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Michael Pembroke

Judge, Supreme Court of NSW

Fans of writers John Mortimer and Harper Lee would argue that as a literary setting, the courtroom provides all the fodder anyone could want.

But for twice-published author Michael Pembroke, writing is about getting his mind away from the bar, where he practised commercial litigation before becoming a NSW Supreme Court judge in 2010.

“The commercial bar is fairly dry, actually,” he says. “That’s another reason why I started to look around for an outlet.”

A prolific letter writer when young and a passionate essayist in his teens, Pembroke spent decades forging a career at the bar and raising four children.

“It sounds like a cliché, but from the age of about 50 I had time on my hands again because I got my weekends back,” he explains. “For 20 years I’d been running around with children.”

He started writing non-fiction in 2005 and now counts himself a judge and writer in almost equal parts.

Pembroke’s first book, *Trees of History and Romance: Essays from a Mount Wilson Garden*, was published in 2009. It sprang from time spent gardening at his weekend in the Blue Mountains with his wife Gillian.

His second book, an historical account titled *Arthur Phillip: Sailor, Mercenary, Governor, Spy*, was written over two summer holidays, with the music of George Frideric Handel on in the background to help create the atmosphere of Phillip’s era. “Of course I’d have to be social, coming out for coffee when visitors arrived and down for lunch, but it was a process that worked consistently well for a good 12 to 18 months,” he says. “And because it was a hobby, it wasn’t tiring.”

Pembroke also wrote for two hours each day before work. But there are occasions when writing just isn’t possible. “Sometimes there’s just no time, or even where there is time, there is very little emotional energy

left,” he says. “Sometimes the [court] case is so draining, it saps everything out of you.”

He is midway through a third book, which will explore historical trade movements in the Southern Ocean.

Pembroke, 59, says his personality has changed since he began writing. “I’ve become less dogmatic and less black-and-white in the way I look at things, and I’ve started to enjoy the company of artistic and creative people more than business and legal people.”

At the Supreme Court he tries to accept shorter cases rather than ones that run across months and thus impede his writing, although he concedes it’s not always possible to dictate what work he is given.

Almost a decade into writing, Pembroke has no plans to leave the court. But he has ruled out growing old and grey at the bench.

“I’ve established a lot of professional, personal and financial goals and I’ve thought, [writing] is really what I would prefer to do. To be perfectly frank, the sooner I can do it full time, the better.” ■

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OTHER PASSIONS