

During the first four months of 1969 I earned \$72. This was in the form of a cheque from the Twelfth Night Theatre, Brisbane, as payment in advance for their production of *Norm and Ahmed*. At the end of 1968 I had got married and, despite the desperate financial straits, my wife and I quickly fell back into our pattern of going to the pub (The Newcastle) and a Chinese restaurant (The Mandarin) on Friday nights. On the night of 18 April 1969 we came back to our flat at about eleven to a ringing phone. It was Joan Whalley, artistic director of the Twelfth Night and did she have a tale to tell! Norman Staines, who played Norm in her theatre's production, had been interviewed by detectives from the Licensing Squad following a performance of the play. He had been warned that by saying the last line of the play, "fuckin' boong", he could be charged with using obscene language. I was amazed. The following morning the story dominated the front page of the *Courier-Mail*. That night Norman Staines uttered the same line he had been uttering for the week and a half the play had been running. He was arrested by Detectives Bradbury and Hooper, taken to the city watch house, and charged. Later, he was released on bail. Bradbury shook Norm's hand and said, "I hope you win your fight." It was the start of a campaign against censorship and it spread across three states and the High Court before it ended in 1970. In the meantime, the play was rarely off the front pages of the newspapers as the legal moves began.

Firstly, the defence solicitor, Stephen Comino, successfully argued for a three-week postponement when the case was heard on 21 April. Then on 24 April the State Attorney-General, Dr Delamothe, tried to take out an injunction against the theatre which would prevent the play from being performed in the interim. The case was heard by Mr Justice Hart in the Supreme Court. He adjourned the court for twenty minutes and read the play. Refusing the Attorney-General's application, the judge said, "To grant an injunction would have the effect of forbidding an Australian theatre from displaying some Australians as they naturally are. I am not inclined to do that." In his judgement, His Honour said of the play: "It's certainly full of very crude language. It holds up to ridicule Norm, who is a Tobruk Rat, which wouldn't do to my way of thinking." After a heroic struggle with his impulses, the Justice said he was exercising his discretion in deciding not to grant the injunction. He was then invited to see a performance of the play that night. "I'm going to an Anzac dinner," said Mr Justice Hart. The play continued unabridged.

At this stage the whole thing looked like a victory for free speech and a blow against the censorship laws of Australia's least liberal state. I had been interviewed and photographed and presented by the media as a "young iconoclast". I managed to get in some good points about an author's right to call things as he sees them, but whenever I said that neither Norm nor

ex-servicemen were being lampooned in the play and that it was not a piece of message drama, my words were never printed. As far as the press, the judiciary and the defence were concerned, the play was "an attack on racism". There was no questioning of Norm's reality, verbal or otherwise. No one said "We only have Norm's word that he was in Tobruk"; the nature of theatrical truth was not investigated. It was just not the sort of case where things like that get discussed. But whatever the artistic shortcomings might have been, at least the public got to know that the theatre was alive.

Norman Staines had been charged under the Vagrants and Gaming and Other Offences Act and he appeared in the Brisbane Magistrates Court on 12 May. After hearing evidence from Father Stephen Freshwater, private chaplain to the Anglican Primate of Australia ("The word in question is in common usage") and from Detective-Sergeant Don Bradbury ("I was shocked"), Mr T. Barlow SM said he would give a written decision on 23 May. The confidence of all of us on the anti-censorship side was blown away when Norm was convicted, fined \$15 with \$50 professional costs and allowed thirty days to pay. The decision read in part, "In the play a number of coarse, vulgar and improper expressions are used, most, if not all, of which would be offensive to ordinary, decent-minded persons in our community." The defence decided to appeal to the Supreme Court. Norm Staines said, "I will go to jail if necessary."

Such True Grit was absent when *Norm and Ahmed* was performed in Townsville at the North Queensland Drama Festival on 14 June. The Townsville Police Chief, Inspector J.E. Osborn, read the play and decided that much more than the last line would have to be changed. He told the producing company, the Cairns Little Theatre, that he would have men in the Theatre Royal who would take action if what he considered obscene phraseology was used. The amateur actors involved agreed to meet three detectives backstage before the performance and ask them what they should leave out. About half the play was cut, including lines like "Ar come on, Ahmed, don't have a wetty". When the drama consultants came to Norm's description of a football adversary, "A long thin streak of pelican shit", they

wanted it out. An official from the Drama Festival then intervened and suggested the substitution of poop. The police agreed and pelican poop it was. When the performance finally went on the Cairns amateurs fumbled their way through the skeletal piece and then returned home to their full-time jobs. The *Townsville Bulletin* — charitable to the last — complained in its critique that the play "was far too long and tedious in its message of racial prejudice". In an interview with the *Australian* I made a public offer of co-authorship billing for the Townsville police, but it seems I should have looked southwards for angels.

On 3 July, Lindsay Smith and Graeme Blundell were served with summons by the Victorian vice squad. Smith had just opened a season as Norm in Blundell's production of *Norm and Ahmed* at the Melbourne restaurant. They were visited by Detective First Constables J.E. Sharkey and H.G. Herbert on the day of the opening performance, and after spelling out boong ("They thought it was prawn or coon," said Lindsay Smith.) They were warned about possible charges. The vice squad was as good as its word and on 23 July the hearing before R. Hudspeth SM began, broke to see the play performed at La Mama, reconvened and adjourned. Although both detectives praised the play, they nevertheless appeared for the prosecution and insisted that *Norm and Ahmed* was "obscene". The defence was granted a postponement.

While Melbourne was in recess the Full Bench of the Queensland Supreme Court handed down its majority decision on 27 October. Norman Staines's appeal was upheld and his conviction quashed. The Court ordered that the arresting officer, Det-Serg Bradbury, pay Staines's costs. Joan Whalley was jubilant and said that "the theatre belongs to the people". Norm Staines was relieved and vindicated. He had stated after the first visit by the police, "I have the utmost faith in my producer, my director and the playwright. The police can go to hell." Mr Justice Stable said in his dissenting judgement the court was concerned with the contemporary standards currently accepted by the Australian people — the standards which ordinary, decent-minded people accepted. "These standards were not what those who peddled obscenities and indecencies urged should be accepted." Another

dissenter, Detective-Sergeant Donald Bradbury, appealed against the decision to the High Court in Sydney.

On 3 December the High Court met to deliberate. The Chief Justice, Sir Garfield Barwick, said minds might differ on the criteria used to define obscenity and the High Court was not there to remove uncertainty. The Full Bench upheld the Queensland Supreme Court's ruling by refusing the appeal by Bradbury and awarding costs against him. For Norm Staines it was all over. On 5 December, the Victorian vice squad announced that it would proceed with its prosecution of the Melbourne production regardless of what had happened in Queensland. And they did. In 1970 Lindsay Smith and Graeme Blundell were convicted and fined. In this time *Norm and Ahmed* had been produced all over Australia with its language intact. The Blundell production had appeared in Sydney and Canberra as well as being revived in Melbourne. By the time the vice squad was vindicated the bird had flown.

During the course of this courtroom drama there had been some articles in the press which gleefully pointed out that neither I nor the producers of the play had made much money out of it. This was true. The kitty still did not have much more than \$72 in it, and as any performer will know, being involved publicly in a court case is not good for business. But is any publicity good publicity? In the long run, yes. I had unintentionally acquired a name and a notoriety from *Norm and Ahmed* that did not do me any harm. With many Young Persons in the arts it is a *succes de scandale* that starts things off.

In the Australia of 1969 artists were only allowed to say what "decent-minded" people would accept. By 1970 they could say much more than this. *Hair* had opened and introduced, painlessly and sexlessly, full frontal nudity. "A few of those sexual couplings could have gone by the board," grumbled my landlord, but there was little shock and no controversy. The battle for free speech moved to different arenas, but one other victory remained. To a public used to thinking of theatre as — if at all — amateur, foreign and period, there was a daily reminder on the television news and in the newspapers that *Norm and Ahmed* was a contemporary Australian play.