

Charles Guy Powles
24 March 1934 –19 July 2016

Charlie Powles¹

When Guy Powles died he was actively involved in the law, as he had been for the past almost 64 years. As a Senior Research Fellow of Monash Law Faculty he was supervising a PhD thesis on sorcery in Papua New Guinea and had just completed two major academic papers on Tonga, presented on his behalf by colleagues at conferences in New Zealand.

All his life Guy managed to combine his three great loves, the law, the Pacific Islands, and his family. His father, Sir Guy Powles, later New Zealand's first ombudsman, was High Commissioner in Samoa, and Guy travelled back and forth to boarding school with Pacific Islands students, several of whom remained lifelong friends. After completing an LLB and a BA in French at Victoria University in Wellington, Guy practised until 1974 as a barrister and solicitor there, interspersed with two years as Stipendiary Magistrate in Samoa. On his return, he completed an LLM with papers in insurance law and a minor thesis: *The Status of Customary Law in Western Samoa*. A year's exchange in a London solicitors' office in 1971 provided opportunity for research into customary law in some African states. At the age of 40 he became interested in further research in Pacific constitutional law, and completed a PhD at ANU: *The Persistence of Chiefly Power and its Implications for Law and Political Organisation in Western Polynesia*. During time in Tonga, Samoa and Fiji doing research for this thesis he gave classes at USP in Suva, carried out small projects for the Tongan Government, and also spent a year working for Government of Western Samoa on a study of the court and traditional dispute resolution systems. This involved working with a parliamentary commission of inquiry and nation-wide public consultation process and the drafting of the commission's Report on Chiefly Titles and the Land and Titles Court.

An intended four years in academia extended for the rest of his life, as he enjoyed teaching and the friendly collegial environment of Monash, and also appreciated how much he could contribute to legal practice and constitutional development in Pacific Island states from the

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vantage point of a major Australian University. Sabbaticals were usually spent at USP; a year at the University of Hawaii provided a further Pacific experience.

At Monash Guy founded the Monash Oakleigh Legal Service as part of the clinical law program he helped to develop. He developed and taught for many years a course in Pacific Comparative Law, and supervised numerous theses on Pacific topics. He was particularly interested in legal ethics, and taught this, and other subjects concerning the legal profession, and insurance law. He built up a Pacific Law Resource Unit collection in the Monash law library, and set up a Pacific Room there decorated with artefacts he had been given by Pacific friends: it became known amongst students as a particularly pleasant place to study.

All through his life Guy was involved with many aspects of the law and its development in Pacific Island states. He had a judicial appointment in the Appellate Division of the Supreme Court of Federated States of Micronesia 1989-90. He had many commissions from Pacific Island governments to research and report on a number of topics, such as the Report for the Fiji Constitutional Review Commission on the place of chiefs in constitutions, comparing Pacific and African models, with particular reference to the role of the Great Council of chiefs and district chiefs in the Government of Fiji. He served on the Nauru Constitutional Review Commission, and was engaged to advise the Tonga Constitutional Reform Committee. There were two endeavours he particularly enjoyed. One was compiling and contributing to *Pacific Courts and Legal Systems*, edited with Mere Pulea, which had 56 authors, mostly Pacific Islanders working in 28 Pacific jurisdictions. The other was an AusAID-funded project for which he and Ted Hill researched and wrote, in consultation with the magistrates of Papua New Guinea, the *Magistrates' Manual of Papua New Guinea*, on practice and procedure for local magistrates.

After retirement from full-time work Guy volunteered one semester a year for four years at the Emalus Campus of the University of the South Pacific School of Law, the establishment of which he had been involved in as consultant to the USP 1990-94 on the curriculum for the new school. He continued to supervise theses and contribute to seminars, workshops and conferences through his years of retirement. He voluntarily continued to do research for, and give advice to, Pacific legal officials whose requests came right until his death.

Throughout his life Guy had a high level of local community involvement, the concept of service instilled in him by family tradition and from attendance at a Quaker school in Washington in his early teens. He would help virtually anyone who asked, and always did a thorough job. He was particularly concerned about Pacific and other non-Anglo youth in their interaction with the Australian court system and developed a number of projects to help familiarise them and their families with appropriate procedures. He helped a number of Pacific community organisations and church bodies in Melbourne with practice and procedure, and thoroughly enjoyed the social contact this brought him. Through involvement with the Australian Association for Pacific Studies, which he helped establish, he hoped to help raise the consciousness of Australians to the importance of their Pacific neighbourhood.

The many messages received on Guy's death have similar themes, emphasising his gentleness, his consideration and his commitment. Students from over the years, especially Pacific Island students, acknowledge his importance to their personal and professional development, just as he acknowledged their tremendous contribution, and that of many other Pacific Island friends and colleagues, to his own knowledge of, and feeling for, the Pacific Region. A number of people working now in Pacific teaching and research have said they would not be doing so if it were not for his encouragement. His doctor saw him as a "very fine and distinguished man"; his dean noted that "every one of my conversations with Guy was joyful and full of enthusiasm for his life and work". Guy had health problems as a result of having had rheumatic fever as a child and, more recently, meagre sight from a retinal disorder, but he never allowed these conditions to restrict him.

Guy's third love was his family, and they, his wife Maureen, children Tim, Alex and Charlie and their families, know how fortunate they are to have had his presence, his influence and his kindly humour in their lives. They are grateful for, as one friend and colleague put it, "a life well-lived in the service of many."