

# Judge Rosemary

## “Tragedy makes us more human”

The judge-turned-author opens up about her acting ambitions and the grief that's left her broken.



WORDS by JUDY BAILEY

“**H**ow broken and scared we all are ... even those who seem to have it all together. Judges are only human. Maybe it's time to tell that story.”

Writing *To Be Fair: Confessions of a District Court Judge* was something of a catharsis for former district and family court judge Rosemary Riddell. She loved her job and all it entailed. She was not ready to leave it.

Her story is moving. It makes you think. It's laugh-out-loud funny and also deeply sad. Rosemary has been both broken and scared, and she reckons it made her a better judge.

She is the judge who dreamt of being an actor. “Of course,” she muses, “there is so much theatre in court.”

Rosemary was born the oldest of five children to Scottish immigrant parents. She grew up in Blenheim, where her dad was a newspaper editor. They were a close family. Money didn't matter – doing your best did.

“I always wanted to be an actor, right from when I read A.A. Milne's *The Little Black Hen*.” She has a vivid memory of reducing one of the nuns at her Catholic primary school to tears of mirth with her impersonation of '60s radio legend Aunt Daisy.

After leaving school, Rosemary went straight to work as a radio cadet for the New Zealand Broadcasting Company. “But my heart was in theatre.” She eventually won a part in a play at Wellington's Downstage Theatre and, from there, went on to join a drama quartet touring schools nationwide. Rosemary ended up in Auckland, where she aimed to get a

job and save to go overseas. But she couldn't find a flat.

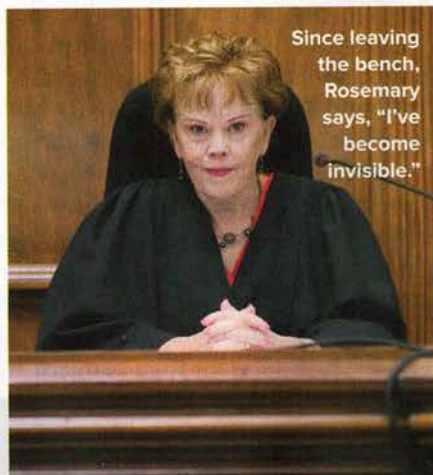
Most 18-year-olds would doss down on a friend's floor and wait it out. Not Rosemary. She went straight to Auckland's then-mayor Sir Dove-Myer Robinson, telling him, “I can't find a flat. What am I going to do?”

Robbie, as he was fondly known, immediately found her something in upmarket Remuera. Rosemary has always been a resourceful woman.


In 1972, she flew to swinging London. She recalls, “I was wearing hot pants and a fur coat, clutching a hairdryer.” Well equipped, then, to launch herself into the heady hippie scene of Carnaby Street and Kings Road. She got herself a voice coach “to get rid of my ‘appalling’ Kiwi accent” and found a flat with New Zealand stage actress Ellie Smith.

Rosemary recalls, “Ellie was so focused and disciplined, and I was too impatient to commit to that, so I parked my dreams and decided to have some fun.”

She found another flat with 13 or so others – an eclectic mix of Irish,







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I felt helpless."*



French, Germans and Australians – in a three-storey London house. Rent was five pounds a week and Rosemary ran the roost.

One day, when she was “really bawling someone out for not paying his rent”, fellow Kiwi Mike Riddell arrived in the doorway and was enchanted by her feistiness. “It was love at first sight,” Rosemary tells of meeting her future husband.

The pair arranged to holiday in Africa, but travelled there separately. Mike was a long-haired, hash-smoking hippie, which proved to be his downfall. Before he could meet up with Rosemary, he was arrested in Morocco for “possession of tobacco grown without a permit” and sentenced to six months in prison.

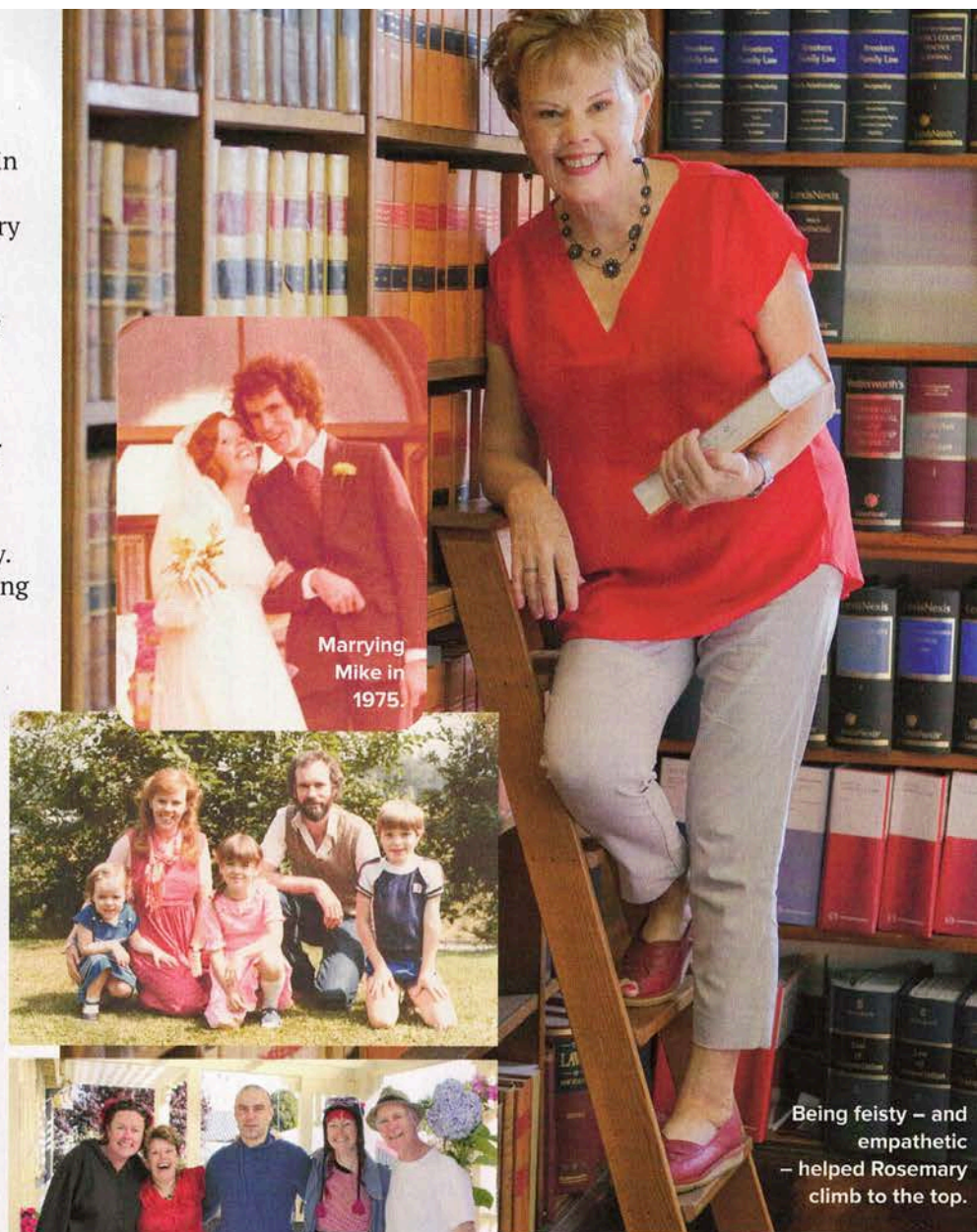
It was a subdued, short-haired Mike that Rosemary was eventually reunited with in the UK. Soon afterwards, the couple decided to return home to New Zealand, marrying in Christchurch when she was 22 and he 21.

Three children came along in rapid succession – Matthew, Katherine and Anna. Rosemary and Mike were going through what she calls their “evangelical Christian phase”. The entire family moved to Switzerland for three years, so Mike could study theological thinking. On their return, he took over as pastor of Auckland’s Ponsonby Baptist Church, where Mike set up a trust to provide housing for people with psychiatric disorders.

Rosemary, meanwhile, had taken up studying arts at the University of Auckland. There were a few law students in her tutorials. “They’re not rocket scientists,” she told Mike. “Some of them are even a bit dim.”

“Why don’t you try law?” he replied. So she did – and she took to it.

“In my wish for justice, it just fitted where my thinking was at, but I thought the study would never end,” she tells. “I was 37, with three kids. I tried to have classes that finished by 3pm, then I was home cooking dinner, but from 7.30pm, I was studying. I loved the mechanics of law and the



**Top: Living in Switzerland in 1984. Above: All together in 2012 (from left) Katherine, Rosemary, Matthew, Polly and Mike.**

stories of what happened to people.”

She graduated in 1997 and went straight to work in a city law firm, specialising in family law. “I loved acting for people. It felt so right.”

It was during this time that tragedy struck and Rosemary’s life would be forever changed. Her youngest daughter, 11-year-old Anna, was raped while at a friend’s house. Always a quiet, introverted child, it would be two years before she plucked up the courage to tell her family.

“That was the beginning of our 20 years of hell,” shares Rosemary.

“It taught us how to be broken. I felt like my legs would never work again. It’s in my nature to immediately confront the rapist or to go to the police, but she wouldn’t let us. She wouldn’t name him.”

By secondary school, Anna had begun taking drugs and self-harming. “We tried everything – money, tough love, lecturing ... Nothing worked. She would say we were her strength. We felt helpless.”

Anna would suffer rape again in her thirties. This time, though, she went to the police and even persuaded other women who’d been raped by the same man to come forward.

By then, Rosemary had worked her way up to becoming a partner at the law firm and, at the end of 2005, she was asked to put her name forward for consideration as a judge.



## The Judy Bailey Interview

“My fraud complex kicked in hard, reminding me of all the reasons why I wouldn’t, shouldn’t, couldn’t even consider it. As always, Mike was my supporter and cheerleader.”

She got the job. “I wanted to be the sort of judge who would look someone in the eye and really listen,” she tells. “People deserve to be treated with dignity and respect. People are inherently good, but circumstances have brought them to the position they’re in.”

Rosemary is not a fan of incarceration unless it’s “just a short, sharp shock”. She adds that she particularly enjoyed the challenge of giving decisions.

“It’s intellectually stimulating, with the added challenge of constantly evolving law. I also loved the camaraderie of other judges – there’s a kind of black humour we share.”

Rosemary saw her fair share of domestic violence cases during her time as a judge. “It costs us \$4 to \$7 billion a year. The day COVID struck, they threw money at it because of the risk to lives, jobs and livelihoods. Domestic violence does that too.”

“The trouble is, it’s not isolated. It is surrounded by poverty, poor housing and poor parenting. So many women are scared to leave. It takes a change of culture to shift attitudes towards violence.”

Rosemary is a firm believer in restorative justice, which “puts things right for both parties – victim and offender”. She says, “It’s often seen as the wimpy option.” But she clearly believes that’s not the case.

Rosemary took a short break from the bench to direct a movie. As you do! It was the screen adaptation of husband Mike’s first novel, the international award winner *Insatiable Moon*, which was based on a man who used to visit Mike at Ponsonby Baptist and thought he was the second son of God. The film starred legendary Kiwi actor Rawiri Paratene, and went on to win Best Actor and Best Supporting



*“When Polly was alive, I felt a bit wobbly. But after she died, that was a whole new experience of grief”*

Actor at the New Zealand Film Awards. According to Rosemary, the crew found it highly amusing to be directed by a judge.

Mike continued to write, but once again, the family had to endure heartbreak. In 2017, Mike got aggressive prostate cancer. He was given two years to live. A planned trip to Canada was cancelled and the couple went instead to Central Otago. And there began a love affair that continues to this day. They discovered the healing qualities of country air, country landscape and country people in the tiny township of Otarehua.

Their daughter Anna, who had since changed her name to Polly, joined them. They bought a house with an empty section attached, on which they began building a house for Polly. Rosemary took a part-time role as a travelling judge. Oldest daughter Katherine and her family decided to move south too. Life was good.

But tragedy hadn’t quite finished with the Riddell family. Their beloved daughter Polly never got to see her house finished. She had gone to visit an old friend and was found

unresponsive some hours afterwards in his house. She appeared to have died from a drug overdose.

“When Polly was alive, I felt as if I had a leg amputated. I felt a bit wobbly and crippled, but after she died, that was a whole new experience of grief. Because of our experience, we understand being broken. We understand people aren’t perfect. People think judges are perfect, but we’re human – we’re not high and mighty. We go through the tragedies of life. Both Mike and I changed. In a way, we’re more human.”

After 12 years on the bench, Rosemary handed in her warrant at the end of last year. The travelling was taking its toll, but it was hard to

let go – being a judge was her dream job. She describes herself as “a retired woman” now, adding, “I’ve become invisible. Who am I? What can I do?”

Not one to wallow, she is now immersed in her new community, even down to taking her turn cleaning Otarehua’s public loos. Rosemary and Mike run writers’ retreats. She has a baby grand that she plays every day and she sings in a choir in the valley.

Her 92-year-old mother is now happily settled in Polly’s house and Mike continues to battle cancer. “He’s vowing to reach 70 and then, he says, he’ll review things.” She smiles, but you can see the pain in her eyes.

Mike has another movie on the cusp of being made, set to star Sam Neill. This time, the director is *Smash Palace* filmmaker Roger Donaldson.

Rosemary has achieved a degree of peace, although she still grieves for Polly and wonders what else she could have done. But Katherine’s words bring some comfort: “Mum, you take too much credit for our failures.” **AWW**

*To Be Fair: Confessions of a District Court Judge* (\$39.99, Upstart Press) is out now.

