Cicero [it was the Aeneid?] –

RW: I can't remember, it was Roman anyway! That in war – I'll paraphrase – in war the laws fall silent.

GN: It comes from the end of a dissenting judgement in, I think, the – either the dissenting judgement in the [Seselj?] case, or, I think, it could poss... I think so.

00:38:00

RW: Is that your – it's such a complex question, isn't it, the – I think you've also said, well I know you did [inaudible] lectures, the overall legal process may not cure not any conflict, then they provide a blanket that dampens violence and allows other beneficial changes to come. That was in the...

GN: Slightly different point.

RW: Yeah, they are slightly different.

GN: I mean, I think the – the second point I think is a very important one, and that I will address - I could address both of them, but – the second point is that there's a sort of rather cu- um – there'd been no international tribunals for war after Nuremberg and Tokyo, until 1993. There'd already been a head of steam for the International Criminal Court, but nothing had happened. So there was nowhere for people to be tried. It just didn't happen. People didn't talk about it, it was a wholly new concept in everyone's conversation. And then when it came in, it came in with a bit of a rush in 1993 with these two tribunals, Rwanda and Yugoslavia, and both probably created for arguably political, cynical reasons. Because the international community had failed the victims. Doesn't matter. And then they're associated with reconciliation. Well I just don't understand that. Completely mad. Why, what has the court got to do with reconciliation? You don't try a rapist and reconcile the rapist with the victim. Or the burglar with the householder.

00:39:25

It's got n- - it's nonsense. No connection. Different – different activities. And what you – what I think – and they dropped that language, as far as I can see, since – at least they dropped, they dropped the strength of the language about reconciliation. What may be sustainable is the argument that if you've got other methods for bringing peace, reconciliation, whatever you like, then to do it against the background of accountability is more likely to be successful. So accountability is not in itself a way to resolve a conflict, not at all. It is indeed designed basically to separate, not to bring people together, or in some way to separate them. So that this person can say that person did these terrible things. Not to go up to this person and hug him. That's one step further. Doesn't often happen. But if you want to bring these people together, and they know that the issue's being determined, reasonably fairly, then it may be easier. And that's as far as it goes.

00:40:36

RW: I'll move on from that – because we could talk about that for a very long time.

GN: What was the other question you asked me about...?

RW: Well, I think it was the slightly different point that in war the laws fall silent. Is that, because - ?

GN: Well, I mean that was – I think the quotation which comes in this extraordinary and quite unprecedented decision of the Italian, by a dissenting judge in the Seselj case, where the majority was led by a man who could best be described as a very unusual judge, called Antonetti, who acquitted Seselj of everything after a ten-year trial, along with his colleague, who hadn't heard a word of the evidence, because the original wing-member had had to – been forced into resignation by having sent an email to 60 of his best friends saying that the court was under political pressure from the president. So he'd been substituted by somebody who simply read himself into the evidence, and fell in with Antonetti – or agreed with Antonetti. So Antonetti and his colleague, who'd read the papers but seen the witnesses, made this – on some views – utterly extraordinary decision.

00:42:01

You'd better check this to make sure I've got it right. But then the minority judge gave a decision saying how the majority had done – had disregarded every known aspect of the law, in order to bring this decision. And then I think she entered that quotation about – So the anwer is, they don't fall silent. And she was simply saying, in this particular case, I am reminded of this proposition. And so I wouldn't want to be associated with that proposition except on the very rare occasions, like this [lady? inaudible] supplied. And she was obviously using it as a – not a flourish, but as a – observation to reinforce her r*emark*ably strong judgement. Or decision. The case is on appeal, but Seselj may die before that in which case it will never be resolved.

00:42:54

RW: Do you think these judgements – do you think these international tribunals and courts – do they actually deter mass atrocities and - ?

GN: Well, I think – it's hard to know, but there certainly is anecdotal evidence that some potentates, warlords or whatever you call them, are anxious about being hauled up. So maybe? But also it's clear from people like Assad or Kim Jong Un that it's not necessarily such a preoccupying concern that it changed their conduct.

RW: The advocacy [inaudible] very similar to the type of advocacy that you undertook – I've read some transcripts online. Is it similar to what you were doing in the courts of England and Wales?

GN: No, it's very slow. First of all you've got interpretation all the time, which slows it down and also dilutes the immediacy, and generally I found it – I mean, I didn't find it often an adrenalin rush at all. It was much more a methodical process that you had to try and get through, usually with an understandable time limit imposed by the court, and you would also find that, certainly - yeah, pretty well throughout, you were – I was in the big case – in

the Milosevic case – more than in the earlier couple of cases I did – you were completely – not overwhelmed, but there was always far, far more material to read than you could ever cope with. So every day was a question of having stayed up for as long as you – and I didn't mind at all, it was so interesting, I couldn't care less, but – You fall asleep at – in the middle of the night with files all round the bed. You get up early hour of the morning, go to work, and you still haven't read anything like enough. And so it's al- - nearly always a question of, you know, trying to find the best bits and having people to help you. And you can't blame the system for that, it's just in the nature of things, that if you, if you're calling witnesses about – particularly – not fact witnesses as much as policy, political expert witnesses, there will always be much more than you can cope with. Not cope with – than you can be sure you've mastered.

00:45:40

So that was interestingly difficult, I think. And there were certainly very few examples of the sort of quick gratification of the kind you get in English cases. And on the rare occasions I came back to England either to do an English case or to sit as a recorder, I became very aware that the speed of the English court, in a domestic case, is in a sense the job satisfaction, the immediate gratification is greater here. You know, over there it's – it's a huge, lumbering machine. And also there's a lot of written – great deal of written pleadings, which, although a perfectly acceptable way of working, a good way of working, also wasn't the same as the excitement of just tipping up in the Crown Court, dealing with a burglar or a rapist or – whatever.

00:46:37

RW: Had you – were you living in the Hague then?

GN: Yes.

RW: So your family and you've – three daughters? Is that...

GN: Yeah, they were all here. I just came back every other weekend.

RW: So that actually meant that you could work. I mean –

GN: Yes, I lived in sort of student accommodation. They didn't pay very well. I had a flat the second time, but the first time it was pretty well student accommodation.

RW: So you could work seven days a week and...

GN: Yeah, I was at the same Chinese restaurant every night.

RW: You say you're a creature of habit, I think it's just around food, isn't it!

GN: I used to go to the Chinese – I used to go from the office – the first [hearing?] – my room was very small – so I would go from the office to the Chinese restaurant, the old jazz bar, and then back to the room, then I'd go out in the morning.

RW: Wow!

GN: It's all right. I didn't mind it. It was fun.

RW: What advice would you give to – things have changed rapidly I know, in the last few decades even, but what advice would you give to young barristers who want to carve a career in international criminal...

GN: Well, I think – I can't say "Don't do it," not at all. Although I'm not sure how many opportunities there are going to be left, because these courts are coming to the end of this period of their vitality. And I think it may be impossible for them to continue. But the real advice is "Do something else first". By all means do an internship, or a very short job. But I think that you really need – one needs to establish oneself – doesn't matter whether it's England, Germany, France, Australia, America – you need to establish yourself in a professional culture which will give you a sense of being at home in your profession. Providing it's a profession that's got reasonable standards, and – they're all different all round the world, but that will provide you with a starting-point.

00:48:32

People who go to these tribunals and somehow think there's glamour in being associated with crimes of particularly grave descriptions and then get sucked in and stay for ever. In my... more than just mere anecdotal or anything else, my experience is that they're never going to get from themselves the greatest skills, and they're always going to be confronting – whether they ever reveal it or not – ethical problems that they may find it very difficult to resolve. So it's much better to develop somewhere else, and go and do this afterwards. Or just do it episodically. And then I think you can retain professional standards.

00:49:19

The thing about professions is, I think – I was thinking about this recently, very recently, and that is that people who go into professions aren't good people or bad people, they're just ordinary people. Doctors aren't good or bad, lawyers aren't good or bad, probably priests aren't good or bad, they're just people. But once you're in a profession, if the profession has basically worthy objectives, it's the profession itself that somehow drives the individual. Not the individual who drives the profession. So after a time, if you've been in a profession that's concerned with establishing the truth in a fair mechanism, it doesn't matter if it's England, France, Germany, [in a way?] it doesn't matter where you are, the profession will drive you, and make you behave better – not make you behave better, make you do – that bit well.

00:50:18

If you're a doctor, and your concern is – or an engineer looking after the supply of fresh water in Africa, once that is your profession, then somehow the profession takes you over. And that's a good thing.

RW: I wanted to ask you about the ICC, but it does link beautifully into – another really interesting [quotation?] where you said, I'll link it to see your work at the Bar Standards Board, but you did say in a 2013 lecture that clever law and regulation activate the person's sense of goodness to achieve what society wants, but not necessarily simply by having a law or a rulebook. I think that is just so interesting in that how you trigger that sense of goodness and –

and obviously you have been really interestingly involved in the kind of ethics and regulation of –

GN: Yes, I was lucky, by chance I got the job at the Bar Standards Board, it never occurred to me, but – and I'm not sure I was particularly well-suited to it in some ways, but – yes. I'd already thought about that quite a lot, because I'd been interested in why barristers tend to behave well. Partly I think because – it's not because of the Inner Temple, the Bar Standards Board – partly, and it's not because of the threat of discipline and sanctions – partly. But it's really because it's a gossipy profession. And therefore - it's quite small, and if you do something very bad, that's an end of YOU. And you don't have to do more than one thing bad for it to be the end of you.

00:51:55

And I was thinking about this over lunch with someone – not this, another aspect of it – over lunch, today, with somebody who was telling me about [how at a lecture last night] Lord Lester of Herne Hill, [our main?] human rights chap, was apparently saying – it was a public lecture so I'm sure I can quote it – but he thought the English judges were the best in the world. Now I am not prepared to make any boasts about the English legal system. I think it's overblown and should be very carefully regarded - BUT! I do regard the, I do think that English judges are very good.

00:52:31

And the puzzle has been why. Because they're drawn - they have been, often, drawn from the privileged class, so we wouldn't expect much good from them. And some of them have been greedy for money, and earning too much money, all that sort of thing. So they're just ordinary blokes, and women, limited number of women – why do they behave well? I believe they behave well for a few reasons, one is that they've spent their lives working with the rules of goodness, or of fairness. And so even if by instinct they're the most frightful shockers, at the end of that life of being barristers or solicitors, they actually know what – they sort of know what is the right thing to do. And that in itself conditions you.

00:53:20

But the real thing that conditions judges to behave well, I think, is that they're paid adequately, very well actually, I mean they beef about their income, but I dunno why, they're paid – plenty for the job they do. I find judges complaining about "Oh, I have to take the bench – what's it earning?" Well, if you don't want to take the loss in earnings, stick it in your [job?], stop complaining! So they are paid adequately, very well, they are pensioned very well. Again, same complaint, really wearies me! And they're given a great deal of respect and kudos. So for them, one foot out of line is a huge loss. And it's simply a loss that's not even worth contemplating.

00:54:05

And it's been interesting to ask, occasionally, people when they can remember a judge in England being "done" for a crime. And then we can all remember the same one. D'you know who it was?

RW: [Inaudible]!

GN: It was a man called Bruce Campbell. I don't know if he was a member of this Inn, he was a circuit judge. Quite a nice little chap. And he was caught for smuggling wine and cigarettes, or spirits and cigarettes, on a boat across the Channel – bobbing across! The boat was sort of down to the gunwales and he claimed it was all for himself. And he managed to get away with keeping his bencher and retiring. Bruce Campbell, look him up. Be careful about that. I think his son's at the bar now, so you wouldn't want to name him. But he is – apart from the unfortunate Recorder who got caught out advising – um, what's her name – woman in the – who was um? I've forgotten her name. The motorcar case. In any case, she was a Recorder and she went to prison for that, but...

00:55:16

That apart, none have been caught for anything. I'm not saying they haven't committed crimes, but certainly none has been caught.

RW: Constance – I can't...?

GN: Constance Briscoe was the –

RW: That's it!

GN: ...barrister and the woman concerned was – [never mind].

RW: Yes.

GN: And it's very interesting. There was a House of Lords judge called um, can't remember, though I should remember, he was apparently not a very nice piece of work, who was caught in the bushes, drunk, at the end of the – having been caught driving his car saying, "Piss off, I'm a judge!". But that was – that was also a long time ago, in the 70s. What was his name? But that apart, judges don't do things! And it's not because they're good people. Just because you can make – society has the capacity if it – depending how it organises itself – has the capacity to make people do – behave better and worse. So when I – I was also struck by this, I did something for the Foreign Office, couple of years ago, a few years ago now, um which I don't really think I – really think I said the right thing. In Albania. [We were] down there for something or other. Because they had a programme of trying to assist the Albanian judiciary. And what was so interesting was that the Albanian judiciary, to whom I suppose – and indeed I had a long conversation with either the President or the Prime Minister – they all said, "Yes, our judiciary is completely corrupt." And I said, "Well, WHY is it completely corrupt?" And they said, "Well, they earn so little money."

00:56:56

They're corrupt in a sense that they will try your case if you give them money, and they're not necessarily corrupt in the result they'll give you. Do you want to even have your case tried? And so obviously – you need to neutralise that as a problem. They must be paid enough, they must be pensioned enough, and they must gather kudos. And then – [there are] similar considerations at the Bar. Long answer – but I have no time.

RW: No, no, absolutely, it does, yes. And then what about assessment of barristers – you're quite in favour of that, am I right?

GN: It's easy for me to be in favour. I haven't been assessed. I don't think I will be now. I hope not! Gosh, that would be a [sight?], wouldn't it? Yes, I'm afraid I do think that – although I would have found it, I'm sure, painful and probably I'd have come out of it very badly. I remember when I was in [Farrar?] Building, which is the first set of chambers I was in, most of the people were like me, most – pretty ordinary background. But before you could say "knife", even those with very modest backgrounds were speaking in pukka voices and pretending that they were – just like the one or two Etonians in there as well. Not very many of them. And I remember saying to a chap, who was only a couple of years older than me, I think he's still in practice, but – just about! And who had a very modest background, and I said, "Isn't it extraordinary, that we are, you know, that nobody assesses us?" And I was saying it because of my experience as a training manager at Bass Charrington where everybody had to be trained and... and he said, "Oh no, quite wrong, we shouldn't be – we are professionals, we don't need to be assessed," and all this sort of thing. And I was quite surprised then and I still am. That people should think that. You got away with it – in my case, I got away with it for 40 years and more. I've never been assessed. Phew!

00:58:45

But do I think we should have been? I think it's a good idea. Providing it's done in the correct way.

RW: Now I've shifted slightly but I was following these fascinating comments that I did want to ask you a bit about the ICC, because you've also obviously been involved...

GN: Yes.

RW: ...quite a bit with the International Criminal Court.

GN: Not very much but a bit, yeah.

RW: Am I right, is it – Sudan, Libya, Kenya?

GN: Er, yes, Sud- - what did we do in Sudan? Sudan we – Sudan I worked for – let me just get this right. Did we actually...? Yes, with Sudan we tried to keep Bashir, [inaudible] President Bashir free of the genocide charge. Failed in that. And – but it's quite an interesting topic, if you've got time for it, because first of all genocide's a very tricky crime, because it carries such an excess of emotional and forensic weight that once you've stuck the label of genocide on anyone, it's hard for anyone to deal with him or her at all. So Bashir of Sudan was eventually indicted for genocide, and – one of the results of that was that he stayed in office.

01:00:09

He'd already announced – well, he would have [honoured it?] – but he'd already announced his intention to resign, retire, and of course once the genocide charge was there, too dangerous for him to resign and be handed in. So the process of - maybe the process of modernisation of his country has been delayed.

So I did some work for them, and then in Kenya we – another chap and I, we tried to get the jurisdiction back to Nairobi. Failed there. Comprehensively. And the next thing that happened was that Kenyatta and [Naruta], I think, have all got away with – not got away, they've all been acquitted altogether. For whatever reason.

RW: Do you think the ICC has a future, I mean again you've touched on it, on the future International Criminal [Court] or is it a very interesting question. And I've worked in Africa quite a bit, and certainly...

GN: Yes. I can't remember which countries you've worked in, but my –

RW: There's not a great deal of support for the ICC across the continent...

GN: No, I think it's – the trouble with the ICC, I suppose, is that it had the seeds of its destruction right at the beginning, when it wasn't signed up to by the big countries. And although they've [not? felt] entirely happy, at least America did, in being a party to – referring small clubs to a country, to a club that wasn't good enough for them. That – seemed to me it was unlikely that that would last for ever. So the move either would have to be to getting America to sign up, and China and Russia and... Or that ultimately the other development would happen. Which may be under way, I'm not completely up to date with the position of South Africa, Burundi and the Gambia. Whether they are pressing ahead with their withdrawal plans, but I would have thought that if those countries, or any of them really do withdraw, it will be the beginning of the possible collapse of that court, which would be very unfortunate.

01:02:19

I suppose you could say that the ICC was a bit of an over-reach at the beginning, in that [to] set up a world court as opposed to say a regional court – but [that is the] benefit of hindsight. But I do think it's problematic. And I think it's quite – it's pretty worrying, really, because although part of the International Criminal Court objective of getting countries like ours to include more and more crimes of universal jurisdiction with our own – within our own domestic law - it has been achieved - without some kind of court of last resort. I'm not sure what would happen. There won't I think be any more Yugoslav or Rwanda tribunals, or come to that many more Cambodia or Sierra Leone ones. They're too expensive, and they're also seen to be too unsatisfactory of outcome.

01:03:10

Yugoslavian Tribunal's been pretty successful, I think, overall, though there are lots of things to say against it, but the others have all got heaps of criticism against them. Were you [inaudible] the Rwanda one, I can't remember –

RW: I didn't work in the Rwanda one, no.

GN: Where did you work?

RW: I was based in Egypt, but I was working mainly for the African Commission...

GN: Aha.

RW: ...[on Human and People's?] Rights, so - human rights [system?] more than the international criminal system.

GN: I would encourage you to talk but I'm not supposed to!

RW: They'll cut that bit out. I've only got a few more questions.

GN: I don't mind, quite enjoying...

RW: ...tried to limit myself.

GN: No, don't worry about that. It's quite interesting.

RW: It's fascinating. But um I just want to – your [end-year?] work as well, I mean it's so diverse, I mean, you worked – for the sake of the listeners – you were obviously involved quite a bit with work in Burma, and you were a board member of the – is it, no – is it? The Burma Justice Committee?

GN: Well the Burma Justice Committee I think is pretty well defunct, but that doesn't stop you working...

RW: No. And then Richard – Justice Richard [Goldstone?] I knew at Harvard, he taught me international criminal law there. He's South African – he was involved in that, Tutu worked with him on the...

GN: On the Harvard Commission.

RW: Yes, on the Harvard Commission. Harvard Report into Burma...

GN: Well, I think the long and the short answer to this is, first of all it depends [who] you are – I've got such a sort of empty mind that if anybody asks me to do anything I'll do it. And I think by and large that's quite good advice, because you – never know what's coming up. So all of these things that I've done, like Burma and North Korea, Iran, Indonesia – but Indonesia was less satisfactory – have been simply people saying, "Would you like to do this?" and the answer is, "Well, why not?" It's more interesting than being too concerned about buying another yacht. Well, I don't have one. Or another car.

01:05:17

RW: But how do you find the hours in the day?

GN: Well, I find it a bit tricky. But I found the – so in fact my contribution to all these areas has been somewhat limited, but always focused. And you – if you're honest about the limited skills you can bring to bear, and you then apply them in a honest way, you can maybe add something. But you're never very sure of how much you can add. But it has been interesting, and if you have found – for example, I've done, OK, I've done – and there's another thing that you're – that I've found so interesting, I had no idea of this before.

01:06:02

Our democracy here in England, which is trumpeted as the best in the world and enjoys my - same scepticism as the observation of other legal systems – is nevertheless very open. Because there are all-party committees on all sorts of things. And you can go into them. And if you go into them and you go there

once or twice, and then you put your hand up and you say something, if what you've got to say is interesting you will be brought into that forum.

And so in both the Burma and North Korea issues where they're all part of the committee. One was chaired by Glenys Kinnock and one by David Alton, and Fiona Bruce, you land up going to those things, listening, learning, and occasionally seeing what you can do to contribute, and so if you want to get involved, right at that level, it's remarkably easy. And presumably you can do the same thing for home affairs, or Welsh affairs or whatever you like. You just turn up, and you can take part. All you have to do is subject yourself to the misery of their security system.

01:07:02

That's - I've said, that's something I learned, just by chance, and then you – if people ask you to do things you just do them. And by far the – and so, apart from Burma and North Korea, I'm still involved in both of those, and I shall be doing a bit of North Korea this year, and the foundation I – we run, which puts on courses in the summer in Dubrovnik – not courses – master classes.

RW: That's the Geoffrey Nice Foundation, isn't it? [law and politics?]

GN: It is indeed. Yes. We also ran a – co-ran – co-sponsored and ran the first ever, what's called "side event" at the meeting of state's parties, annual meeting of state's parties of the International Criminal Court in the Hague last November, on North Korea. And so, you know, who'd have thought we'd be doing that? But we've incorp- - we've gradually incorporated people to talk about it and with an interest in it, we were able to do that. It was really I think quite successful. So I know qu- - a few people in the North Korean NGO world. Do what I can to help.

01:08:25

The Iran Tribunal was by far the more interesting of all. Which of course most people won't know anything about. The same way as they won't know very much about or nothing about the Russell Tribunal for Vietnam, or the Comfort Women Tribunal presided over by Gabrielle Kirk McDonald, because [informal?] Tribunals tend not to attract public interest. At the moment. But the Iran Tribunal, which looked into the atrocities in the 1980s by the Ayatollah was immensely interesting. For a number of reasons. I think, first of all because it was driven not by lawyers but by a diaspora. And I was one of two lawyers giving advice, and all our advice was rejected. Correctly rejected, the diaspora were right and we were wrong. Which was always reassuring to think!

01:09:15

RW: Did you work with David Caron on that at all? Because he was...

GN: No, I was working with, what's his name? The only other – I've forgotten his name now. But it was very successful as a tribunal, although now it's disappeared into history. And a really, a really interesting example of what the most important development of the last 30 years, 25 years is, which is not at all, in my view, the ICC. The ICC, [the ICTY?] or any of the other... The most important development of the last 30 years is the internet. Because – and all its associated powers. Because these tribunals, this tribunal – but also

the Indonesian tribunal and others – are now able to do quasi-judicial processes around the world for a very small amount of money.

01:10:03

Because you can Skype in – or the equivalent – and Skype out evidence. And also because you can then get under the protective wire of dodgy regimes with your results. Don't have to worry about the formality of silly courts sitting in the Hague with fancy clothes on and huge salaries, you can do it for nothing. Or very little money. And the Iran tribunal, which was well focused by the diaspora. We had two sessions, one in London, called the Truth Commission, and they then reported on whatever it was. [Witnesses, they talk.] Some in fact face to face, some by video link. Only a few of them in confidence or without screens or with screens or something. They reported to a second – the court itself, in the Hague, where we had some more witnesses. And a judgement was given by a retired Supreme Court Judge from South Africa. And it's there. Now why is this important? Because for these terrible events, same as for Vietnam, these may be the only evidence-based assessments of what happened. And you may say, well, you can complain about the Russell Tribunal, because it's – didn't look into the Viet Cong and so you can complain about it, or you can complain about the Iran Tribunal because it was only 100 witnesses. So what? It is the only evidence-based and forensically explored – to the extent possible with the other side not engaging, of course, in all these cases, although always invited – it's, it's – and so if you think forward 100 years, 200 years, somebody in your position [says], "Gosh, what happened in the – I've read this thing about people being killed in large numbers in the 1980s in the prisons of Iraq, where do I go?"

01:12:08

Well, you've got journalism, and you will have history books of one kind or another, probably some of them partisan, and then if you're lucky you'll find here a tribunal record. And there will be no other similar record.

RW: Is that – did you do a similar report on different things – similar investigation in Syria, I mean you were involved in the Caesar Report...

GN: Syria – Caesar was a one-off little thing. And it doesn't constitute a full tribunal. But I certainly – I'm involved in other countries which can't get resolution of outstanding historical problems by full court process. Bosnia's the principal example. And they just fail[ed?] miserably. I was involved in that, but not particularly on the [failing?] side. At the International Court of Justice in February of this year. And so I think that there is a new role for informal process, activated by the citizens, engaging the lawyers but not dependent on the lawyers, providing they maintain appropriate lawyerly standards.

01:13:27

And that's an interesting mix. So that that's why, in my view, the Indonesia tribunal was less satisfactory. I sat on it as a judge, and by then – do you know about Indonesia?

RW: Very little.

GN: D'you know how many people were killed?

RW: No.

GN: Millions. [In an hour?] 1965. How were they killed? Butchered. Why were they killed? Because they were Communists. And who was involved in egging them on? Oh, the British! And who cared about the fact? No-one. Because they were Communists. A terrible, terrible passage in history. There was a very well-motivated informal tribunal in the Hague two years ago, and I was involved with it. But that one, unlike the Iran tribunal, did not – I felt bring enough objectivity to the process. So it's quite a tricky balance, because if you get car- - if you're enthusiastic, if you want to see a result, as Lord Russell did with the Vietnam tribunal. His cohorts of philosophers, Sartre and – all sorts of people on it. There's a possibility that you'll be criticized for being partisan, and that that criticism will stick. So you've got to be sure that you set the thing up in the fairest way possible. But I think there's a great scope for...

01:14:54

RW: And why is it important to unearth these truths – talking about...

GN: Maybe it isn't. Maybe it's better to let them die.

RW: Is that your view?

GN: No, it's not my view, but I have to think – you have to allow for the possibility in utilitarian terms that society will be better off if, at the end of a conflict you just kill all the enemy, bring about a few hundred years of peace, and let them enjoy that and then you wait for the next conflict. It's another – it's a horrible approach, but it is certainly one you could argue. Well, we think we've moved beyond that. But – although, that's the pattern of our own country's butchery of the victims. Knock 'em off, kill all the enemy, take no prisoners, and what you then get is a period of peace.

01:15:45

We don't really accept that, because we don't accept that this number of people should die needlessly – some of us would say nobody should die needlessly at all, and that we should somehow find a way of resolving war – well, of conflict without wars. But until we reach that position I think the majority of people would say, "Isn't it better to try and bring some accountability for a whole range of reasons, to some kind of judicial, or quasi-judicial process". And I obviously incline towards that view. But I've never been a victim, so how do I know? And one of the really – the many awkward questions nobody wants to ask, really, but you have to ask, and I find – I just have no answer to this.

01:16:39

If you look at Jewish survivors or relations of victims of the Holocaust, you know that probably, in many cases, they said nothing, expressed nothing, or not very much for decades. Because it was a sort of non-issue, or was made into a non-issue. They may have been seeking or getting reparations from the German government, but it wasn't trawled over as much as it has been much more recently, curiously enough. And then you compare, you contrast that

unparalleled awfulness with the awfulness, but of a different scale, of, say, the mothers of Srebrenica. Whose suffering has been kept alive by continuing but largely unsuccessful attempts at getting satisfactory resolution in different courts.

01:17:34

And you ask, “Well, of these two contrasted victim groups, whose lives have been easier or better?” I have no way of assessing. I just know that they are different. And one of the reasons they may be different is because one group has had their suffering kept alive, and the other has probably in large part allowed it to be suppressed. But it’s completely beyond me to say which is the best. Of course I think in some kind of boring, liberal, “let the truth out” – it’s the ones who kept it alive. But I can’t be sure. Because – I just can’t be sure.

01:18:17

RW: It is fascinating imposing these models of justice on certain communities, certain tribal groups, as well, where it’s simply not the process...

GN: Yes, absolutely.

RW: Fascinating [questions]. But the – One [thing] that interests me, is human rights generally, I mean – it’s almost becoming a dirty phrase and concept now in certain areas of the British media, for example – what role for human rights moving forward? I mean, should we- ?

GN: Well, what ARE human rights, really, I mean, the great question – we talk to young – talk to new intending barristers, say “What do you want to do?” “I want to become – do human rights.” “What’s that?” And they don’t know. And I don’t know either, really. I mean we know, we know what they’re defined as in terms of the Convention and the Declaration, all that sort of thing. And then if you dig a bit deeper, you can say “Yes,”, and people can argue that there’s a historical lineage going back to revolutions, French and American. Or we – [or it] goes back even further than that. But none of that really tells you what a human right is. Except that I think it’s helpful to – I think it’s helpful – to conceive of what happened in 1948 and 1951, to – when the Declaration and Convention were being drafted – to think of the people concerned – that’s Eleanor Roosevelt and her friends and then – what’s his name, KIlmuir?, who was head of the chambers I was head of the chambers, did a lot of the drafting of the European Convention, Max – was it Maxwell Fyfe, I think? Who prosecuted at genocide – prosecuted at Nuremberg, and who was a frightful right-wing conservative MP, but who was driven by his experience. Never – despite – and he did something terrible like refuse to commute the death sentence on, what is it Ruth Ellis or? I can’t remember which one. Doesn’t matter. [Maxwell Fyfe became Lord Kilmuir.]

01:20:36

So here he is, a terrible right-wing MP, drafting the Convention. And completely committed to it. And you get the impression that these people were not trying to make the law. They were trying to find something that is intrinsic in the human condition. And if – and that I think is a concept – maybe bogus, in a sense – doesn’t matter – because if it’s – if it’s a concept that does overall good, or doesn’t do harm, then why not live with it? And it may even

be correct, that there are essential qualities to being a human being, even if you're not religious, by disposition. And those include the right to life. Well – even that is questioned by countries that have capital punishment. The right to think freely. And that can be suppressed by countries in a major way, like – countries like North Korea probably which do suppress the right to think, and countries that do it in such a way as - even our own, from time to time.

01:21:48

But these are the rights. And if those are the essential things that qualify as human rights, then I think that's a reasonably sensible categorisation. And I think the problem for people who are – or wish to be engaged in human rights, is that they've been expanded. Indeed, right at the beginning, I think in the Convention and – right-winger Roger Scruton, who's an honorary bencher here, is vocal in his criticism of all the stuff. But quite interesting to read, where – by the time you move from those very basic rights to the right to social security – well, hang on! That's not a human right, that's a right – to me – that's a right that the society in which you live through its government happens to give you.

01:22:39

I'm not sure that it's a human right. It's completely distinguishable from the others. Freedom of movement – that may be a real human right – why should you be confined? Then you've got the problem of fixing that with [inaudible]. So that is what I believe human rights to be about. And I think it would be a terrible blunder, worse than that, if this government tries to pull us out of the Convention, the European Convention, and thus out of the European Court of Human Rights. Because although some of the decisions may have been marginally upsetting to read in the Daily Mail, and the Daily Telegraph, they are in my view clearly to the good, and it would be a terrible mistake to pull out.

01:23:41

And here's why I would say that, amongst other things. Our country's not that good. We aren't much good, we are – have the potential for racism, xenophobia, lurking just below the surface. Probably as in any other country, but certainly as in any other island country. We are an island country. Likely to be xenophobic. And what we know from experience is that if nasty – if nasty governments take us in undesirable directions, the lawyers will do nothing to protect us. We know that. I know you're never supposed to compare anything with Nazi Germany, but we know that the defining conference of the Jewish solution, the "final solution", which meant gassing all the Jews, was made by a group of 21 people of whom the majority were qualified lawyers. Lawyers won't help. And what may help is if you don't only recognise in some kind of vague or even well-articulated way through the Human Rights Act, if you recognise something sort of basic to being human which can be moderated, controlled, judged from outside. And it will be a HUGE risk for us to say we are SO clever, we don't need the advice of external bodies to tell us how to behave.

01:25:29

It would be arrogant, and it would be to put our own citizens and the citizens of all the other countries who make up our multinational, multi-ethnic society, at grave risk. And what I can't understand about the Brexiteers, who if you hadn't guessed it already do not include me in their number, is this, really. And it's a little, silly example I've given over the years. If you had a really serious medical condition – have you read this example before?

RW: No.

GN: If you had a really serious medical condition – brain. And you had two hospitals to go to. And this hospital has entirely English-based expertise. They don't read foreign journals. They read all the English journals about brain surgery. They're very knowledgeable about English brain surgery. This hospital reads English brain surgery journals, but it also reads French, German, Thai, Japanese. Which one would you go to?

01:26:40

And why should we think that lawyers, somehow, are going to be better informed and able to deal with these fundamental issues that are SO difficult, simply because they're stuck in this island. And the issues of assisted suicide, of abortion, of imprisonment are fundamental and extremely difficult. Why should you assume that lawyers and judges from around the world are badly intentioned against our little island just because they're not British. It's NONSENSE. And although, I know globalism is – globalisation is substantially out of fashion, I can see absolutely no reason for denying us the advantage of incorporating in a formal way – The Brexiteers say, "Ooooh, we'll still take account of what they say." But they won't. In a formal way. A level of supervision of others.

RW: I've got one final question which is really what's taking up your time now? You're obviously – just completed a book, or just completing –

GN: I'm just dealing with a book on my lectures. And I'm actually having quite a interestingly quiet-ish period, because all the work I was doing just happened to end at the same time, last year. So I don't quite know what I'm going to do next.

RW: You're still sitting as a judge?

GN: Only until my birthday this year when I'm expired, or shot, or something, probably taken out and shot, I should think. But – so I'm going to try and do a little bit of recording between now and then just to enjoy. The foundation of course is a great – is a great vehicle for things that I enjoy doing, and we - I want to expand that. I still have one continuing task for a country – nothing to do with war crimes but international work. And Bosnia may – Bosnia's quite a big issue that needs dealing with, but I don't think that's going to come up. So at the moment it's going to be pro bono work for a bit. I've got an interesting project which I should now turn to, to deal with organ transplant – organ harvesting of the organs of criminals in China. Which is quite an interesting project. And I'm still - part of me, just a little part of me, would think – wouldn't it be nice if somebody asked me to do an English case.

01:29:07

Except I'd probably be frightened if I went into court I wouldn't know what to do!

RW: And when was the last time you did one?

GN: Crikey, I can't – I was last in court about four years ago. But it was –

RW: You'd have a little crowd of people watching you there!

GN: Yes, I mean, I dunno, it's just sort of – and you think, "Gosh!" and I think, "Oh no, I don't," I put the covers over my head and say, "No, I don't want that, I'll stay where I am."

RW: You have to wait for the jury to come back in as well.

GN: Yes, I know, all of that. It would be awful, wouldn't it. Terrible!

RW: I did read that you have a coat of arms now?

GN: I know!

RW: And your motto or whatever you call it is that, "I may place other's causes before my own". And is that – you think - what you've done?

GN: It has to be understood that's an aspiration not a, not a description. And that I think – yes, that's a reasonably – I think that's a reasonably good approach to life.

RW: It's so interesting, because you said, "Oh I took that job at the ICTY, not because I wanted to change the world," and maybe that's slightly – different?

GN: Well, I think that, yes, I mean it is aspirational, A. And it's something you can only even aspire to if you're not committed to worldly success of the more manifest, obvious, financial and materialistic kind. And I mean I do think, since you've indulged me by allowing me to talk all this nonsense, which you'll have to edit down to some kind of lesser nonsense.

RW: [laughs]

GN: It's all right. I do find it utterly – it's beyond my understanding that as people approach the end of their life they can remain remotely interested in their physical possessions or their status in society. Because once you're dead, it's all over. I could never understand how African potentates, who are so famously corrupt, must know that once they're office – whether by death, by murder, or even occasionally by retirement – they will within weeks, months or years be trashed for the fact that they raided the country's banks – How can you – or Blair and Bush – how can they want money so badly that they will interpose between what they did and the reputation that will survive them – this ludicrous greed for acquisition of wealth?

01:31:45

I don't understand it. And that may be rather primitive of me, but I simply don't. And so if you ask, "Well, what would you rather do than that?" Well, you can say, "I'd like to engage in painting, or gardening," that's fine. I don't mean that in any dismissive – it really is fine. I mean, there's nothing – that's GOOD, in my view. I mean if you want to do anything else in the world, other than, now that I've dismissed it, just by a newer car and a bigger house, and another yacht and whatever else. What else do you wanna do? Well the only

thing you can want to do is in some way serve interests. And if you haven't got interests of your own to serve, that are legitimate, well why not try and serve other people's?

01:32:35

RW: Thank you so much, you have moved with remarkable dexterity into a very complex question, so I very much appreciate your time.