



# Profile of John Gordon

## “Never give up!”

In his eloquent and stirring address to the Australian Plaintiff Lawyers Association Conference in Noosa, Queensland, in November 1996, John Gordon's message to plaintiff lawyers was, "Never give up!". A glimpse of John's career suggests that he certainly practices what he preaches.

John Gordon grew up in Western Australia where he was educated by the Jesuits at St Louis/John XXIII College before studying law at the University of Western Australia.

John could have easily been destined for a different career path. Indeed, in his university days a punter would have been far more likely to put money on John becoming a "blue chip lawyer" for defendants than taking up "against the odds" fights for struggling plaintiffs.

On graduating John joined WA law firm Taylor Smart and, at a young age, became a partner.

In about 1985 John ventured into his first "against the odds" fight - Wittenoom asbestos litigation. It was a fight which victims had started in the 1970s, but a battle they were losing despite an alarming increase in the

number of those stricken by asbestos caused illnesses.

In January 1987 John left Taylor Smart to join Slater & Gordon when Slater & Gordon opened a branch office in Western Australia for the specific purpose of pursuing common law claims for Western Australian asbestos related disease victims. John then worked relentlessly, an integral part of the team of lawyers and barristers fighting the Wittenoom battle. Blue chip defendant lawyers threw up every defence and took every point. This approach looked to be successful when, in November 1987, the Simpson case ran to trial and lost at first instance. However, vision, passion, persistence and hard work eventually paid off. In August 1988, in the landmark judgment of *Heys & Barrow v CSR Limited and Micalco Pty Ltd* Rowland J made findings of negligence against not only the Wittenoom employer but also against its parent company, CSR Limited.

Fighting and winning the asbestos battle appears to have whet John's appetite for big fights. From 1991 to 1998 John ran the Perth Office of Slater & Gordon as his own practice. He worked on many challenging cases including the medically acquired HIV cases in WA.

From 1994 to 1996, John relocated from Perth to the Melbourne office of Slater & Gordon to embark on what was probably his biggest battle yet, the Ok Tedi litigation.

He represented landowners in Papua New Guinea against BHP in the landowners fight for compensation and remedial action to counter the environmental devastation caused by the Ok Tedi copper and gold mine. Settlement did not result for more than 2 years after the writs were issued in 1994. Along the way the battle for the Plaintiff team involved meeting and beating strike out applications, jurisdictional arguments, security for costs applications, contempt proceedings, detention and deportation as well as new legislation by the PNG government. APLA members may recall John's face splashed across the evening news after his outrageous arrest and deportation from PNG.

John returned to Melbourne in 1999 to take on the tobacco companies in the class action commenced by Slater & Gordon, and to renew acquaintances with BHP in the Ok Tedi enforcement proceedings.

In January 2001 John resigned from Slater & Gordon to undertake the Bar Readers Course conducted by the Victorian Bar. John is now at the bar in Victoria and in his new role as barrister will undoubtedly continue the pursuit of justice for ordinary people in need of an exceptional lawyer. **PL**



John with daughter Tallulah at the scene of the *Nagle v Rottness Island Authority* (1993) 177 CLR 423

