

UNIVERSITY CHURCH OF ST MARY THE VIRGIN OXFORD

**A TRIBUTE GIVEN BY**

**JOHN VICKERS**

**IN MEMORY OF**

**PATRICK NEILL**

**8 August 1926 – 28 May 2016**

Lord Neill of Bladen QC

Vice-Chancellor, University of Oxford, 1985-1989

Warden of All Souls College, 1977-1995

Fellow of All Souls 1950-1977, Honorary Fellow 1995-2016

Commoner Magdalen College 1948-50, Honorary Demy 1949,

Honorary Fellow 1988-2016

Saturday, 12 November 2016 at 2.30 p.m.

## Professor Sir John Vickers

In his first year as Warden of All Souls, Patrick Neill sent the Fellows a memorandum entitled 'Statute I of All Souls College Statutes'. It concerned the second sentence of the statute, inserted in 1926, which stated that: No woman shall become a member of the College.

By 1978 all but one of the formerly all-male colleges had changed their statutes, many of them just recently, to make women eligible for election to Fellowship. But Warden Sparrow of All Souls, who had spent a quarter of a century skilfully resisting change in general, had blocked this one above all. The College had elected Patrick Neill as successor to Sparrow over Bernard Williams. What would All Souls now do? How would the new Warden, a conservative figure in many ways, lead the College on this fundamental question?

The memorandum is a characteristic model of clarity. It deals in turn with questions academic, traditional and reputational. The conclusion, however, is moral – a 'compelling consideration of abstract justice'. 'Why *cannot* a woman be elected if she has the necessary intellectual capacity?' the paper asks, with emphasis, and answers that 'It is simply unfair that there is an absolute statutory bar to the election of any woman'.

Of course. Today it feels shocking that this was even a question, let alone a contested question, less than forty years ago. I hesitated before deciding to speak about it at this occasion, but uncomfortable truths can be important truths, and Patrick would not flinch. A change of statute required a two-thirds majority, and this was achieved, with a little to spare, at a special meeting of the College in February 1979. College grandees from public life, such as Lord Sherfield and Sir Patrick Reilly, stood squarely with Warden Neill.

Would an alternative Warden have secured this result at the earliest post-Sparrovian opportunity? I like to think so, but the way Patrick did

it – with absolute firmness of purpose, yet with sensitivity to conflicting views in a fractured college community – is no less admirable for that.

To amend a statute is one thing. To elect women to Fellowships is another. And for a community to change, especially one which, unlike a student body, admits few new members a year, is something else altogether. Two years later, on 31 January 1981, the College was due to elect to a Thesis Fellowship, what would now be a postdoc. Both leading candidates were women. The first ballot, doubtless affected by tactical voting, produced an impasse that could have thwarted any election being made. There was great consternation all round, except for Patrick, who simply said: 'Let's try again'. We did, with the result of the election of the late Susan Hurley, the philosopher. Of the College's 81 Fellows today, 27 are women and 54 are men.

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At the memorial service held in London last month, Johnnie described his father's early life as 'a faint mystery to us – a family characteristic of keeping one's thoughts to oneself'. When Patrick's father, Sir Thomas Neill, died the age of 80, he was only ten. His mother Annie, who adored him, was a woman of firm resolve, as would be other pillars of his life. At home in Highgate there were hours exploring Chopin on the upright in the dining room. Patrick's keen eye for art was displayed when, aged about six, he observed of Sir John Lavery's portrait of his father that 'the waistcoat buttons are very good'. Patrick had two brothers – Desmond, a librarian and literary scholar, and Brian, who would become a Court of Appeal judge and is with us this afternoon. Their sister Cathie was a pioneer in the treatment of children with congenital heart defects, at Johns Hopkins in the United States.

After Highgate School, Patrick joined the Rifle Brigade, attaining the rank of Staff Captain in Egypt, before going to Oxford mid-year, in Hilary Term 1948, to read Law at Magdalen. Taught by the formidable duo of John Morris and Rupert Cross, he got a first in Jurisprudence in 1950, and then proceeded to the BCL. Together with fellow Magdalen

students Guenter Treitel and Raymond Kidwell, Patrick bet Rupert Cross that they would not get firsts in the BCL. They were good losers, and when the exam results were published, they turned up at Rupert's room to pay their debts. The winnings were promptly consumed. Rupert Cross and Guenter Treitel would successively become Vinerian Professor of English Law – the chair first occupied by Blackstone – at All Souls.

Meanwhile, in November 1950, Patrick was elected to a Prize Fellowship at the College along with Julian Bullard and Michael Dummett. This extraordinary trio – lawyer, diplomat and philosopher – mirrored the great All Souls election of 1932 – Richard Wilberforce, Patrick Reilly and Isaiah Berlin, important figures in Patrick's life. If there is a blot on the academic copybook, it is that Patrick apparently forgot to take his MA degree until reminded of his obligation to do so by Warden Sparrow, almost twenty years later.

Patrick and Caroline married at St Mary Abbots in Kensington in April 1954. They soon established their London home in Milborne Grove and there developed a full and rich family life, with six children. Jeremy and Belinda Morse and their family lived around the corner. Summer holidays in Perthshire led to the acquisition in 1963 of Auchenleish, and when a couple of years later Caroline's parents both died, quite young, Blackdown House in Dorset was inherited. The Warden's Lodgings would therefore become a fourth home in 1977.

There was music in abundance – love of all fine music composed before about 1940, if played at the right tempo, but perhaps especially Haydn, Beethoven, Tchaikovsky, Fats Waller, and Mozart's da Ponte Operas. There were frequent visits to Covent Garden with the Berlins. And in the wake of the success of the Three Tenors, in 1993 the Sheldonian was graced by a piano concert performed by the Three Wardens – Harvey McGregor of New College and Claus Moser of Wadham being the other two.

Sir Mark Waller spoke about Patrick the lawyer at the London service. Described as the 'brightest young man at the bar', he took silk at the age of thirty-nine. As well as commercial and patent law, where his reputation as a junior had been made, Patrick's practice ranged widely – from leading for the defence in the obscenity case against *Last Exit to Brooklyn* – hardly Patrick's cup of tea – to the rapidly developing field of administrative law, as in the appeal to the Privy Council in the case of the New Zealand airline disaster in Antarctica. His combination of acute perception of the wider picture of a case with formidable command of the detail came from the most meticulous preparation, through an immense amount of toil, involving piles of papers, at all hours of day or night, after which the advocacy was as lucid and precise as it was courteous.

Patrick has been described as 'a Gladstonian figure among lawyers: fearless, upright, Olympian'. There was another side too. Lord Hoffmann recalls arguing a case against him when Patrick said to their Lordships: 'I will now deal with the more philosophical part of my opponent's argument'. Hoffmann said to him afterwards in the robing room 'Pat, I never expected the word "philosophical" to be used as a pejorative expression by a Warden of All Souls', whereupon with that mischievous grin Patrick said 'You have got to do anything to win'.

It surpasses understanding how Patrick combined the Wardenship with legal practice, the Press Council, the Lloyds Inquiry, the Council for the Securities Industry, and judging appeals in Jersey and Guernsey. The story goes that one Friday, Edna, the College Secretary, reminded him that the Denning lecture was next week. 'The Denning lecture? Am I going to it?' 'Yes, you're giving it.'

In consequence of such a rich professional life, Patrick was not omnipresent as Warden in the early 1980s. But a degree of detachment was the counterpart of Patrick's objectivity and impartial integrity. And the ship was steered deftly in partnership with Charles Wenden, the Bursar, and by Peter Fraser and Tony Honoré as Acting Wardens during Patrick's term as the University's Vice-Chancellor from 1985 to 1989.

To that role he brought authority, dignity, and flair for public speaking, naturally without notes. There was formality – even at an early morning meeting in the Lodgings you wore a gown – but great effectiveness too. The burdens of the Vice-Chancellorship had substantially increased in recent years, and these were hard times for British universities.

In one of his annual orations Patrick described the comfort he had drawn from reading the recently published volume on the History of the University covering the Tudor period. ‘There was much Government pressure and a shortage of funds in the University Chest. In return for money Kings and their Ministers required performance. There was insistence on the relevance of subjects studied’. ‘Sir Keith Joseph’, he continued, ‘seems to be a sort of latter day Thomas Cromwell’.

Opposition to Government policies towards higher education had motivated the rejection by the University’s Congregation in January 1985 of the proposal, moved by Patrick, to confer an honorary degree upon the Prime Minister. The six other post-war Prime Ministers to have attended the University had received honorary degrees while, or before being, in office. For Patrick it was right to honour Margaret Thatcher in the same way; she was moreover the country’s first female Prime Minister. For others, however, it was wrong to honour the leader of a Government whose policies were seen to be damaging British universities. Looking back, it is tempting to blame the timing of the degree proposal for this sorry episode, but I’m not sure that will do. Sometimes important values clash, irreconcilably.

Vice-Chancellor Neill did not hold back in publicly criticising Government policies for higher education. They were ‘crudely materialistic’, and the Government’s intention was to alter the whole relationship between the State and the universities. ‘What sort of policies are they’, he asked, ‘which threaten the annihilation of so much of that which has so recently been judged to be outstanding?’

It was against this background that: ‘It has become abundantly clear that we will need to find alternative sources of income if the University is to

survive in anything like its present shape'. Thus from adversity was born the Campaign for Oxford, launched in October 1988 with a fund-raising target of £220 million. To date the campaign has raised more than ten times that sum.

On demitting office, Patrick summed up what the Vice-Chancellorship had been like – 'a fairly unrelenting struggle to sustain what is best in Oxford, to repel attacks and criticism, to preserve financial stability and university autonomy, and to deal as best as we might with a steady bombardment of requests for information, statistics, and critical self-analysis.'

There was also extensive entertaining, such as hosting the University's new Chancellor, Roy Jenkins – a delicate occasion, for Caroline and Roy did not see eye to eye on Europe. But she cheerfully welcomed him to her table once Patrick agreed to buy the bull she wanted for her Welsh Black cattle.

The Neill family dogs – another contrast with John Sparrow – could be spirited. After an agreeable Sunday lunch in the Lodgings, the College Chaplain, Jack McManners, returned to retrieve a pair of spectacles. He commemorated what happened next in doggerel, of which a few lines will suffice:

The Warden's dogs, out in the cold,  
Were justly banished from the fold,  
And in the garden's freezing calm  
Were meditating doing harm.  
O gentle reader, read no more!  
For nature, red in tooth and claw  
Was plotting mischief on that day  
And sought a victim for her prey.

Patrick served six further years as Warden following the Vice-Chancellorship. In 1993, when he and Caroline were in the United States, came the devastating news that Matthew, their youngest son, had

been killed in a car accident at the age of twenty-eight. The fortitude which Patrick displayed in his public life in the face of this terrible tragedy was extraordinary. But what really matters is the inner life – the strength that Patrick and Caroline gave to each other for the rest of their lives, supported by their profound Christian devotion.

Patrick stepped down as Warden after eighteen years in all. Not retirement of course, but time for pastures new, including the chairmanship of the Committee on Standards in Public Life. There was also advocacy, such as the BCCI case against the Bank of England, which Patrick argued before the Lords the morning after the night of the once-a-century Mallard feast in All Souls in January 2001.

Caroline died in 2010 after a marriage of fifty-six years, and with grandchildren following children. Only they can know how it was to have Patrick as a grandfather, but it sounds rather wonderful. Never admonishing – the slightest shoulder quiver would do – ever encouraging – listening, eyes lighting up, walking, talking, understanding, and always admiring the free spirit.

Patrick's great friend and hero Isaiah Berlin made famous the saying of Immanuel Kant that 'out of the crooked timber of humanity no straight thing was ever made'. This was refuted by Patrick in his very being – a man as straight and true as could be.