

William & Lonsdale – Lives in The Law

Ep 78 The Hon. Christopher Beale KC

Voiceover: [00:00:07] This is William and Lonsdale, a podcast about the legal ecosystem and the fascinating people who make it tick. Today, your your host Michael Green speaks with recently retired justice of the Supreme Court of Victoria, the honorable Christopher Beale. And for the first time on Lives in the Law, we will also be welcoming a second guest later in the episode, Chris's eldest son, Max, who for the past decade has worked in the mailroom and on reception at Greenslist and is a well known and much loved member of the Melbourne legal community. But first, Chris. In 2025, Chris became known around the world as the presiding judge in the case of Aaron Patterson, the so called mushroom murders. We will hear about that experience in detail today. But despite the global attention this case attracted, it's far from the most compelling chapter in his life. Across his career, Chris has seen the criminal law from every angle, starting young at the bar, lecturing in criminal law at Monash University, working as a crown prosecutor, and later presiding over some of the state's most significant cases. Along the way, he also authored and continues to update pocket evidence law, an iconic and freely available resource relied upon by practitioners across Victoria. With all his accomplishments, it would be easy to think the law has been Chris' primary passion and vocation. But in his thirties, unable to ignore a persistent calling he had felt since his teenage years, Chris walked away from a successful career at the bar to train as a Jesuit priest. What followed was a period of profound change and reflection, including one formative experience that required him to travel from Sydney to the Clare Valley with no money, no food, and no certainty about how he would get there.

The Hon Christopher Beale KC: [00:01:54] I was sort of put off begging, you know. I was initially hesitant about it, Then I was getting quite hungry. There was a farmhouse and I went over to that farmhouse and there was a young mother with her maybe five or six year old son hanging out the washing. And I said, Look, I'm sorry about this, but I haven't got any money or food. Could you spare me some food? And she looked at me very carefully and she said, Wait here. And she took her son and went inside, and she came back out and she said, here's some bread and some cheese. And I was, you know, very grateful. Said, thanks. That's terrific. And then her little son said, mum, what about that cake you made? And she looked at him and said, Oh yes, yes, the cake. And

she went back in, I can't remember what the cake was, but she came back out with a piece of cake for me as well. And I headed off, and about ten minutes later I found a spot by the side of the road, and I don't think I've ever had a meal that tasted as good as that.

Michael Green: [00:03:27] Our guest this morning in lies in the law is a man who formerly was the honorable Christopher Beale, K. C, justice of the Supreme Court of Victoria. Good morning, Chris. Good morning, Michael. Chris, you've had a long and distinguished career in the law, and I think it'll take some time to get through it because you have done a lot, but I guess the best place to start is in your childhood, back at the start. Tell us about that, where you grew up, go to school, did you come out of a legal family?

The Hon Christopher Beale KC: [00:03:52] No. I didn't come out of a legal family. My father left Brunswick High School at an early age, 14, as a lot of people did at that time, and eventually his mother steered him into millinery, and that proved to be a shrewd move on her part because he became quite successful. His business was called Mr. Individual Millinery, and he eventually had a factory in Flinders Lane. That was where the rag trade was, you know, focused. And I think that built up and up and he might have had forty, fifty women working for him there and that's where he met my mother who had also left school at 14, and she became a milliner there. And so dad was in his early 20s, mum was 17 when he proposed to her, and they got married. So grew up first of all in Northbourne, and then we moved to Toorak. Dad wanted us to be close to the school that we were going to, which was St Kevin's College. I have an older brother, Guy, three and a half years older than me, and we both went to St Kevin's College.

Michael Green: [00:05:03] And so take us back to St Kevin's College. I particularly like a story you told about a dinosaur project in grade four. So grade four, you're about 10 or so. Yes. You were pretty academic for a kid of 10, Chris.

The Hon Christopher Beale KC: [00:05:16] Oh, well, I loved dinosaurs, Michael. There was a mate of mine who also loved dinosaurs, and we were each doing separate projects on the dinosaurs and trying to outdo each other. I eventually produced something that ran to a 100 pages, but most of that was filled up with drawings of

dinosaurs. I had a set of Derwent's, which was like having a Rolls Royce for a 10 year old, and that was great fun. I can't remember how many pages my mate got to.

Michael Green: [00:05:47] Surely, didn't get to a 100. Yeah. The other story from your early childhood education was with the, I think, then Hederson Kevins. Yes. A man called brother Egan, and he had an interesting way of trying to educate you boys or or teach good standards to you boys, particularly in language.

The Hon Christopher Beale KC: [00:06:07] Yes. Well, brother Egan was the principal of the junior school, and it was also in grade four that he came in one morning and said to the teacher, I just want to have a word to the young gentleman, and she stood aside. And then I have to add, Brother Egan was a man's man. He was sort of like John Wayne in my eyes. Anyway, he went up to the blackboard and in complete silence he just started writing things on the blackboard, and they were swear words. And we couldn't believe what was happening. All these swear words appeared up on the blackboard, and then he turned around and with a very stern look said, these words are for people in the gutter. I never want to hear any of you uttering these words, and that and quite a few other encounters with brother Egan stayed in my mind.

Michael Green: [00:06:57] Like you, Chris, I went to all male schools from grade three to year 12, and there was a lot of bad language. Did brother Egan's method work?

The Hon Christopher Beale KC: [00:07:07] I'm not a big swearer.

Michael Green: [00:07:10] Well, it at least worked for one person we know, Chris, so well well done, brother Egan. Now we need need to skip quickly through this because we've got a lot to cover, but I also was taken by you somehow at the was it a scholarship or an exchange program, I guess? You had a year in American high school.

The Hon Christopher Beale KC: [00:07:25] Yes. So I've I finished year 10 at Saint Kevin's and then got a rotary scholarship and went to upper state New York, and it was a little town called Casa Daga, and I lived with five families there over the year. Went to the local state school, and that was a school of about 600 kids, and the small towns dotted around sort of populated that school, and it was a mixed school, and it was very different to a Christian Brothers school in Melbourne. Very different to St Kevin's.

Michael Green: [00:07:59] And it introduced you to musical theatre Yep. And acting, which I think has remained something which you've enjoyed the whole of your life.

The Hon Christopher Beale KC: [00:08:06] Oh, I was very fortunate. Soon after I got there, I got involved in the production of Guys and Dolls. Preparation for it had been underway for a little bit. And then the the student who was gonna play the role of Nathan Detroit moved to California, I think, and then the lady who was directing the show, Mary Anne Bender, said, would you like to play that role? And I jumped at it.

Michael Green: [00:08:29] To someone like me, Nathan Detroit is Frank Sinatra in the film version.

The Hon Christopher Beale KC: [00:08:33] I'm that much of a singer, but anyway, I got through it and loved it.

Michael Green: [00:08:42] You come back to Australia, you do years eleven and twelve at St. Kevin's, and you do well. You into law. Why law? Why did you choose law? Was there a particular reason?

The Hon Christopher Beale KC: [00:08:55] It was a combination of things. That wonderful book and movie, To Kill a Mockingbird, was an influence. I liked theatre, I liked debating, I'd been heavily involved in debating in year eleven and twelve, and the thought of, well, I suppose I was already then thinking of being a barrister, standing up in court and arguing cases.

Michael Green: [00:09:16] So it's interesting, I mean, the time you were a 17 year old kid, you've actually a bit of a vision of where you want to finish up.

The Hon Christopher Beale KC: [00:09:22] Yes, Yes.

Michael Green: [00:09:24] Yeah. Did you enjoy your time at uni?

The Hon Christopher Beale KC: [00:09:26] Yes and no. I made good friends there. I enjoyed I continued my involvement in debating, also mooting, which was the most enjoyable part of it. I enjoyed my studies, I did arts law, but it was also a time for me for

various reasons where I experienced quite a bit of anxiety, and so that's why I say yes and no.

Michael Green: [00:09:47] You finish, you get a good degree, you get an honours degree, and in those days of course it's articles, and so you did articles, and then you go to the bar. Or no, sorry, you worked for legal aid first, articles then legal aid.

The Hon Christopher Beale KC: [00:10:00] I did articles with a commercial firm, Arthur Robinson and Hedowix, then became a first year solicitor there. I was doing a lot of work for finance companies, drafting documentation in relation to the new consumer credit laws, which wasn't really floating my boat, even though great people to work with, great standard of work, you know, they taught me well. And then I was thinking back to how much I'd enjoyed criminal law, and so I decided to leave there and I went to Victorian Legal Aid Commission for two years as a duty solicitor.

Michael Green: [00:10:34] And as a duty solicitor with the VLA, you're in court every day? Just picking up whatever comes people

The Hon Christopher Beale KC: [00:10:39] Walking the door and In the magistrates' courts or the children's courts, we'd usually go off as a small go to the courts as a small group. There was a tremendous camaraderie at Legal Aid. It was also my real introduction to being an advocate in court.

Michael Green: [00:10:57] And it's just interesting, I want to sort of backtrack a bit here, but so at this stage you've put yourself on the track of criminal law? Yes. And yet nothing in your background suggested criminal law? I mean was it the study of it at universities you found interesting or? It was one of

The Hon Christopher Beale KC: [00:11:10] The two subjects I enjoyed university, the other one was intellectual property. I like both of those, I can't understand that combination, but anyway.

Michael Green: [00:11:21] And so, were you sort of on the lookout for opportunities to do crime? Yes. VLA for two years, so this has taken us up to, what, roughly late eighties maybe, '86, '87, something like...

The Hon Christopher Beale KC: [00:11:33] I was at legal aid from '86 to '88.

Michael Green: [00:11:38] '88. And so then you started the bar? Read with Roy Punchin.

The Hon Christopher Beale KC: [00:11:44] Yes, who went on to become a judge of the county court, and who was a great mentor to me.

Michael Green: [00:11:48] And so you're doing crime there? Yes, he was all crime. You take a detour at this stage, although how long are we at the bar before we get to the detour?

The Hon Christopher Beale KC: [00:11:56] Well, I was thinking about that detour, as you call it, before I went to the bar, but I thought, well, I've been on this path to becoming a barrister for a long while, I'll go to the bar and see how I feel, and after two years at the bar, I took that detour.

Michael Green: [00:12:12] Well you better tell us what the detour was, Chris.

The Hon Christopher Beale KC: [00:12:16] I went off to train to be a priest, Catholic priest, with the Jesuits in Sydney.

Michael Green: [00:12:21] There's a bit more to it than that, Chris. I went off to be, and it you you remained with the Jesuits or doing Jesuit training for two years. Yes. Tell us, most of us don't know, what does a seminarian trainee priest do?

The Hon Christopher Beale KC: [00:12:34] Yes.

Michael Green: [00:12:35] In those first two years? What did you do?

The Hon Christopher Beale KC: [00:12:37] The Jesuits have a really terrific program. Well, they did then. So you're based at I was based at Pimble College in Sydney. There were half a dozen other trainees there with me. You have a settling in time of several months and then you do what is the major sort of spiritual exercise of the noviceship, and that is the long retreat. So essentially it's thirty days silence and prayer and you're directed by the novice director during that period.

Michael Green: [00:13:13] Can I just check total silence? You couldn't talk during mealtime or?

The Hon Christopher Beale KC: [00:13:17] No, you wouldn't talk during mealtime but it wasn't total silence because you'd probably have a half hour chat in the mornings with your novice director and you would go to mass in the late afternoon and then there would be sort of communal prayer for all those who were doing the long retreat about 09:00 in the evening.

Michael Green: [00:13:37] And in in those days, so we're talking...

The Hon Christopher Beale KC: [00:13:39] Ninety one maybe. Yeah. Ninety one and '92. And the other major things came after that long retreat. Almost immediately after finishing it, I was sent off to Greenvale in Melbourne, which is a home for homeless men. I then after doing each of these exercises, as they called them, you'd go back to the novitiate in Pimbull, and you'd have a few months there reflecting on what had happened, but I went to the Greenvale, the home for homeless men, back to Pimbull, then I went to St Ignatius Riverview to teach for about a month or six weeks. I went to the hospice in Sydney and was basically a nurse's assistant for about a month, caring for people dying from cancer mainly, and I went up to the Northern Land Council where I spent a month and went out and visited remote Aboriginal communities with Mick Dodson, a former member of this bar, who was the director at the time, and then I also went on a pilgrimage to the Clare Valley, which is a wonderful place to go for a pilgrimage if you like wine. Well, yes. And the idea there was you had no money, no accommodation, and for five days, you were just walking, and you had to beg for food, beg for accommodation, you weren't allowed to tell them that you were a Jesuit trainee, at least not initially when you were asking for charity, suppose, and that was a wonderful five days.

Michael Green: [00:15:14] And you got to the Clair Valley

The Hon Christopher Beale KC: [00:15:16] Yep.

Michael Green: [00:15:17] With what they gave you a bus ticket.

The Hon Christopher Beale KC: [00:15:18] They gave me a bus ticket, but you had no food. I remember when I got to the bus depot in Sydney, I saw an orange lying on the ground, Couldn't believe my luck. And so that was my sort of dinner and breakfast. And then I got off the bus in South Australia to a place called Kapunda. I sort of put off that afternoon as I was walking along begging, you know, I was initially hesitant about it, and then I was getting quite hungry, and there was a farmhouse, and I went over to that farmhouse and there was a young mother with her maybe five or six year old son hanging out the washing, and I thought I'll just keep it short and sharp, and I said Look, I'm sorry about this, but I haven't got any money or food, could you spare me some food? And she looked at me very carefully, and she said, wait here, and she took her son and went inside, and she came back out, and she said, here's some bread and some cheese, and I was, you know, very grateful. I said, thanks, that's terrific. And then her little son said, mum, what about that cake you made? And she looked at him and said, oh, yes. Yes. The cake. And she went back in. I can't remember what the cake was, but she came back out with a piece of cake for me as well. And I headed off, and about ten minutes later I found a spot by the side of the road, and I don't think I've ever had a meal that tasted as good as that.

Michael Green: [00:16:56] Chris, before we finish with these two years you spent as a novice with the Jesuit order, through that two years, or through your experience in those two years, did you develop habits, possibly of prayer and spirituality, which have endured to this day?

The Hon Christopher Beale KC: [00:17:11] Yes, I did, and it opened up to me ways of praying that I wasn't aware of before and also of a routine of praying morning, noon and night. And I kept that going throughout my whole time in the law, and for instance, you know, I'd often go for a stroll up at Flagstaff Gardens at lunchtime, and that would be where I'd be praying the awareness examen, which is about reflecting back on, you know, your day, your morning, and so on, and then you'd repeat that in the evening.

Michael Green: [00:17:45] So Chris, despite this being a very formative experience for you, you decided not to continue on and become a priest.

The Hon Christopher Beale KC: [00:17:53] Why was that? Well, at the end of the novitiate, the two year period, you take vows, life vows, and that focused the mind, and

although it had been a very positive experience with the Jesuits, I also found, the good community life, that it was a lonely life and I felt that I wasn't confident that I would last, and I wasn't going to take vows if I had serious doubts that I could stick to them. So I came back to Melbourne and resumed my life at the bar. It was a big it was like turning a ship around really because when I'd gone up to Sydney to join the novitiate I thought that was going to be my life. So yes, so it was quite an adjustment coming back, but I immediately got back into work and was receiving briefs, you know, can remember bumping into a fellow on the street, he said, Oh, you've been away, haven't you? What, six months or so? And it was just like a blip and I was back into it. A

Michael Green: [00:19:00] And therefore there was no difficulty in recommencing your career or re establishing your practice?

The Hon Christopher Beale KC: [00:19:06] No, no difficulty, and got back into my practice. When I came back to Melbourne I was living with a very close friend who kindly offered me accommodation in South Melbourne, and through him and his girlfriend at the time, now his wife, I ended up meeting my wife in September '93.

Michael Green: [00:19:27] And at this time, with your career, you're doing criminal defense work?

The Hon Christopher Beale KC: [00:19:31] Yes. Yes. It was all defense work, and most of it was coming from legal aid. So defense work for legal aid, but I think also around this time, you were doing some part time lecturing at Monash? Yes. That's right. And it's funny how that came about. One of the solicitors who I'd become friends with at Arthur Robinson and Hedwigs when I was doing articles had gone off into academia. I think she'd gone to Cambridge, studied legal history. She came back and was heading up a master's program in law at Monash University, and she contacted me and said, Chris, we need an external marker just to mark a few exam papers to check on the standards of what we're doing, would you be prepared to do that? And I said, well at least that doesn't sound like much fun, but alright, I'll do it. And then a month later she contacted me and said, look, don't need an external examiner anymore, we need a part time lecturer, and would you do that? And so I ended up lecturing part time at Monash Criminal Law, and that was for four years, and I managed to fit that in with my growing practice as a criminal barrister. Beneficial to your practice to be lecturing? Oh, fantastic,

and I particularly think back to the first seminar that as time went on I realised it was more and more important, and just about the fundamental principles of the criminal law, which I think I only had an average appreciation of before I had to teach it, so it made me a much better criminal lawyer.

Michael Green: [00:21:04] Your practice is developing, is it mainly Magistrates Court, or partly Magistrates Court, partly County Court?

The Hon Christopher Beale KC: [00:21:11] Yes, yes, Magistrates Court, and then I started to get trials, County Court trials, and really enjoyed those. And were you acting for both prosecution and defence? For about ten years after I came back from the Jesuits, it was all defence work, but then somebody from the prosecution said, would you be willing to do our work? And I said I would. Then I got an increasing amount of trial work from the Office of Public Prosecutions, which eventually culminated in the Chief Crown Prosecutor offering me a position as a crown prosecutor, and which I accepted.

Michael Green: [00:21:50] So You go in house with the OPP?

The Hon Christopher Beale KC: [00:21:52] Yes, yes. So I'm just doing, once I do that, I was just doing prosecution work. Jeremy Rapkey was the Chief Crown Prosecutor at the time, and he said, Chris, you know, the best thing about working here is the quality of the work, and he was absolutely right, and I then made the jump from County Court trials to just a steady diet of supreme court trials, prosecuting murders and manslaughters. Not the Court of Appeal? Well actually before I went there I had the good fortune to be offered appeal work by the Crown and I did quite a few appearances as junior to Paul Coughlin, who I know you've interviewed on this program before and who was the director of public prosecutions at the time. That was a great learning experience for me and also a little stressful because what Paul liked was the appeals he would do would be on a Friday, and he liked his junior to lob in his chambers from Monday for the whole week, and when the opportunity presented himself, he would ask the junior questions about the case that was coming up on the Friday. So I felt like I was sitting exams every day and when he asked me a question I better get it right. So there were some very early starts to be fully prepped each morning, but I did quite a few

appearances as his junior and learned a lot about advocacy and appellate advocacy through that.

Michael Green: [00:23:17] And during this period, maybe around 2010 if I've got My numbers right, the uniform evidence law is introduced throughout Australia?

The Hon Christopher Beale KC: [00:23:25] Not throughout Australia, but in 2010, it became operational in Victoria. Gavin Silbert, who was chief crown prosecutor in 2009, said in the lead up to that that, Chris, we need someone to teach uniform evidence law in house, so I said yes, I do that, and that occupied about nine months of 2009, so on Tuesdays I would give a lecture to the solicitors, on Thursdays, a tougher audience, I'd give a lecture to the Crown prosecutors and senior Crown prosecutors. But once again that was wonderful for my learning. I hadn't had any experience of uniform evidence law prior to that invitation, and I think the invitation came my way because they saw that I taught criminal law out at Monash, and anyway, that was a real turning point in my career, because I became known as an expert on uniform evidence law.

Michael Green: [00:24:26] And you produced a little, I was going to say a cheat sheet.

The Hon Christopher Beale KC: [00:24:31] I call it pocket evidence law, and you need a big pocket these days, but the idea was something no longer than 30 pages, which focused on the rules of admissibility in the Uniform Evidence Act, and I started producing that perhaps while I was at the Office of Public Prosecutions, but certainly when I went back to the bar in 2011, I published that on Foley's list sorry to mention a competitor, Michael and then later on in my career when I was appointed to the Supreme Court, I then published it on the judicial college. It seems that readers in particular who have to sit the bar exam have found it found it very helpful.

Michael Green: [00:25:17] And it is still ...

The Hon Christopher Beale KC: [00:25:19] It's still being published by the judicial college, and even though I've retired, I'm still updating it.

Michael Green: [00:25:25] Oh, you're updating it for them?

The Hon Christopher Beale KC: [00:25:26] Yeah. And I plan to keep doing that.

Michael Green: [00:25:32] After four or five years at the OPP, you come back to the bar. The Hon Christopher Beale KC: Why did you come back?

The Hon Christopher Beale KC: [00:25:36] Five kids, and mounting school fees. Apart from that.

Michael Green: [00:25:43] Yes. Understand that one. Again, seamless to come back to the bar, having spent all that time prosecuting, coming back to the bar, it was it a seamless transition, or did it take it all the way?

The Hon Christopher Beale KC: [00:25:55] It it it was a pretty easy transition, and I I must say when I took on the position of a crown prosecutor, which did leave lead to wonderful work, I I did miss being my own boss, and I did miss the ability to do defense work as well. So even though the the the main reason for coming back was to pay school fees, I also, you know, welcomed the opportunity again to be my own boss and do defence work, so I did a mixture of work, and I came back.

Michael Green: [00:26:28] So Chris, take us to prosecuting and defence. So you've had significant experience in both, so you're really qualified to tel us what's the difference? Is one more enjoyable than the other? Is one more onerous than the other?

The Hon Christopher Beale KC: [00:26:42] Look, there's tremendous satisfaction to be had both as Defence Counsel and as Prosecuting Counsel. I'd say there's more stress for defence counsel because of the consequences for your client if you lose. There's also a bigger buzz when you win as defence counsel. Prosecuting counsel has to sort of well, your main concern is not winning or losing, but ensuring a fair trial. And, anyway, there's great satisfaction nonetheless when you're successful prosecuting, but it's more stand back.

Michael Green: [00:27:18] You used an illustration about building edifice or something like that. One's building edifice, one's Yes.

The Hon Christopher Beale KC: [00:27:24] Yes. Well, as as a prosecutor, you've got to build the case sort of brick by brick, whereas defense, you're not trying to prove anything. You're just trying to create a reasonable doubt.

Michael Green: [00:27:34] And knock bricks out of that wall.

The Hon Christopher Beale KC: [00:27:36] Yes. If you can.

Michael Green: [00:27:39] The Hon Christopher Beale KC: An interesting case you prosecuted, I think, during this time. A couple had murdered a man named Rockefeller, and they eventually pleaded to manslaughter. Yes. As a judge, there's a similar murder trial with a man named Rostevsky or something like that.

The Hon Christopher Beale KC: [00:27:52] There there are some similarities. There's there's more dissimilarities, but I prosecuted a couple, Mario Chambere and I think it was Bernadette Denny, who were charged with the murder of a businessman, Herman Rockefeller, and I prosecuted that case whilst I was a Crown prosecutor. So it was a murder charge originally, but it attracted incredible media interest because, well I think perhaps the name of the victim Rockefeller, even though he was no relation to the American Rockefellas, was a contributing factor, but also because it was all about swingers, and Herman Rockefeller had contacted this couple, Shembury and Denny, about him and his partner having sex with them. And on this particular occasion, I think it was in 2009, he'd already had sex with Ms. Denny once and said, oh, my partner just couldn't make it tonight. He turns up again to have sex with her and it seemed an argument developed and they suspected, as was the case, that he was lying about his partner being involved. Anyway, what actually happened other than a physical altercation is unclear, but Herman Rockefeller ended up dead. They then dismembered his body. They then burnt it in a 44 gallon drum, and eventually certain admissions were made and they were charged, and then the matter resolved to a plea of guilty to manslaughter, and that was because of the uncertainty of what had happened in the house. There was no clarity around that. So proving the murderous intent, an intention to kill or an intention to cause really serious injury at the time of the killing was problematic.

Michael Green: [00:29:41] So if they said nothing about it, do they just remain silent about what happened on the night?

The Hon Christopher Beale KC: [00:29:46] Oh, they had their stories, but to some extent, they were self serving stories. But more importantly, there was no objective evidence as to how he'd met his death. There was clarity around what they did to the

body afterwards, but that didn't necessarily exclude a manslaughter where, say, you know, you punch somebody and they fall to the ground and hit their head and die. They were initially charged with the murder based on the post offence conduct, but that could have been consistent with a manslaughter as much as murder. And then the other case you mentioned when I was a judge, Boris Ristevsky, well that attracted even I should round out the story about Shembury and Denny. He received I think a sentence of nine years with six and I think she might have received a sentence of seven years with a minimum of five, something like that. And Justice Terry Forrest sentenced them. And then you have the case of Rostefsky where seemingly he had a loving relationship with his wife. They'd been married for about twenty seven years. He had no prior convictions whatsoever. Their daughter said goodbye to the couple one morning and went off and when she got home, her father said, oh, well, your mother and I had an argument and she's gone off and I don't know what's happened to her. And then maintained a pretence over the next eight or so months, was the pool bearer at her funeral, was consoling family, pretending to be a grieving widower, and then Karen Ristefsky's body was found in the woods out near Macedon after about eight months decomposed to some extent, so the cause of death couldn't be ascertained. The prosecution originally initially charged him with murder based on his disposal of the body. They said that was only consistent with murder. There was no clarity around what had actually happened inside that house where she had met her death, and eventually I made a ruling that the disposal of the body, the lies, the post offence conduct, which was the only thing that the prosecution was relying on to prove murderous intention, an intent to kill or an intention to cause really serious injury, could also be consistent with a manslaughter where he realises, you know, I've killed my wife by an unlawful and dangerous act and I'm going to receive a substantial jail sentence for that, I'm gonna get rid of the body. The Crown didn't appeal my ruling about the post offence conduct being consistent with manslaughter as well as murder.

Michael Green: [00:32:34] So can I just interrupt there, Chris? So at that stage, do you alert the jury to the possibility that....

The Hon Christopher Beale KC: [00:32:39] No jury at this stage, because this is all pretrial argument, and I've made this I make the ruling that for the murder case, the prosecution can't they can rely on the post defence conduct to prove an unlawful killing, but not to prove that he killed her with the intention to kill or cause really serious injury.

Next morning, prosecution and defense come in. The prosecutions don't say, we're going to appeal your ruling. Instead, they say, we've accepted a plea of guilty to manslaughter, which Boris Rostefsky had offered to plead to much earlier in the piece. And then I go ahead and after a plea hearing and after some time, sentenced him to a sentence of nine years with a six month, six year minimum. There was a public outcry against that sentence. The prosecution Bet it was too light. Too low. The prosecution appealed that sentence as being manifestly inadequate and the Court of Appeal agreed, and the sentence was increased to thirteen years with a minimum of nine, so a four year increase on both the head sentence and the minimum sentence, to what I'd imposed. Interesting cases, and they both relate to To post offence conduct and what you can make of post offence conduct.

Michael Green: [00:33:58] Yeah, and in both cases it was agreed or decided that you couldn't rely on post offence conduct sustain a

The Hon Christopher Beale KC: [00:34:05] Charge of murder? It was agreed in the first case by the prosecution and defence, and in relation to Ristefsky, the prosecution didn't appeal my ruling about the post offence conduct.

Michael Green: [00:34:17] Trials like these are extremely stressful, clearly, for everyone concerned, from the judge down to the tip staff, and time consuming. Yep. Unlike most barristers and judges, I guess, that I have come across, you never worked at home of a night. Look at that. Or rarely?

The Hon Christopher Beale KC: [00:34:33] Rarely worked at home of a night. I would make a point of getting home at the latest by 7PM so I could have dinner with the family. And usually by that stage, I was fairly worn out, not by my family, and so I wouldn't work in the evening. I'd much rather go to bed at a reasonable hour and get up very early in the morning and having recharged the batteries a little bit and then start work.

Michael Green: [00:35:06] 05:00 in the morning or something Yep. You've got two or three clear hours before anybody else gets up Yes. To Yep. To do your work for the forthcoming day. Yes. And you maintain that practice both as a barrister and as a judge?

The Hon Christopher Beale KC: [00:35:21] Yes. Yes. And I never worked Sundays, and that has been a great sort of psychological help throughout my career because just knowing that you're going to have one day where you're not working, well, that's a great thing to look forward to. It would sometimes mean that I would work to midnight on a Saturday night and get up super early on a Monday morning, but it was worth it. So we're we're moving ahead to 2014.

Michael Green: [00:35:54] You're approached by the attorney general, and you accept a position on the supreme court bench. Was it an easy decision to make to accept?

The Hon Christopher Beale KC: [00:36:02] Yes. It it was, really, even though I said, well, thank you very much for the the offer. Can I call you back tomorrow? And I wanted to talk to my wife, Madeline, of course. And look, I was a bit anxious about it. It's a big role, and I wondered whether I was up to it. But, anyway, I didn't keep the attorney general waiting too long. Robert Clark, so I told him the next morning I'd accept.

Michael Green: [00:36:28] I find it interesting as a barrister, I've heard this from other barristers as well, particularly I well, maybe defence and prosecution as well. You had a plan. You worked to a plan in your trials. Yes. Before starting, you did a detailed chronology Yes. Of everything,

The Hon Christopher Beale KC: [00:36:42] Yeah.

Michael Green: [00:36:43] You also prepared your final address.

The Hon Christopher Beale KC: [00:36:45] Yes, before the trial commenced. A draft final address. Inflexible, and and you you had to make changes depending on how the evidence came out. It didn't didn't always come out as expected. But knowing what you were going to say at the end or expected you'd be saying at the end guided the questions you asked of witnesses. So I spent an enormous amount of time on detailed chronology and a draft closing address, whether I was for the defence or the Whereas as a judge, I didn't do that. I familiarised myself with the documents so I had a sense of what might be coming, but I was more guided by what the parties were, you know, agitating, what issues they were raising and then responding to that.

Michael Green: [00:37:35] And so it's a more responsive role Yes. Rather than a proactive role? Yes. And as a judge, I mean, a prosecutor, as you say, you're there to try and ensure a fair trial.

The Hon Christopher Beale KC: [00:37:46] Yes.

Michael Green: [00:37:47] As defense counsel, you're there to try to get your client off. Yes. As a judge, what are you there for? Apart from presiding.

The Hon Christopher Beale KC: [00:37:54] I was just going to say add to what I said about being a prosecutor before. Add, you know, you are trying to present the admissible evidence which supports your case as strongly and as persuasively as you possibly can, but fairly. As a judge, your main responsibility is fair trial. Fair trial for the defence, fair trial for the prosecution. There's there's two sides to consider.

Michael Green: [00:38:20] In view of our system being that the accused is innocent until proven guilty, and beyond a reasonable doubt, you don't give more weight to fairness to the accused?

The Hon Christopher Beale KC: [00:38:33] It's fair or it's not fair. It's not something you can give more weight to one side or the other. Is it fair? Is it fair for the defence? Is it fair for the prosecution?

Michael Green: [00:38:42] So it's either fair or it's not? Yeah. Okay. That makes sense. Chris, let's move on to a recent trial you did, which may have raised the issue of how a fair trial can be achieved more than any other trial we've all seen, and that was the trial of Erin Patterson. In a trial like the mushroom trial, which you presided over, with so much controversy around it and so many things going on, it doesn't from afar, it didn't look like it was a smooth process. It looks like it's there's a lot of going on. There's a lot stopping and starting...

The Hon Christopher Beale KC: [00:39:15] Oh, there was there was certainly a lot going on, and back in February last year, after receiving long and very good submissions from both sides about the admissibility of certain pieces of evidence, we had about a week and a half of oral argument. There were an enormous number of pieces of evidence that I had to rule on, whether they were admissible or not

admissible. And I had to do that in make those rulings and give my reasons in reasonably quick time because we had a trial date set for the end of April and I knew that my rulings might be subject to challenge and I had to leave enough time for the Court of Appeal to hear any challenges before we got to that trial date cause we didn't want to be shifting that trial date if possible. Look, I think overall it went smoothly in the lead up to the trial and during the trial mostly, but there was a lot to deal with.

Michael Green: [00:40:16] And so in that situation where there was a lot to deal with, is it difficult to ensure a fair trial for the accused?

The Hon Christopher Beale KC: [00:40:24] I don't think so. Because it's either fair or not? Yes. And I'm limited in what I can say because the conviction is being appealed or convictions are being appealed by the defence and the prosecution are appealing my sentence, and I expect sometime later this year that will come before the Court of Appeal.

Michael Green: [00:40:47] Well then, in a trial like that, with the enormous media that it engendered, how do you cope with that?

The Hon Christopher Beale KC: [00:40:52] Well, I cope with it mainly by working hard. It was probably fortunate that the trial was heard down at Morwell rather than here in the city, and it was heard there, that was Erin Patterson's wish, and it was appropriate that it be heard near the location of the crimes. But it meant on a Sunday night, I would head down to the Latrobe Valley. I was staying at Turalgon, and I'd be there till Friday afternoon when I'd come home, spend the weekend at home, but it meant that -

Michael Green: [00:41:28] Can I just break in there Chris? And not work on a Sunday?

The Hon Christopher Beale KC: [00:41:31] Not work on a Sunday. I wouldn't work on a Sunday. Kept me sane. And it meant that while I was down in the country, I could just concentrate on work, and I could my wife's not a morning person, whereas I am, so she doesn't appreciate some of my early starts, but it meant that I could get up as early as I wanted, and I could go to bed as early as I wanted. So that was the routine I had. Get up early, put in quite a few hours before arriving at the court at about 10:00, then there was usually some issue around the media that I had to consider, and then I might say some things publicly before we brought the jury in, basically alerting media to what I

identified as some problems with the coverage. Most of the coverage was very good and reasonable. Then I'd get back to the apartment in Turalgon at about 05:00, I'd put in a couple of hours more work and then 07:00, cook myself some dinner and relax and read a good book and then turn off the light pretty early.

Michael Green: [00:42:42] Reading fiction or nonfiction?

The Hon Christopher Beale KC: [00:42:44] Pg Woodhouse.

Michael Green: [00:42:45] Oh, funny. Well, Very funny. Yes. He is very funny indeed. Jeeves. A lot of the publicity around the trial or post, I guess, the verdict is about evidence that was not admitted, which I think was to do with previous incidents involving Erin Patterson's husband. That that was a big part of it. And is that and that's a part of the appeal or the admissibility of evidence?

The Hon Christopher Beale KC: [00:43:07] No. What what happened back in February, or I think it was March, that I made a ruling that the evidence in relation to some charges, some alleged attempted murders of Simon Patterson, Erin Patterson's husband, estranged husband, could not be let in evidence in the trial, the main trial, in relation to the three murder counts and the one attempted murder count for the lunch guests. That was taken up on appeal before we started the trial. So the Court of Appeal heard an appeal brought by the prosecution against my ruling and upheld my ruling. And then in light of that ruling, the prosecution dropped the charges concerning the attempted murder of Simon Patterson and just ran with the three counts of murder and the attempted murder in relation to the lunch guests. Then there were also other rulings that I had made excluding various pieces of evidence. After the trial was concluded, those rulings became public, because there was no longer a need to suppress publication of those matters.

Michael Green: [00:44:23] So Chris, please tell us why shouldn't a jury hear about this alleged behaviour, potential murderous behaviour, toward her husband?

The Hon Christopher Beale KC: [00:44:31] Well, you're opening up a very deep subject, Michael, and we haven't got time to go into the intricacies of the rules of evidence, but those rules exist in order to secure a fair trial, and there are quite a number of reasons why evidence which might be relevant is nevertheless inadmissible

according to those rules. So I made a number of rulings that various pieces of evidence were inadmissible. If those rulings and those particular pieces of evidence had been published, there was the risk that that material would then have got to the jury and they would have been deciding the case on evidence that was inadmissible or deciding it partly on the basis of that evidence, and that would not have been a fair trial. So eventually the public gets to hear about it once the trial is concluded, but in a nutshell, that's the reason that you make those rulings and that's the reason why you suppress publication of those rulings until after the trial.

Voiceover: [00:45:52] William and Lonsdale is brought to you by Greenslist, one of the leading multidisciplinary barristers lists in Australia. Greenslist believe in promoting conversation around the ideas and issues that shape not only our legal system, but our wider community.

Michael Green: [00:46:11] Chris, is it realistic to expect the jury to remain completely on topic only considering the evidence that is admissible when the media world, newspapers, television, radio, and particularly social media, are flooded with information about the case, a lot of which I'm assuming was inadmissible.

The Hon Christopher Beale KC: [00:46:36] I thought the jury in this case, and in most of the cases that I've been involved with over many years now, approach their task very conscientiously, and we give directions to juries to disregard what they see in the media. In the Patterson case, I took a realistic approach that the jury or most of the jurors would have been aware because of the media, the saturation coverage by the media, that Erin Patterson had also been charged with attempted murder of Simon Patterson, charges that were dropped. So I gave directions to the jury at the start emphasising their need to concentrate on the charges before them to decide the case solely on the evidence that was being adduced in the courtroom, and those directions were repeated a number of times during the trial and also at the closing address, and as I said, I thought the jury throughout that trial acted conscientiously, and I think that's been my experience over many years now.

Michael Green: [00:47:43] Chris, it's interesting, it's come up on quite a few occasions in our preparation for this conversation, that you enjoy working collaboratively with counsel, particularly in that pretrial process when decisions are being made on

admissibility and submissions are being made to you. Can you tell us how that works and why you enjoy it?

The Hon Christopher Beale KC: [00:48:06] Well of course the barristers representing the prosecution and defence have devoted hundreds of hours, maybe thousands of hours to the preparation of their cases. They have an in-depth knowledge of the evidence, and I don't like to sit there silently just receiving what they choose to serve up. Instead, I want to use their knowledge of their case, their knowledge of the law, and tease out the issues that I think are of real concern. So I ask a lot of questions. I will challenge one side and then they might think, oh, we're getting a tough run, and then when it comes to the other side, I challenge them. And I hope it's not done in a way that's ever demeaning or bullying. I want to get the best out of each of them, and then I have to go away and work out what's the answer.

Michael Green: [00:49:08] But you enjoy their contribution

The Hon Christopher Beale KC: [00:49:09] I do enjoy their contribution. They do make a big contribution, and in the Patterson case, that was very much the case.

Michael Green: [00:49:19] I mean, it's interesting what you're saying there, of course, two and a half thousand years ago, a man named Socrates was doing it, wasn't he, in Athens, and that's

The Hon Christopher Beale KC: [00:49:28] I wish I knew my Socrates better,

Michael Green: [00:49:29] But But that is the Socratic method, what you're doing, absolutely. Yes. But

The Hon Christopher Beale KC: [00:49:34] I hope I don't make up my mind too quickly.

Michael Green: [00:49:37] You enjoy working with good counsel who do their homework. Yes. And then make a significant contribution to the running of the trial.

The Hon Christopher Beale KC: [00:49:46] The role of counsel is a great role, a great responsibility, and we say to juries at the start of the trial when we talk about their

role, my role as judge and counsel's role, they are here to assist us, and that's how I look at them. It's a wonderful thing when you see an advocate in full flight really giving their best. We have an adversarial system.

Michael Green: [00:50:11] In that adversarial system, first and foremost, lawyers are officers of the court. Yes. But they are in in a confrontational role with their opponents.

The Hon Christopher Beale KC: [00:50:21] Yes.

Michael Green: [00:50:21] Is it sometimes difficult for them to be both an officer of the court and have that adversarial relationship with their opponent when they're trying to achieve a result for their client?

The Hon Christopher Beale KC: [00:50:31] Yes. And that's why the ethics of the bar are so important that, you know, it's not about achieving success at all costs. You've got to do it ethically, and if you want to, you know, live with yourself, it's important you do it ethically. And for instance, a simple example: council might rely on several cases to support a proposition that they're putting, but they might also be aware that there's a case which goes against them, and they've got to bring that to the judge's attention. And then they try to deal with it of course and say, Oh, well, you should prefer these cases to that case. But again, that's part of their role of assisting the court.

Michael Green: [00:51:12] And in your experience, they all do it?

The Hon Christopher Beale KC: [00:51:16] Yes. Like any other institution, there are bad apples, but I think we're and we've had certainly had experience of that in Victoria, but the great majority of barristers do their jobs ethically and we're the beneficiaries of that.

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Michael Green: [00:52:06] Chris, last year, 2025, you retired as a judge of the Supreme Court at the retirement age of 65. You could have remained on as a reserve judge for quite a significant period.

The Hon Christopher Beale KC: [00:52:16] Well, could have kept going as an ordinary judge till 70, and then there's the potential to be a reserve judge until you're 78, but I've spent forty years as a lawyer. My wife and I are both in good health. We're looking to another productive phase of our life rather than sort of stumbling into it.

Michael Green: [00:52:40] And so you're very comfortable with the decision to retire?

The Hon Christopher Beale KC: [00:52:43] Yes, I am. As much as I enjoyed my role at the Supreme Court, which was a real privilege, and I'd have to say it was the highlight of my career.

Michael Green: [00:52:53] But your connection with the legal system, the legal profession doesn't stop because you have created a legal family. A son and daughter who are both lawyers. Yes. And a son, Max, who works at Greens List. In a

The Hon Christopher Beale KC: [00:53:08] Few months' time, I'll have a daughter-in-law who's a lawyer, and January 27, I'll have a son-in-law who's a lawyer too.

Michael Green: [00:53:16] I think you should take that as a compliment, Chris, that they've seen what you're doing and think it's worth following you. So but tell us about the youngest of your children. I think he's the youngest, Max?

The Hon Christopher Beale KC: [00:53:27] No. Max is the oldest.

Michael Green: [00:53:29] Apologies. No. I thought Max was the youngest.

The Hon Christopher Beale KC: [00:53:30] And Max was very excited about ten years ago to sit down with you, Michael, for an interview to work at Greenslist. And he hasn't worked at Greenslist now for the last ten years. He he came home from the interview with you and said, dad, I was very professional. I didn't mention Richmond once, and we're mad Richmond supporters.

Michael Green: [00:53:55] Well, my recollection of that was Max handled himself excellently, and it wasn't just me. It was Brenda as well who works for Greensleast, and we unanimously thought Max would be a wonderful addition to our office, and he has been. So now for the first time in our lives in the law, we're having a second guest, and that guest is Max Beale, Chris' eldest child. Max, tell us, how did you come to work for Greens List?

Max Beale: [00:54:24] Well, I was always interested in getting a job in an office, and because of dad, I was interested in working in the law. And dad asked his clerk, Andrew Turner, to look for a place in the Foley's List office for me, but at the time, there was no places available. But dad's colleague, justice Michael McDonald, said Michael Green is looking for someone in the mailroom. And so I submitted my resume, and I was called in for an interview, and I was interviewed by you, Michael, and the office manager, Brenda, and I think I made a good impression, and the next week I was at the dentist and I was sitting in the dental chair when I got the call from you saying I've got the job, and I've been there ever since.

Michael Green: [00:55:13] And I can't remember, Max, how long after that call in the dental chair did you start work?

Max Beale: [00:55:19] I think it was a week later. I remember it was a Friday.

Michael Green: [00:55:23] You started on a Friday?

Max Beale: [00:55:24] Yeah, I did.

Michael Green: [00:55:25] Oh, really? It's a strange day to start. So tell us, what do you do at Greenslist?

Max Beale: [00:55:30] My main work is working in the mailroom, so I sort through all the barrister's mail every day, but I also do some odd jobs like taking documents to court, and if a barrister forgets their wig or robes, I help with that too. And nowadays, I'm doing a lot of work on the Greens list reception desk.

Michael Green: [00:55:47] Taking phone calls as well?

Max Beale: [00:55:49] Yes. That's right.

Michael Green: [00:55:50] Are you enjoying that?

Max Beale: [00:55:52] I am. Some days it can be challenging, especially if there are so many calls at the same time, and you can only answer one at a time. But I'm finding it a very worthwhile experience.

Michael Green: [00:56:03] And what about what your job has been for the last ten years mainly, which is running the mailroom? Have you enjoyed that? Do you get satisfaction out of it?

Max Beale: [00:56:11] Yes. And I particularly enjoy getting out there, talking to the barristers, and also seeing people from other lists, and I've made a lot of friends over the last ten years.

Michael Green: [00:56:22] And in that ten year period, we've gone from the mail, meaning physical items that were in an envelope Mhmm. To a lot of it being electronic. So has it changed for you in the mail room?

Max Beale: [00:56:33] Oh, yes. It has definitely changed significantly. Like, from 2020 onwards when the COVID pandemic started, less and less barristers were using paper briefs. They all did it online, I guess, because of risk of infection. And even though the COVID period is over, they've decided to keep it that way. But there's still work to be done. Like, there's a lot of online shopping these days, and occasionally, there's a physical brief, but not as much now.

Michael Green: [00:56:59] And, also, when your dad was a barrister and when you started, every barrister wrote their fee down in a black bound book called a fee book, which you collected, I'm assuming, once a week for each barrister and then brought them down, and the clerk's office then created invoices and send them out. Fee books don't exist anymore.

Max Beale: [00:57:20] Well, actually, there are some feebooks barristers that still use their feebook, but nowadays, there are far and few between feebooks. Personally, I like the hard copy feebook because dad never replaced his in all his time at the bar.

Michael Green: [00:57:34] I assume your dad's is stored away somewhere. It wouldn't he wouldn't have destroyed it, I'm sure. What about chambers? Now, again, at about the time your dad started, maybe a bit earlier than that, there were only two sets of chambers, Owen Dixon East and Owen Dixon West. And then over the years, the numbers of chambers have expanded and gone, you know, several blocks down William Street or down Burke Street or something. Has that continued to occur? Are the numbers of chambers still expanding?

Max Beale: [00:58:01] Oh, yes. As well as Owen Dixon West and Owen Dixon East, there are other chambers like the Stawell Chambers on Little Bourke Street. There's Ninian Stephen. There's Mabo Chambers near the Queen Victoria markets. There's the Jarndyce Mediation Centre, Brian Burke Chambers in Carsten, and Peta Murphy Chambers, which is the most one of the most recent additions along with Arquette Chambers.

Michael Green: [00:58:27] A lot of those I haven't heard of before, so they're they're new in the last eight years. I had a chuckle when I read Max about one of the most difficult things you'd had to deliver for a barrister named Peter Clark. Can you tell us what that was?

Max Beale: [00:58:39] Oh, yes. Peter Clark, who has since retired from the bar, is a personal friend of dad and myself, and this is when I started out at Greenslist. There was this huge box that was delivered to the office. Reception received this, and, of course, I was asked to take it up. And I couldn't lift it into the trolley. It was too heavy. So I asked one of my colleagues, Rob Caselli, in the accounts department to help me lift it into the trolley. And when I delivered it to Peter's Chambers, I said a package for you, and I don't mind telling you it weighs a ton. And he was like, ah, my anchor. Thanks, Max. And another funny delivery I've had to do was deliver a donut to a barrister at the county court, and I remember taking it through court security, and security was like, what's going on?

Michael Green: [00:59:27] He said the barrister was in court at the bar table running a case, and he wanted a he wanted a donut. Was it a piece of evidence, or was it to eat?

Max Beale: [00:59:35] I think it was to eat. I don't think it was a piece of evidence,

Max Beale: [00:59:38] But, yeah, that's another funny delivery that stands out in the memory.

Michael Green: [00:59:41] So, Max, take us through your normal day. You arrive at the office, I can't remember now, what, 08:30 or 09:00?

Max Beale: [00:59:47] 08:30, but since dad retired, I've been getting in a bit earlier, let's say, 08:05. I usually grab myself a cup of tea at a cafe, and then I go into the mail room, sort through the mail there.

Michael Green: [01:00:00] When you say the mail room, is that in the Greensleast office, or is that the general mail room for the whole of the bar?

Max Beale: [01:00:05] For the whole of the bar. So all the mail clerks from each clerk gather there in the morning, and they sort through the mail. Sometimes there's loads of mail. Sometimes there's not a lot.

Michael Green: [01:00:15] So you go there. You arrive there. You split it up. I'm assuming there's a lot of discussion, friendship, laughing, and joking among the various mail clerks from the various clerk's offices?

Max Beale: [01:00:25] Oh, for sure. Like, I'm very close friends with a lot of the male people from Foley's List, which were dad's old clerk, and I've formed a sort of a wrecking crew friendship with them, which I might explain later on.

Michael Green: [01:00:38] Please do. I'm I'm worried on behalf of the Barristers if you're wrecking their mail.

Voiceover: [01:00:42] No. It's nothing to do with that.

Max Beale: [01:00:44] It's to do with music

Michael Green: [01:00:46] Oh, I see.

Max Beale: [01:00:47] Which I'll clear up now.

Michael Green: [01:00:48] Yes. Well, now tell us who the wrecking crew were or are.

Max Beale: [01:00:51] Well, it's Dean Steele and Matt Hartigan from Foley's List, and the clerk of Foley's List, Andrew Turner, and a Foley's List barrister called Phil Bloman. We're all big heavy metal fans. Uh-huh. And we go to heavy metal concerts together quite a bit, and we go into this thing called a mosh pit. We have a fight in the mosh pit with the other heavy metal fans.

Michael Green: [01:01:15] You've performed music as well, haven't you, Max?

Max Beale: [01:01:17] Yes. I have. I'm a big heavy metal fan, and I actually took dad to see Black Sabbath in concert, and dad quite enjoyed it. Here in Melbourne? Yeah. It was their final ever tour to Australia.

Michael Green: [01:01:29] And your dad surely wasn't in the mosh pit?

Max Beale: [01:01:31] Well, he was actually, but he stayed away from the fighting.

The Hon Christopher Beale KC: [01:01:35] I would say, hey. Stop bumping into me.

Michael Green: [01:01:41] So your routine used to be every day coming into work with your dad then maybe having a cup of tea or something in your dad's chambers before coming to work, but that's changed because you had obviously retired last year. So what's the routine now?

Max Beale: [01:01:55] Well, nowadays, I just come in by public transport, mainly the train, and I'll grab myself a cup of tea at 181 William Street. Then I'll go in, sort through the mail, and then sit on reception until 09:05 when Kaylee, our office receptionist, usually comes into work. Then I begin my morning rounds.

Michael Green: [01:02:14] Without embarrassing your dad, do you miss that time with your dad?

Max Beale: [01:02:17] I do, but I feel it was the right time for dad to stop because I think dad has worked hard all his life and deserves some time to himself, especially with the grandchildren.

Michael Green: [01:02:27] How many how many grandchildren have your mom and dad got?

Max Beale: [01:02:30] Two granddaughters, and one was actually born yesterday.

Michael Green: [01:02:33] Ah, wonderful news. Congratulations to the Beale family. So you're now you're an uncle to two children.

Max Beale: [01:02:39] Yeah. Delilah and Nora.

Michael Green: [01:02:40] That's wonderful, Max. So outside the law, you're a legal family. Your dad's a lifetime lawyer. You've got brothers, sisters, in laws brothers in law, sisters in law who are lawyers as well. But what other interests have you got in apart from the law? Because it'd be a boring life if it was just the law, Max.

Max Beale: [01:02:57] Oh, for sure, Michael. And but, yeah, I have a lot of interests. Among them is the royal families of the world, and I've mentioned music, and I'm a big supporter of the Richmond Tigers. And I'm also this is two separate interests. I like clay target shooting and also smoking some fine cigars every now and then.

Michael Green: [01:03:17] Where did you pick up that bad habit from, Max?

Max Beale: [01:03:20] Well, a dear friend of dad and mine, the honorable justice John Digby, we will have a cigar every few months.

Michael Green: [01:03:29] Clay target shooting? Where do you go to do that?

Max Beale: [01:03:31] Another habit introduced by John Digby. He took dad and I shooting at John Thomas' shooting range in Calbar.

Michael Green: [01:03:38] And so have you got your own shotgun?

Max Beale: [01:03:40] No. I don't. But it's always great fun. I'm not the best shot, but it's always great fun.

Michael Green: [01:03:47] It is indeed. I used to do a bit of that myself when I was younger. And what about Moon Max? I'm actually not a royalist myself. As far as

Australia goes, I'm certainly a republican. Where does this interest in the royal families come from? And it's not just the English royal family, is it?

Max Beale: [01:04:00] No. It's all of them, in fact. It started with a magazine my grandmother had, my dad's mom. She had a magazine on Queen Elizabeth the Queen Mother, and I was deeply fascinated by that as a child. But my interest didn't fully peak until the wedding of Prince William and Kate Milton in 2011.

Michael Green: [01:04:17] Mhmm.

Max Beale: [01:04:17] And after that, I've always been on a royal spree with buying royal memorabilia. I've got two cabinets of merchandise at home, and I've also written a lot of letters to the royal families over the years. Got any replies? Got plenty. About a 120. And

Michael Green: [01:04:35] You might be able to sell those, Max.

Max Beale: [01:04:36] Oh, no. I'm gonna keep those as an heirloom. And one royal I've met is the king of Sweden who I actually wrote a rock song about, which dad helped me write the lyrics.

Michael Green: [01:04:48] But how did you meet him? Kings don't go around meeting ordinary people like us.

Max Beale: [01:04:52] Well, king Carl Gustav of Sweden is involved in the scouting organizations of the world. And in 2016, shortly before I started working at Greenslist, he came to celebrate a hundred years of Cub Scouting, and I knew a person who I was doing a documentary with on my song, and I asked, is there a way I could meet the king? And she knew someone who ran a Cub Scouts group back in the Mornington Peninsula and asked her friend if I could come along for the day as a volunteer. And my mom came with me, and she had an idea to get close to to the king by giving him a gift. And she had an uncle who wrote a book on on scouting back in the nineteen forties because another one of my interests is family history. And so I got a copy of that book from him, and we went to the Melbourne Zoo. The king was there, and he had just become a grandfather to his daughter, Crown Princess Victoria, had their second son, Prince Oscar. And I got chatting to the king, and he was amazed that someone knew

about his grandson, and we shook hands. And mum said, now's your chance. Give him the book. And I was like, mum, I don't wanna break protocol. But mum was like, damn protocol. Just give him the book. And so I presented the king with the book. And No security problems? No no security problems whatsoever. And he was actually really interested in the book. He looked at it for five minutes, and I've got a picture of me with him that day.

Michael Green: [01:06:29] So this is an embarrassing question to you possibly, Max. Have we got a favorite royal family? I mean, is it the House of Windsor, or is it the Swedes?

Max Beale: [01:06:38] Well, I would say the House of Windsor is definitely my favorite, but the House of Bernadotte in Sweden is also among my favorites.

Michael Green: [01:06:46] The House of Windsor has had a few embarrassing incidents in recent times, Max. Maybe I might be dropping down the ladder.

Max Beale: [01:06:53] Well, personally, I think they'll get through this, but I think King Charles has done the right thing to tell Prince Andrew just take a step back. And the same with Prince Harry and Meghan Markle. I was actually at their wedding in Windsor back in 2018 in the Windsor Long Walk, and we were also in London for Queen Elizabeth's Jubilee just a few months before she died.

Michael Green: [01:07:17] So you're died in the wool. So, Max, just to finish off, we've been talking to your dad for an hour or so this morning about his life in the law. Have you got any thoughts about your dad's career and his time on the Supreme Court and before that as a barrister?

Max Beale: [01:07:31] Well, I think dad has had an exciting career. Like, when I was a kid long before I started working here, I used to come into work with him quite a lot, and I was always fascinated by how the law worked. And when dad was appointed to the Supreme Court, it became even crazier to see dad on the news quite a bit. I mean, there were some times when the media were critical of dad's decisions and it caused me a lot of personal anxiety. And I would ask dad, how do you cope with this? And dad would just always say, it's just what comes with the job. And I think that's how dad was

able to deal with this in a resilient way. And so I just took dad's word for us and just calmed down after a while with it.

Michael Green: [01:08:15] Thank you, Max. That's a great note to finish on. After what has been a most enlightening and entertaining morning, I would like to thank Chris Beale and Max Beale for coming along and and sharing with us their lives in the law. It's been wonderful.

The Hon Christopher Beale KC: [01:08:30] It's been a real pleasure, Michael. Thank you very much.

Max Beale: [01:08:32] Thank you for having us on, Michael.

Voiceover: [01:08:42] Show notes from today's episode can be found at greenslist.com.au/podcast. There, you'll find links to things we've talked about in this episode, a transcript of the show, and some wonderful photos of our guests. If you're enjoying lives in the law, please tell your networks, subscribe, rate, and review the show. Your host is former lawyer and Greens list clerk, Michael Green. Our show is produced and edited by me, Catherine Green, mixed and mastered by Windmill Audio, and recorded by Alex McFarlane, who also wrote and performed all the music for the series. We're coming to you from the iconic Owen Dixon Chambers on the corner of William And Lonsdale Streets in our beautiful city of Melbourne. We acknowledge the Wurundjeri people of the Kulin nation as the traditional custodians of this land and pay our respect to their elders past and present. There is no doubt that conversations about justice have been taking place on this land for thousands of years, and we are privileged to continue that discussion here today.