

In Memoriam



David Eitzen
President, ANZFSS - SA Branch

It is with regret that I have heard of the passing of Honourable Chief Justice Andrew Wells. Although I did not know the man personally, I know enough to be aware of the major effect he had on our Society and this state's Justice system as we know it today. Hon. Justice Wells played a fundamental role in the formation of the Forensic Science Society, and acted as this state branch's first President in 1969–70. Dr Kenneth Brown, also a foundation member and the inaugural winner of the Award of Service to the SA Branch, knew him well and I asked him to prepare some thoughts on His Honour's involvement with our Society, which are included below.

I have learnt that Mr Justice Wells was educated at St Peters College and obtained his Bachelor of Laws degree at the University of Adelaide. He was a brilliant law student and was awarded his Rhodes Scholarship at Oxford in 1940 and also became a Stow Scholar in 1945. He deferred his Rhodes Scholarship to serve in the Australian Imperial Force during the war for five years. After the war he spent a short period with a private legal firm before joining the Crown Law Office in 1950. He rose to the position of Crown Solicitor and became the first Solicitor General for the State. Mr Wells became a Queen's Counsel in 1962 and was involved with many high profile cases. Whilst in the position of Crown Solicitor, it was Mr Justice Wells who established a system of pre-trial conference which served to reduce the cost of litigants and enhance the function of the Court.

His Honour always showed a keen interest in the academic side of the law and lectured for many years at the Adelaide Law School. His book *An Introduction to the Law of Evidence* has been used as a practical guide by lawyers, JPs, police officers and others seeking to understand the basic rules of evidence and a practical guide to their application.



Recollections of Hon. Justice W. A. N. Wells

Kenneth A Brown

I first met Mr Andrew Wells about 1968. He was at that time Crown Prosecutor and his interest in forensic science and its potential application in the pursuit of justice had influenced him to support a small group of specialist scientists and police officers to form the South Australian Branch of the Forensic Science Society (of Great Britain). Andrew Wells became its Founding President, and I was a member of his committee. Under his guidance, the fledgling Society developed and became a significant force in the promotion of this special field, not only in this State, but nationally and internationally as well. In those early days, meetings were held at the Arkaba Hotel during the afternoon and evening with a meal break. Andrew Wells would always join us and contribute to our discussions and conversations.

One of his important contributions of particular value to those involved in forensic investigations was his manual on the law of evidence. I used for my own edification, and for teaching my students over the years.

It was characteristic of his high legal and ethical standards, that upon his appointment as a Justice of the Supreme Court of South Australia, he considered it proper to resign his membership of the Society in recognition of the absolute independence of the Judiciary, and to avoid even the appearance of any bias toward forensic science.

In 1980–81, the Committee unanimously voted to confer honorary life membership on Andrew Wells in recognition of his contribution to the society and to forensic science. It was my great honour, as president at the time, to make the formal announcement, and present him with his Life Membership Certificate at the Annual Dinner to which he had been invited to attend as guest speaker. I recall vividly that it was at a time when forensic science was facing certain challenges and Andrew Wells' message was one of encouragement and support. When asked how these challenges should be dealt with, he replied, "My experience over the years has taught me that the most powerful weapon in the world is patience!"

For myself, it has been a great honour and a rare privilege to have known him personally over many years.



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A learned and impartial society working to
enhance the quality of Forensic Science

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