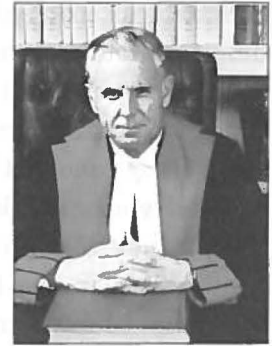


## The Honourable Howard Alexander Callaghan

The Honourable Howard Callaghan—dubbed “the gunslinger” by some members of the defence bar—was a tough judge. Often assigned difficult cases, particularly jury trials requiring firm direction, his courtroom was a fair but tightly controlled place. However, control over Parkinson's disease was not to be found, and Howard's long struggle, faced with grace, dignity and quiet determination, ended in the presence of his beloved Doris on February 15, 2016.



Born in 1927 in Ottawa, Howard was a product of Glebe Collegiate (and its football program), Carleton (B.A. '50) and UBC (LL.B. '53). In 1953–1954 he articulated to Harold McInnes (later, McInnes J.) who was then practising in Penticton with Day Washington (later, Washington CCJ.)

Howard's interview with Harold McInnes took place in the UBC office of Dean George Curtis and, as McInnes paced the dean's office, smoking, McInnes simply declared: “Come to Penticton and I'll teach you everything I know.” After Howard accepted that terse but attractive offer, McInnes moved a second desk into his Penticton office, and that's where Howard spent the next busy but decidedly enlightening year.

Howard and Doris (UBC Home Economics '54) were married in 1954, and settled easily into Okanagan life, where they skied, golfed, and raised sons Brent and Lorne and daughter Sandra (all are UBC grads—and the parents of six Callaghan grandchildren). As Howard's law practice flourished he did

the predictable things small-town lawyers do, serving as president of the Rotary Club and giving his time to various other local endeavours.

After Harold McInnes was appointed to the Supreme Court in 1955, Howard commenced a partnership with Day Washington that lasted until Washington was appointed a judge of the County Court of Yale ten years later. Although Howard always preferred litigation, it's difficult to confine one's practice in a smaller community, and Howard's sound reputation as both a barrister and solicitor eventually attracted enough attention that, in 1978, the Liberal government appointed him to the Supreme Court, in Vancouver—a rather notable event at the time, since Howard was then president of the local Tory riding association!

Howard laughed about his obligatory phone call to Chief Justice Nemetz on appointment day. The Chief Justice asked: "Do I know you?" Obviously, the Chief Justice was mainly acquainted with (and recognized) Grit lawyers.

Howard's knowledge, energy and diligence soon earned him respect at the Vancouver Law Courts as he produced clear, concise and coherent written reasons. But he sometimes responded rather impatiently to submissions he thought had questionable merit—such as the following comments at the conclusion of the Crown's case in an attempted murder jury trial:

Counsel:           My Lord, I have an application.  
The court:         Yes?  
Counsel:           I wish to apply for a directed verdict.  
The court:         You have to be kidding.  
Counsel:           Will your Lordship not hear me?  
The court:         Proceed.  
(Counsel proceeded)  
The court:         Dismissed.

More than a few of Howard's colleagues were envious when they read of that brief but effective exchange, and before he retired from the court in 2001 there were undoubtedly many other similar "conversations" with overly optimistic counsel.

However, that is hardly an appropriate note upon which to end this brief but respectful end-of-life piece. The enduring legacy that Howard Callaghan left at the Vancouver Law Courts was his contribution to the collegiality that is the hallmark of that place. Anyone walking into his chambers in search of help or encouragement received it, and he will always be remembered for that. He was a generous and treasured colleague.

The Honourable Ross Colver