

James Gordon Smith B.A.

An Appreciation

By Fr Peter Sherred

When James failed to present himself in the Magistrates' Court on Wednesday 23rd February last year it was a most unusual occurrence, for James was a solicitor renowned for his assiduous attention to professional etiquette and the needs of his clients, and his absence gave rise to concern. It was later discovered he had set out for work as usual from his Walmer home, had called in at his local newsagent en route, then, having returned to his car, he suffered a fatal cardiac arrest. His death was a great shock to his family, his wife Alison and son Edward, as well as to his many professional colleagues, friends and clients.

His memorial service at St Mary's Church, Walmer, on Saturday 2nd April 2011 was a wonderful celebration of his life and the packed church reflected the impact he had had on so many people's lives and demonstrated the love, affection and esteem with which he was held. Judges, barristers, solicitors, cricketers, actors and many friends from his church family discovered the breadth of interest and activity that



James Smith

made up James's life. Many Dovorians, over a period of some three decades, were the beneficiaries of his innate sense of justice and fair play, his knowledge of the law and practice of litigation and in particular his work in the criminal courts. He was

particularly concerned for the underprivileged or disadvantaged and, as a legal aid practitioner, was determined that their cases should be presented professionally and their rights protected. He was a self-effacing and modest individual who had little to be self-effacing or modest about.

An only child born in Gosport, Hampshire, he was educated, after primary school, at Gosport Grammar School then moved on to the University of Kent at Canterbury where he was to graduate with a degree in History. He studied law in Hereford, qualifying as a solicitor, subsequently practising in Andover and Hastings before moving to a practice in Queen Street, Deal. In later years he moved to Dover where he operated as a sole practitioner, in a firm under his own name, based in premises in the Market Square next to

Lloyds Bank. At the time of his death he was a member of an association of legal aid practitioners operating in Folkestone but covering all the local criminal courts, including Dover's in Pencester Road, as well as the Crown Courts.

James and my paths crossed on a pleasingly regular basis and in different arenas. Being both graduates of the University of Kent – he was a member of the first intake in 1965 and I from the second intake of 1966 – we would, on an annual basis, join together at the University for the Careers Fair to provide undergraduates with the benefit of our experiences in the legal profession giving guidance on training and employment opportunities. These were always special full day events for the two of us and James's wry sense of humour always came to the fore.

It also made a pleasant and stark change from the many other venues where we would meet - police stations, courts and prisons! We were both at one time 24 hour Duty Solicitors as well as being Court Duty Solicitors so it was not uncommon in the middle of the night to attend at Dover Police Station or the Customs Custody Suite at St John's Road or premises at the Eastern Docks among others to find James already called out to a client in difficulties. Often after a long night in the cells we would be in court together the next morning doing our best for our respective clients and if that failed James and I could be found in one of the local prisons (Canterbury, Maidstone, Sheppey) or a Young

Offenders Institution on the next stage of our clients' journey through the court system. Throughout James was always unfailingly courteous and affable to custody officers, clients and professional colleagues alike and his knowledge of procedures and outcomes was second to none. Another area where we had a common interest was in supporting the work of the Dover CAB where the two of us became the longest serving members of our profession offering free legal aid and advice to CAB clients. This was another area in which James was well respected.

Despite his full commitment to the legal profession James had many other interests he packed into his life. From his early days in Gosport Grammar he had developed a love of acting and at various times was a member of groups like the Guild Players in Deal and the St Nicholas Players at Ringwould. He was delighted when this love of acting was inherited by Edward who also shared with his father a love of the Proms at the Albert Hall in London where they would attend as promenaders. James was also particularly fond of Elgar's music.

Two other aspects of James's life giving him great satisfaction were centred on his passion for cricket and his commitment to the church. In respect of the former while a student at university he joined the cricket team and played his first match in Deal against the Royal Marines. Subsequently he played for Walmer cricket club, enjoyed turning out for the

Court Cavaliers and latterly joined Wootton cricket club as an amateur umpire but James, being James, soon began training in earnest and in April 2009 he was delighted to gain his Umpires' Certificate Level 1 which he put to good use with the Deal Victoria and Barns Close cricket club's spending a very happy 2010 summer with many good friends.

As to his church involvement a formative influence in his life was when he spent his 21st birthday in Belfast helping at the Corrymeela Community which focuses on reconciliation. He attended St George's Church in Deal where he became churchwarden and when his parents-in-law moved into The Shrubbery in Walmer he, with Alison and Edward, joined the worshipping community at St Mary's where he participated fully in the life of the church and joined the Canterbury Cursillo group enjoying the friendship of local members. In 2006 he walked from Rochester to Canterbury on a sponsored walk to raise money for and awareness of Christian Aid. A colleague at St Mary's once preached a sentiment from the pulpit that provided a philosophy he practised in life. She said "When I hear about a disaster in the world first I send up a prayer and then I reach for my cheque book".

It came as no surprise that James had requested that a retiring collection taken following a service after his death should be divided between Christian Aid and The Primary Club, the latter being a cricketers' charity for blind and

partially sighted players.

Alison, James's widow, had first met James through mutual friends in the St Nicholas Players and they were married at Ringwould Church and enjoyed a marriage of thirty years, sharing "a silly sense of humour". James lived to see Edward graduate from University College London and go on to gain an M.A. from Leicester University and was rightly proud of his son's achievements.

Death is, invariably untimely, but the nature of James's sudden departure from us robbed all those who knew and loved him of a deeply principled, compassionate and honest individual whose concern for social justice was imbued with and firmly rooted in his sincerely held Christian values. Being a dedicated professional believing in the rightness of the availability of Legal Aid James was not a 'fat cat lawyer' of the stereotype often attributed to members of the legal profession but the wealth he enjoyed in his life went beyond monetary gain. It was that based on a loving family background and the knowledge that in all his actions for other people he was at their service and he stood up to be counted by tackling injustice. In truth he left this world a better place for his presence with us and many a Dovorians today will have James to thank for his/her good fortune in life after his involvement with theirs. For those of us privileged to have been associated with him and the profession he served he set standards and examples of behaviour which we can only aspire to emulate.