

William & Lonsdale Podcast Episode 81

Brind Zichy-Woinarski KC

Voiceover: [00:00:04] This is William and Lonsdale, a podcast about the legal ecosystem and the fascinating people who make it tick. Today, host, Michael Green, speaks with Brind Zichy-Woinarski KC, one of the longest serving and best dressed members of the Victorian bar, and certainly one of its most respected. From his days at university, Brind knew he wanted to be a barrister. His first moot competition confirmed it. As he puts it, he simply wanted to be on his feet making a fool of himself. We'll hear about being named mister junior while he was still a reader at the bar, being one of the founding members of the Criminal Bar Association, and working on some of Australia's most significant legal matters, including decades of criminal trial work, the Costigan Royal Commission and the Bottom of the Harbour tax scheme cases that flowed from it, and serving as amicus curiae in the Nicola Gobbo Lawyer X litigation. We'll also hear about his work in the Royal Commission of Inquiry into Lindy and Michael Chamberlain's convictions, a case that proved as complex as it was compelling, legally, scientifically, and on a human level.

Brind Zichy-Woinarski: [00:01:12] The day that she was asked to identify the matinee jacket in the hearing at the Royal Commission, Trevor Mauling, for some unknown reason, as soon as she'd identified it, called the morning break, and it was earlier than normally would happen. And Lindy came over to where I was sitting, I was looking after the witnesses that day, and grabbed me and basically just said, Get me out of here. And we had about a 50 metre walk to a door that we had the key to, which got us into our quarters in the building. And once I got that door shut behind us, she just burst into tears and grabbed hold of me and was just crying and crying and crying. My shirt was completely saturated. And I said to her, I said to Lindy, why don't you let the public see this? And she said, it's my grief, not theirs.

Michael Green: [00:02:28] Our guest this morning in lives in the law is Brind Zichy-Woinarski, a longtime silk and longtime member of the Melbourne bar, one of the probably longest serving members of the Melbourne bar, my guest. Good morning, Bryn.

Brind Zichy-Woinarski: [00:02:40] Well, I'm not the longest serving. I think the longest serving's still Neil Brown.

Michael Green: [00:02:44] Yeah. Yeah. Neil would be ahead. Yeah. So, Brind, let's get started on a lengthy career. I've put in here as the first question, you've got that hyphenated surname, Zichy-Woinarski, which has got an interesting provenance.

Brind Zichy-Woinarski: [00:02:55] It has.

Michael Green: [00:02:56] So tell us about that interesting provenance.

Brind Zichy-Woinarski: [00:02:58] Well, in a short time, Zichys are an old Hungarian noble family who can trace their history back to the year January, and indeed in the year 2000 I went to the one thousand year reunion of the family in Lake Balaton where the family had a lot of properties. Sometime in the early nineteenth century, somewhere around about eighteen oh three, eighteen ten, sometime around there, one of the Zichys married a Polish noble whose surname was Woinarski, and one of the conditions of marriage was that if they had two male children, the second of them would take the combined surname Zichy-Woinarski, so that's where it comes from.

Michael Green: [00:03:41] And you come from the Zichy-Woinarski, that second son?

Brind Zichy-Woinarski: [00:03:45] Correct.

Michael Green: [00:03:46] And so how did such a distinguished Hungarian Polish family come to be in Australia?

Brind Zichy-Woinarski: [00:03:51] Well, my great grandfather, who is the one we've just been talking about, he was the second son, he supported Kosuth in the eighteen forty eight revolution in Hungary, and when Kosuth was in control of Hungary for about nine or ten months, and when that revolution was put down, he, Kosuth, one of the Esterhazis, and a number of other people made their way to Turkey. There they were interned for about nine or ten months. Then they were able to get to England. My great grandfather was multilingual. He taught a number of languages, saved his money and in 1851, he left for as far away as he could get from Hungary, and came to Australia, arriving early in 1852.

Michael Green: [00:04:40] And went to the goldfields.

Brind Zichy-Woinarski: [00:04:41] And went to the goldfields, and was smart enough at that time to run a refreshment station.

Michael Green: [00:04:47] Not be a prospector for gold.

Brind Zichy-Woinarski: [00:04:50] No, he did have a gold mine just outside Malden many years later. There was one bit of gold found which was divided amongst some of the children, and eventually my father's piece was made into gold cuff links with the family crest on them for both my brother and myself, and I'm wearing them today.

Michael Green: [00:05:12] So Brind, getting towards more modern times, your mum and dad, tell us about them, and your own upbringing.

Brind Zichy-Woinarski: [00:05:18] Well, as I think you know, Michael, I was brought up in Mentone, and they were very, very happy years. My father had nothing to do with the law. He worked at that time for ICIA and Zed, and my mother, once she married, she had been an armoner, what we now call a social worker. She, as was the habit in those days, she worked no longer, but she continued to be involved for many, many years, indeed, right up to the time she died as a volunteer social worker in various organisations. But it was happy times in Mentone.

Michael Green: [00:05:53] We should tell the people that you grew up across the road from my wife, have known my wife a lot longer than I've known her.

Brind Zichy-Woinarski: [00:05:59] I have. And it was interesting times, the Sirikoskis and ourselves, and there were some very interesting characters in Mentone in those days, and I can remember probably once every couple of months, the Syracoskies, the eldest one, was very keen on horses, and about once a month my father or once every couple of months my father and I would go and muck out the stable and take the straw and the horse poo back to our place and dig it into the garden.

Michael Green: [00:06:28] Now what about education? Where were you educated, and did it set you up to be a lawyer?

Brind Zichy-Woinarski: [00:06:33] Well, my father, the whole family had been going to Melbourne Grammar, and so that's where I went. There was no decision that needed to be made, it was just the family school, and I went there. I don't think I ever had any ideas of being a lawyer at that time. In fact, I did pure science courses up till the end of first year matric, which I passed and got a Commonwealth scholarship. My brother had not been that good a student and he had had to return for a second year matric because he'd failed his first year matric. And my father decided that it was of great benefit to my brother to do the second year, and so he insisted that I went back to school. I became a school officer, I was captain of swimming, and the whole idea that Brian Hone, who was the headmaster, had at that time was that boys would come back for second year matric and learn leadership skills that they hadn't had the opportunity to learn in their first year.

Michael Green: [00:07:29] And it was not uncommon, was it, in those days that people did that second year matriculation, or second year, year 12, and I also remember at the time people thought it put a head on the school, it gave sort of a greater maturity or something.

Brind Zichy-Woinarski: [00:07:42] I've got no doubt that there was part of that, and there's no doubt that we did learn amazing leadership skills. Something that I know when I started out as captain of swimming I had no idea what I was doing, and by the time I'd finished I felt very confident, and we had the best swimming team that we'd had for a long time.

Michael Green: [00:07:59] In your first year matric where you got your Commonwealth scholarship, you did maths and sciences? Correct. That didn't set you up for law? No. Second year matric?

Brind Zichy-Woinarski: [00:08:08] Well, Dad, having insisted I go back, Dad thought it would be a good idea that I did some humanities, so I did do maths again, but I did English literature, economics and British history, and British history that year thankfully was Australian history and our master was Weston Bate who wrote the history of Brighton, history of Ballarat, and was a great Australian historian.

Michael Green: [00:08:33] But doing those humanities shifted you towards law?

Brind Zichy-Woinarski: [00:08:37] I can't really say that, Michael. I can remember in first year, after I completed first year matriculation, I had applied for virtually everything science, medicine, law, and then I did the same thing in second year matric, and in the end, for some reason that even I don't know, I decided that law was where I wanted to go at that time.

Michael Green: [00:09:02] But there is a big or a significant family tradition in the law.

Brind Zichy-Woinarski: [00:09:07] Correct.

Michael Green: [00:09:08] Going back, it must be going back almost to your great grandfather when he first came here from Hungary.

Brind Zichy-Woinarski: [00:09:14] My great grandfather had trained as a magistrate in Hungary, and one of his sons was the first county court judge here in Victoria. He also was part author of the Criminal Code for Victoria, which was never enacted. And then his son Severin became a county court judge. And I have a first cousin, Austin Ash, who recently passed away, who was also a family lawyer here in Victoria. The first Victorian appointed to the bench as a Family Court Judge, and eventually he went back to the Northern Territory where he was born, firstly as a member of the Supreme Court of the Northern Territory, subsequently the Chief Justice, and eventually the administrator.

Michael Green: [00:09:59] So there's a long and rich history of the law in the Zichyuanaskis. Even if you weren't consciously thinking about the law, it may have been bred into you.

Brind Zichy-Woinarski: [00:10:09] Could well be in the genes.

Michael Green: [00:10:15] Keeping going on that track, apart from articles, you have always been a barrister.

Brind Zichy-Woinarski: [00:10:20] Correct.

Michael Green: [00:10:21] Was it during university days that you decided it was a barrister you wanted to be, and in fact I like a phrase you use, you wanted to be on your feet, making a fool of yourself?

Brind Zichy-Woinarski: [00:10:31] Correct.

Michael Green: [00:10:32] Did that start at university?

Brind Zichy-Woinarski: [00:10:33] Yeah. When we were doing moots, the first moot we had when I was at university was in second year, and then we had moots in third year and fourth year, and I loved them. And when I'd done my third year moot, I made a decision in my own mind that I was going to be a barrister, I was going to try it out, and if I didn't work out as a barrister, was going to do something else.

Michael Green: [00:10:55] You'd never be a solicitor.

Brind Zichy-Woinarski: [00:10:56] I'd never wanted to be a solicitor, and when I did my articles, it convinced me that I wasn't going to be one.

Michael Green: [00:11:03] Your articles were quite colourful actually. Explain your articles to us.

Brind Zichy-Woinarski: [00:11:09] Well, was to be articleed. Austin had organised for me to be article ed to a partner at a large, well known Melbourne law firm, and I won't mention the firm or the individual. And when I'd finished my final year exams, I'd been in contact with him from time to time, I rang him up to ask him when I should come in to start my articles, and he told me that he wasn't going to be my principal. He hadn't accepted a scholarship to go to England for twelve months and then when I asked him who at the firm would be my substitute principal, he said, There's no one here who can do it. They've all got article clerks already. So then I did the only thing I thought I could do and I rang Austin and he basically said, Don't worry, I'll fix it. And within a very short period of time, probably less than twenty four hours, he rang me to tell me that I was going to be article to Monty Hollow, a one man practitioner in Frankston, and that's where I did my articles.

Michael Green: [00:12:12] As an article clerk, did you start slowly and gradually be given more responsibility, or did you take on responsibility at a reasonably early stage?

Brind Zichy-Woinarski: [00:12:20] Monty was a very interesting man. He loved meeting people. He loved getting clients, but he did not like being in the office. And by

the time, I suppose after two or three weeks and he worked out that I knew a little bit about the law, he would spend far more time in the coffee shop getting clients or meeting with clients and very little time in the office. So what happened was that I basically finished up running a law practice, managing a property clerk, conveyancing clerk I should say, a couple of law clerks and that was it and myself and struggled along as best as I could. And thankfully, when I had issues that I couldn't deal with and they were far more frequent than I like to think of now, I'd ring up dear cousin Austin and Austin would talk me through it or assist me as best he could, and there were a number of other barristers who unfortunately suffered the same torture from me trying to work out where I was going.

Michael Green: [00:13:25] As much as those articles sound horrendous, I'm assuming they taught you a fair bit of resilience and the ability to actually solve problems.

Brind Zichy-Woinarski: [00:13:33] Yeah, I think that's right. Michael, I think in hindsight it was the best articles anyone could have, whereas some of my friends...

Michael Green: [00:13:42] Except for the clients, of course.

Brind Zichy-Woinarski: [00:13:45] We didn't stuff up a case to my knowledge. But some of my friends, all they were really doing, in fact a lot of my friends, all they were doing was going and getting the dry cleaning or the lunch or cups of coffee or things like that. I actually learned things, and when I started at the bar, I knew a lot more than I'm sure many of my contemporaries did.

Michael Green: [00:14:05] Getting onto the bar, you come early 1970s?

Brind Zichy-Woinarski: [00:14:09] Yeah.

Michael Green: [00:14:10] Now this is pre a reader's course.

Brind Zichy-Woinarski: [00:14:13] Correct.

Michael Green: [00:14:13] So tell us about being a reader at that time, how did you learn? I mean, now they a course that experienced barristers like yourself lecture at the course, but back then it seemed to me it was a bit hit or miss, depending on maybe who

your mentor was or your master, depending on your own attitude, whether you or someone who's prepared to get off your backside and get to court and watch senior barristers, etcetera. How did it work for you in this reading period?

Brind Zichy-Woinarski: [00:14:35] I think I was very lucky. Again, Austen had organised who I read with. I read with a man called Peter Bruzzi, and Peter was on the 2nd Floor of this building, East, and he shared chambers with a man called Vic Belson, who was one of the leading Silks, common law Silks at the time. Peter was not, like many of the principals at that time, one who just lets you do your own thing. He insisted on knowing what you were doing, asking you how you were going to go through the case, what your line of questioning was going to be if it was a court matter. If you were drafting documents, he always wanted to see them and asked you why you'd done certain things, and he corrected you. The other thing was that he insisted on you sitting in on his conferences and understanding and reading the papers that he had so that you could understand what was going on, and after the conference was over, we would discuss various aspects of it. Vic Belson, as I said, was one of the leaders of the common law bar at the time. He gave me a lot of devil ing work to do.

Michael Green: [00:15:45] Can I just stop you there, Brind? I'm not sure devil ing occurs as much now as it used to, from what I used to hear when I was a clerk to barristers. Just explain to people what deviling was.

Brind Zichy-Woinarski: [00:15:55] Yeah, I think it is coming back actually, Michael, from what I'm understanding, but devil ing was where a more senior barrister would ask you to prepare either a pleading or an advice, and then you would complete that and give it to them, and they would then go through it and correct it, or make amendments to it or changes. In many cases you weren't paid, in some cases you were paid.

Michael Green: [00:16:19] But an excellent learning tool.

Brind Zichy-Woinarski: [00:16:21] A fantastic learning tool, reading.

Michael Green: [00:16:23] Can I just get one more point out about for the system like it was like then?

Brind Zichy-Woinarski: [00:16:27] Sure.

Michael Green: [00:16:28] Readers sat at a desk in their master's chambers, and so your master was there, in this case Peter Bruzzi, at his desk, in his chambers, and you were over in the corner at a small desk. And so you were open to everything that occurred. Absolutely.

Brind Zichy-Woinarski: [00:16:44] And of course, today readers I've forgotten what it is now I think it's six weeks, the readers, of course, when they're not in their masters chambers, but after that they are at a desk in the corner listening, and hopefully being taught the way I was taught by Peter.

Michael Green: [00:17:04] So, Brind, in 1970

Brind Zichy-Woinarski: [00:17:07] Yeah.

Michael Green: [00:17:07] You are one of the most junior people at the bar. Correct. And at the annual bar dinner, you are given the title of Mr. Junior?

Brind Zichy-Woinarski: [00:17:17] Yes.

Michael Green: [00:17:17] And you had a specific role to play?

Brind Zichy-Woinarski: [00:17:21] Correct.

Michael Green: [00:17:21] What was the role?

Brind Zichy-Woinarski: [00:17:23] My role was to roast, in a very pleasant and kind way, the honoured guests. Peter Colden, was then the chair of the Bar Council, rang me after I'd been at the bar for about two or three weeks, wanting to see me. I went to see him and he said, You're Mr. Junior. I had no idea what Mr. Junior was, but he then explained it to me and it was made very clear to me that I had to roast in a way that got laughs, but not upset the honoured guests. And my honoured guests that year were Sir Alastair Adam for having been knighted and Bill Crockett for having been appointed to the Supreme Court. I got lots of input from many, many people. Many stories were so far beyond the pale that you couldn't believe them.

Michael Green: [00:18:16] You were able to repeat those stories at the bar dinner?

Brind Zichy-Woinarski: [00:18:19] Censored versions, or else they were thrown away. I can remember Sir John Stark, Jack Stark rang me up and insisted that I go across to the Supreme Court to see him, and he then proceeded to tell me some 20 or 30 stories about Addie Adams, and then just as I was leaving, he looked at me and he said, I don't think many of those should be repeated.

Michael Green: [00:18:49] For a junior barrister to be going over to the chambers of Mr Justice Stark would have been a bit intimidating.

Brind Zichy-Woinarski: [00:18:55] It was, but he was a very friendly fellow, Jack. Very friendly. I got to know him better much later on.

Michael Green: [00:19:02] So you make this speech roasting the guests. How did it go over?

Brind Zichy-Woinarski: [00:19:06] In hindsight, looking back, I often wonder whether my impression was greater than it was, but certainly all the compliments I got on the night, and subsequently were very, very complimentary, and I think it went alright. The bar news said that I spoke admirably. I can remember standing after the speech was over and there were a long line of people, it was up on the 13th Floor of this building, which is where we used to have the bar dinner. There were a long line of people waiting to congratulate me, I can still remember looking down that line, and Sir Garfield Barwick, the then chief justice, and Tom Hughes, who was then the Attorney General of Australia, were standing in that line, not pushing past anybody, and when they got to me, they were very, very complimentary, and I think, I thought at that time, that's the only time they'll be waiting in a queue for me.

Michael Green: [00:19:59] I would've been worried, Brind, I'd hit the pinnacle of my career as Mr. Junior, and we're going to be downhill after that. So what impact did it have upon your practice? It must've helped your practice.

Brind Zichy-Woinarski: [00:20:11] It got me known, people who I didn't know would recognise me almost immediately on the 13th Floor, where most of us had lunch every day.

Michael Green: [00:20:19] The Club used to be there at that time.

Brind Zichy-Woinarski: [00:20:21] Well it wasn't the Essoin Club, it was Ungers were the caterers, and we had big long trestles and tables, trestle tables and benches, and you sat at the next vacant spot. One day you could be sitting next to a Supreme Court judge, next day you could be sitting next to the most recent person at the bar. You never knew who you were going to be sitting with and you couldn't organise it. So it helped me that way, and certainly for the next few months when I went into courts or masters chambers, I was often, after the court would open, a presiding officer would often say, Ah, Mr. Junior, nice to see you. So it made me recognizable.

Michael Green: [00:21:04] So we're in the early 1970s. What sort of work did a junior barrister do in the early 1970s? Mean, can I, again, just set the scene a little bit, the bar at the moment, 2,005 barristers maybe? Certainly 2,000 plus.

Brind Zichy-Woinarski: [00:21:16] Well over 2,500, I'd say.

Michael Green: [00:21:18] Well over 2,500.

Brind Zichy-Woinarski: [00:21:19] I think, yeah.

Michael Green: [00:21:19] Then it was more like between two hundred and three hundred.

Brind Zichy-Woinarski: [00:21:22] When I started, there were three thirty practising barristers.

Michael Green: [00:21:25] Yeah, yeah, yeah. So it was a very different place. Junior barristers just starting out in their first year, what did a practice look like?

Brind Zichy-Woinarski: [00:21:33] Apart from those who would not do anything other than what they wanted to do, perhaps family law or something like that. You just took whatever you could and you went wherever you were sent by your clerk. It was at a time when young barristers had a fantastic time and the reason for that was Australia was going through a boom, there was a huge number of housing estates going on in Victoria, particularly in and around Melbourne. Melbourne's population was increasing quite dramatically, and solicitors decided that instead of waiting around court waiting to get a matter on, they'd rather be back in their office doing conveyancing and seeing

clients for various other things. So they were making money and they could pay us \$15 or \$20 to go and appear for whoever it was on a speeding fine, a crash and bash. There was a lot of maintenance act summonses where people had separated, and custody proceedings, again, in relation to young children.

Michael Green: [00:22:34] You don't hear of them anymore, really, do you? Maintenance and custody, whereas there was a lot of it.

Brind Zichy-Woinarski: [00:22:39] Well, and custody now is dealt with by the family court, whereas it was all dealt with in the magistrates' courts in those days, and there was a lot of work. I think the best way to describe how much work there was, was in those days I was on Foley's list, and I think I probably in the first six months never ever saw another Foley's barrister at a court, because if you were going to Ringwood Magistrates Court, all the work went to you, if you were going to Croydon, all the work went to you. So you had a lot of work, and it was completely, it was a very frequent event for me to have seven or eight briefs on the one day at a magistrate's court.

Michael Green: [00:23:19] In fact, have heard people of your vintage, Brin, say that that was the most money they ever made when they had those multiple briefs at the magistrate's court. It was better than a Supreme Court brief.

Brind Zichy-Woinarski: [00:23:30] Well, was certainly better than what you got paid by the public solicitor or the Crown Law Department to prosecute or defend in a criminal trial. That's right. In fact, I looked at my fee book on that just the other day, and I was quite surprised at the difference.

Michael Green: [00:23:45] You mentioned Crown Law Department or Crown Law Office, etcetera. Very early days, you were briefed to do a county court trial, started doing county court work? I mean, days, like in your first year.

Brind Zichy-Woinarski: [00:23:57] Yes, yeah. My first county court trial was after I'd been at the bar for about two and a half, three months. Until then, I had been doing quite a few what we call county court pleas where you represented the Crown. The main thing you had to know was the section of the Act under which the county court judge was going to sentence the accused or the defendant, whatever you want to call him, and know a little bit about the facts of the case, but you very rarely had to do or say

anything. In those days, whether it was well known or not, but in those days, county court judges would report back as to whether they thought young barristers were performing well or not performing well, and if you got a good report, then eventually you got pushed up the list a bit, and so instead of doing please, you got to do a county court trial, and as I say, my first trial was about two and a half, three months after I'd been at the bar, and it was against Phil Dunn.

Michael Green: [00:24:57] And Phil is a bit more senior than you?

Brind Zichy-Woinarski: [00:25:00] Phil was about nine months senior to me, and in fact, was married at the time to one of Peter's daughters.

Michael Green: [00:25:07] And how did that case or that trial go?

Brind Zichy-Woinarski: [00:25:09] We got a conviction. In hindsight, maybe not hindsight, but looking back, Phil's client was indigenous, and I think that was a very large factor in the attitude of the jury.

Michael Green: [00:25:23] Just to move moving away from the progression of your career, just to a point which interests me, and I would like to hear why you have the view you have. You're an extremely experienced criminal advocate. You don't believe in jail for people unless that person is a danger to society. So if someone's committed a terrible crime, but they're no danger to society, why wouldn't you put them in jail if you were the judge?

Brind Zichy-Woinarski: [00:25:48] Call me a soft touch, but I just don't believe that jail achieves anything other than isolating those who are a danger from society, to society. I don't think it achieves anything for society. I've seen in my non legal work involved in youth organisations, I know that if we can keep them engaged in education, we can keep them out of jail. I know we can keep them out of trouble, and I just think that a lot of the problems that occur with younger people getting into trouble, as a lot of society's failings are the cause of them. It's something we could talk about for a long time, but I think that putting people in jail tends to help them graduate into a way of life that we do not want, we should not want, and it should not occur.

Michael Green: [00:26:48] That is, it might help them, in inverted commas, become better or worse criminals?

Brind Zichy-Woinarski: [00:26:53] No doubt. No doubt. It's one of the reasons eventually that struck very highly in me about whether I wanted to be a judge. I could not, in all honesty, send people to jail, and it always reminded me that Peter Bruzzi decided to go back to England because although he'd been asked to be a supreme court judge here in Victoria, he could not put on the black cap and sentence anyone to death.

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Michael Green: [00:27:50] In the progression of your criminal law practice, you put an argument challenging the validity of the consorting legislation, which helped progress your career.

Brind Zichy-Woinarski: [00:28:02] It did.

Michael Green: [00:28:03] Now, don't, does the consorting legislation still exist?

Brind Zichy-Woinarski: [00:28:07] No, So you have thank

Michael Green: [00:28:08] To explain what it is, and then how it progressed your career.

Brind Zichy-Woinarski: [00:28:13] Okay, the consorting legislation was that if you, who had no convictions, or a group of people who had convictions, were meeting on a regular basis with people who had convictions, you could be charged with consorting with known criminals. And it was a way in which the police would use on a regular basis, they knew that Fred Smith was committing a whole lot of burs or something like that, but they couldn't pin it on him, so they'd charge him with consorting with criminals, they'd have a whole lot of evidence about him having been at the pub drinking with various other criminals, and they'd get sentenced for three or six months or something

like that, and get put away, so they were out of harm's way so far as the police were concerned. And that's how it was used. It was a pretty terrible way of

Michael Green: [00:29:05] Can I tell you a story about a guy that I played football with, played for the Richmond Football Club? He was at a nightclub down in St Kilda Road there, that hotel on the corner of St Kilda Road and Commercial Road.

Brind Zichy-Woinarski: [00:29:15] Chevron.

Michael Green: [00:29:16] He was there, and guys who were Richmond supporters came up and started to talk to him about the footy, because they were Richmond supporters, and they lived in Richmond. Unbeknownst to him, they were a well known Richmond criminal family, and he got charged with consorting.

Brind Zichy-Woinarski: [00:29:30] Yeah, well you understand then what I'm saying about how it was done, and even if you were doing it quite innocently, as this was happening, and of course it was a very historical thing, it went back to I think about the 1920s when it was first introduced, but it was revived every now and then as a way of getting people off the street.

Michael Green: [00:29:52] It was a pretty blunt instrument. Very blunt. So how did it progress your career?

Brind Zichy-Woinarski: [00:29:58] So I got briefed in a consorting case, I looked at the legislation and I came up with an argument basically to say that the legislation was a load of rubbish. I ran it in front of Katyal, who was then the Chief Stipendiary Magistrate without any success, and I thought, well, that's the end of that. Anyhow, a couple of days later, I got a phone call from Frank Galbally himself, who asked me if he could come over and see me about this argument that I'd run-in front of Cuthill, and I said, Sure. So he came over and I started to explain to him how the argument ran because he'd asked me how it went and I told him. And about halfway through it, he just looked at me and he said, It's a bit complicated. Why don't you run it for me? And so I did, and although again it failed, Frank was there and he was impressed with the way that I'd run the case, and from then on I got a lot of work from Galbally and O'Brien.

Michael Green: [00:31:00] Brind, I said the highlight of your career may have been to be mister junior at the bar dinner and to be have the chief justice and the attorney general waiting in line to meet you, but clearly it wasn't. The highlight was the time you were appearing Playboy magazine. My gosh. Could you explain to us how you appeared in Playboy? You a centifold model or something?

Brind Zichy-Woinarski: [00:31:20] No. What happened was that there were two motorcycle clubs here in Victoria called, appropriately, The Coffin Cheaters and The Resurrected. And the Coffin Cheaters and the Resurrected had met on some occasion in fairly violent circumstances, and I can't remember as I sit here now, whether it was the president of the coffin cheaters or the president of the resurrected that got killed, but one of them got killed, and I think it was the coffin cheaters. Some months later the coffin cheaters went down to Moorool, which was the home ground of the resurrected, and there was rape pillage and various other things went on. And eventually various members of the Coffin Cheaters were prosecuted for multiple counts of rape, serious grievous bodily harm and associated offences, and I represented the then president of the Coffin Cheaters. We nearly all got nearly all of them were convicted, in fact they were, they were all convicted and convicted of many offences. And some probably about twelve or eighteen months later, my brother who lives in Tasmania rang me and said, Why are you in the Playboy magazine? Australian Playboy. And I said, What are you talking about? So I went and got a copy of Australian Playboy and there was an article on the coffin cheaters and the resurrected trial, and of course my name was in there.

Michael Green: [00:32:49] No photos.

Brind Zichy-Woinarski: [00:32:50] No photos, no centrefolds.

Michael Green: [00:32:57] Again, early days, 1977, you've been at the bar about seven or eight years. You helped form the Criminal Bar Association. I mean, it's interesting to think there'd been no such thing prior to that, but at that stage, you and some other young barristers saw a need for it. What was the need, and how did it come about?

Brind Zichy-Woinarski: [00:33:14] Well, at that time, I would often appear against Colin Lovett, either prosecuting or defending and he'd been in the other role, and we'd done something in the county court and we were up on the 13th Floor having a cup of

coffee, and he started raising the fact that we as criminal barristers going out to magistrates courts were getting paid far less than civil barristers going out to magistrates courts to do civil cases. And he thought that was unfair and I agreed with him, was completely inappropriate. I'm talking about legal aid fees, should have made that clear. And so we decided that we needed to do something about it. Initially we approached the bar council and that resulted in nothing, it just got us nowhere. So Colin and I then decided, let's start the Criminal Bar Association, an association devoted to pushing the interests of criminal barristers. Colin was the driving force, there's no doubt about that. I was willing to help him as much as I could. Colin then went and spoke to a number of senior barristers to see who would come on board, and eventually Michael Kelly, who was then a newly appointed QC, was willing to take the role as chair, and Michael suggested we get John Hassett to come in as the fourth person to start it. So I became the secretary, Colin was vice chair and event organiser, and John Hassett was the treasurer, and I can remember it was either December 1976 or very early in January, February nineteen seventy seven. We had a dinner at Collins House in Park Street, South Melbourne, and we wrote on a single sheet of paper the constitution, and towards the end of the evening, as we'd just finished writing it, Colin managed to knock over a glass of red wine, and the red stained constitution is somewhere to this day.

Michael Green: [00:35:22] How did the Bar Council react to the formation of a separate body, Criminal Bar Association?

Brind Zichy-Woinarski: [00:35:28] They were not at all happy about it, and indeed there were all sorts of, I won't say threats, but they let us know they weren't happy about it, and they were clearly very concerned that we were going to set up a separate rival bar to the Victorian bar. That was never our intention. All we were really interested in was trying to get equal treatment for people doing work representing the people who really needed help, and getting proper fees for doing that work.

Michael Green: [00:36:01] And did you get proper fees, ultimately?

Brind Zichy-Woinarski: [00:36:03] We did, for a long time, succeed in improving the fee structure. Unfortunately, during the late 1980s, a number of members of the Criminal Bar Association took advantage of those fees and milked them to the very end,

and as a result of that, a lot of the money disappeared and fees started to go down again.

Michael Green: [00:36:31] Did other areas of practice, common law, commercial, family law, whatever, did they think this is a good idea, we'll start our own specialist associations?

Brind Zichy-Woinarski: [00:36:40] Yeah, others followed the Family Family Law Bar I should say, Commercial Bar Association. They saw it was very successful, and it was a good way of binding people together. They probably didn't start until four or five years after we'd formed the Criminal Bar Association in 'seventy seven.

Michael Green: [00:36:59] Interesting, I mean, it's now part of the landscape, and no one has a second thought about it, but it was contentious at the time.

Brind Zichy-Woinarski: [00:37:05] Oh, yeah. Yeah.

Michael Green: [00:37:06] Very. Very interesting. Now around about that time, you're appearing you appear before the Costigan Royal Commission, which I think has been mentioned by other people on the podcast, but I'd like you to remind us what the purpose of the Costigan Royal Commission was, and that then led on to bottom of the harbour tax cases. Have I got that right?

Brind Zichy-Woinarski: [00:37:23] You have, yeah. The Costigan Royal Commission was originally set up to investigate the Builders and Labour's Federation and certain activities that were happening, particularly down on the wharves here in Melbourne. And during that, they discovered that quite a few people who had virtually no money, in fact had no money at all, many of them were members of the BLF, had become directors of companies which had then been milked for all of their profits and then just disappeared down the bottom of the harbour, which is where the bottom of the harbour scheme came. And the other thing that was looked at in the BLF, although it became a very minor part because of the bottom of the harbour, was the influence that Norm Gallagher had on developers and getting money out of developers to do things. But the bottom of the harbour uncovered huge amounts of money that had unpaid profits in companies that had been then paid by various schemes to individuals. When I say individuals, sometimes individuals, sometimes other companies, sometimes trusts, but no tax had

been paid on it. And that then led to an investigation into that. And it in turn led to a number of people being prosecuted for tax evasion as a result of the Bottom of the Harbour scheme.

Michael Green: [00:38:42] And who briefed you in these matters?

Brind Zichy-Woinarski: [00:38:45] They were private briefs that I had for various people.

Michael Green: [00:38:50] Who were charged with tax offences?

Brind Zichy-Woinarski: [00:38:52] Well, in the Royal Commission, there was a suggestion that my client was involved in it. In the end, nothing came of it, but then other people were charged, and I represented them, yeah.

Michael Green: [00:39:08] Was that the scheme where a barrister who helped?

Brind Zichy-Woinarski: [00:39:11] Now you're thinking of the Norfolk Island Public Art Gallery scheme, which was Neil Forsyth, who was the barrister who gave the advice in that.

Michael Green: [00:39:19] And he was charged?

Brind Zichy-Woinarski: [00:39:21] And he was charged, as were the directors of MTS Melbourne Taxation Services, and I was briefed as junior to John Walker for the people involved in MTS. They had put the scheme to Neil, and Neil had approved it in a written advice, and he was they were all charged with tax avoidance. Basically, had happened was the promoters of the scheme, the MTS people, had purchased paintings from the Powell Street Gallery in South Yarra for about \$10,000 and then through a variety of, shall we say shams, for want of a better word, had managed to sell them to the Norfolk Island Public Art Gallery for over \$50,000,000 and the profits from the various companies were used to make donations to the Norfolk Island Public Art Gallery to wipe off the \$50,000,000 that it owed for the paintings. But a side product was that about 80% of the money flowed back to the owners of the companies. And many years later, in 2001, I actually went to Norfolk Island to do a case, and I was briefed by John Brown, who was the solicitor involved in the MTS case and he'd been charged to. And he

picked me up from the airport and Gaily took me, Gaily's probably the wrong word, but took me to a tin shed and said, What do you think? And I said, Mr. Tin shed? And he said, This is the Norfolk Island Public Art Gallery. And the art was still hanging on the walls.

Michael Green: [00:40:56] What was the outcome for the two lawyers who were charged, Mr Brown and Mr Forsy?

Brind Zichy-Woinarski: [00:41:00] Everybody got off in the end. They were all acquitted. Neill's trial was a separate trial to the others, and at the end of the Crown case, Justice George Hampel took it away from the jury on the basis that the Crown hadn't made out its case. The proprietors, the MTS and John Brown, their solicitor on Norfolk Island, all stood trial and they were all acquitted.

Michael Green: [00:41:25] It seems an outrageous scheme. It was an outrageous scheme. Those verdicts weren't appealed?

Brind Zichy-Woinarski: [00:41:31] No. In those days you couldn't, well you still can't appeal a not guilty verdict, but you can appeal a not guilty verdict ended by a judge, but not a not guilty verdict given by a jury.

Michael Green: [00:41:51] One of the most famous, notorious cases in our legal history, certainly in your and my working lifetimes, Brendan involved Lindy Chamberlain and the death of her daughter, her and her husband's daughter

Brind Zichy-Woinarski: [00:42:03] Azaria.

Michael Green: [00:42:04] Azaria in the Northern Territory. You became involved in it, not early days at the time of the trials

Brind Zichy-Woinarski: [00:42:10] No.

Michael Green: [00:42:11] But subsequently when there's a Royal Commission.

Brind Zichy-Woinarski: [00:42:13] When the Royal Commission was appointed in 1986, yeah.

Michael Green: [00:42:19] So you better take us up to that, because, I mean, why was there a Royal Commission? There'd been a trial, there'd been guilty verdicts, why is there a Royal Commission?

Brind Zichy-Woinarski: [00:42:26] Okay, child disappeared, Azaria disappeared at the campsite at Ayers Rock, the public campsite at Ayers Rock.

Michael Green: [00:42:33] Can I just say, this is 1980?

Brind Zichy-Woinarski: [00:42:35] It was 1980, yeah. She was 12 weeks old, if I remember correctly, it might have been 10, but 10, 12 old. Lindy always said that a dingo had taken the baby. There was an inquest, a former member of the Victorian bar, Dinnie Barrett, was the magistrate. He was very, very critical of the way in which the Northern Territory Police had gone about their investigation and the forensic investigation that had been carried out, and he came down on the side of Lindy and said that the baby had been taken by a dingo. I have no doubts from what I saw in the Royal Commission papers and the papers we saw, that Jack Winnicke who led me saw, that the Northern Territory Police did not like the criticism that Dinnie Barrett made of the way they'd gone about their investigations, and I think they were determined to show that he was wrong, and they went about another investigation. Eventually she was charged and there was a trial. John Phillips and Andrew Kirkham represented them at the trial. She was convicted

Michael Green: [00:43:44] Convicted on the evidence of various

Brind Zichy-Woinarski: [00:43:47] Various scientific experts, all of which, and I can take a long time if you want me to, but all of which we demonstrated in the Royal Commission was completely false.

Michael Green: [00:43:59] Why would, I mean, people surely wouldn't have knowingly given false evidence.

Brind Zichy-Woinarski: [00:44:04] One of the major witnesses who gave evidence at the trial, he basically retracted his evidence in the Royal Commission, He was an English forensic scientist, and by the time he came to give evidence of the Royal Commission, it had been demonstrated that he had given at best evidence favourable to

the Crown in a number of murder cases in England, and at worst, purgits evidence. Yeah, but one of the major

Michael Green: [00:44:33] And we like to think that sort of thing doesn't happen in our system, Brent. Maybe you're saying I'm being naive.

Brind Zichy-Woinarski: [00:44:39] You are. Sorry, Michael, but you really are.

Michael Green: [00:44:44] So please, so keep taking us through the story Okay, of

Brind Zichy-Woinarski: [00:44:47] So one of the issues at the trial was that whether or not Azaria was wearing a matinee jacket when she disappeared, and Lindy always said she was, as did Michael. The Crown said that was a load of rubbish and that the damage that had been done to the jumpsuit demonstrated that she had not been. Sometime early in 1986, an English tourist fell off the rock. His body had been pulled apart by dingoes and there was a line search for various parts of his body and in that line search a matinee jacket was found which was identical to the matinee jacket which Azaria had allegedly been wearing when she disappeared. The matinee jacket was identified by Lindy as being a matinee jacket of the child. Various textile experts examined it, the way it presented, and it was made of polyester fibre, but the sleeves and things were attached with cotton. And they said the degradation of the cotton in particular was consistent with the matinee jacket having been in the open for about two years, and wherever it had been, it had been underwater for quite some time. And the area where the jacket was found had in fact been flooded on two separate occasions since the child disappeared. That led to calls there had already been a large number of calls for Lendi to be released, but that led to her release and the calling of a Royal Commission chaired by Trevor Moalling.

Michael Green: [00:46:32] And the Northern Territory government passed a law allowing a second appeal or something like that?

Brind Zichy-Woinarski: [00:46:39] Subsequently, after the Royal Commission completely exonerated her and came down

Michael Green: [00:46:44] But that's not good enough, because she'd been found guilty, and the High Court has said, You're guilty.

Brind Zichy-Woinarski: [00:46:49] Correct, and so what happened was the Northern Territory government passed a law which said, A, you can have a second conviction, sorry, a second appeal, and the Court of Appeal, on a second appeal, can have regard to whatever material it sees fit to do so. By that time my cousin Austin was the Chief Justice of Northern Territory. I had been the junior to Jack Winnickey in the Royal Commission hearings. Austin rang me and basically said, Is it you or me? And I said, It's you. It's not me because it would not be appropriate for me to be appearing in front of you. They then had regard to the findings of Trevor Moorling and because they were entitled to, and that then led them to quash the conviction and enter a verdict of not guilty.

Michael Green: [00:47:40] Can I just go back a bit? Because at the time, we, the public of Australia, we were engrossed by the whole thing. All of us were quite an amazing thing. Lindy Chamberlain received very bad press. She came across as an unloving mother, a bit of a horror, and yet you saw a different side to her.

Brind Zichy-Woinarski: [00:47:56] Yeah, I did. I saw a very different side to her. The day that she was asked to identify the matinee jacket in the hearing at the Royal Commission, it was first or second day, I think it was the first actual hearing day of the Royal Commission, we'd had a formal hearing, but it was the first real hearing day. Trevor Mauling, for some unknown reason, as soon as she'd identified it, called the morning break and it was earlier than normally would happen. Lindy came over to where I was sitting, I was looking after the witnesses that day, and grabbed me and basically just said, Get me out of here. And we had about a 50 meter walk to a door that we had the key to, which got us into our quarters in the building. And once I got that door shut behind us, she just burst into tears and grabbed hold of me and was just crying and crying and crying. My shirt was completely saturated and I said to her, I said to Lyndy, why don't you let the public see this? And she said, it's my grief, not theirs. And I think the lesson out of that is never ever assume how somebody is going to react to a stressful situation or any situation until you yourself have been there, but don't put your shoes into their shoes.

Michael Green: [00:49:17] Around about this time you take silk, soon after the Royal Commission?

Brind Zichy-Woinarski: [00:49:21] Eighty seven, yeah.

Michael Green: [00:49:23] Did taking silk affect your practice? I mean, did you, was there a dip in your practice while people adjusted to the fact that you're now a silk, gonna be working with a junior, more expensive, etcetera?

Brind Zichy-Woinarski: [00:49:33] No, you just go to the bottom of the pile again. You get the work, and it didn't affect my practice. I was very lucky.

Michael Green: [00:49:41] Your practice was primarily crime, and maybe primarily white collar crime?

Brind Zichy-Woinarski: [00:49:46] Yeah, a large amount white collar crime, but also, certainly once I took silk, I did a lot of other things. One of the earliest briefs I had is that silk was constitutional matter, challenging the validity of the then introduced Defence Force Discipline Act. And we had some success, but not sufficient success.

Michael Green: [00:50:07] That took you to the High Court?

Brind Zichy-Woinarski: [00:50:08] Took me to the High Court, yeah.

Michael Green: [00:50:10] You've also I mean, this is a topic which interests me very much, because I've made the same observation as you, that in your working lifetime and mine, the length of trials has significantly increased.

Brind Zichy-Woinarski: [00:50:22] Correct.

Michael Green: [00:50:23] And the cost of obtaining justice, to use a hackneyed phrase, has therefore significantly increased.

Brind Zichy-Woinarski: [00:50:30] Correct.

Michael Green: [00:50:31] Why, and has it brought about better results, more justice for the individual and for the community?

Brind Zichy-Woinarski: [00:50:38] It's a really hard question to answer, Michael. I think in criminal trials there are some fairly obvious causes. In general terms, not only

criminal trials, I think judges need to take more control today than they do. Certainly in my early days, if you started waffling on or wasting time, a judge would just tell you to get on with it and you got on with it because you had to get on with it. I think that in criminal trials, the involvement of the High Court, up until the late 1970s, the High Court had hardly ever heard or given special leave in any criminal case. There's only a handful. Then they started to get more, and the proliferation of High Court judges who did not have criminal experience meant that they started looking at what happened in civil cases, so all issues had to be looked at rather than what had been traditionally the criminal way of doing things, what's our real defence, and let's just concentrate on that, rather than looking at every possible defence. That certainly has taken it longer. I've often wondered whether having evidence on affidavit in civil cases, which was introduced to make it shorter, actually lengthens things, because when a person gives evidence on oath and their evidence in chief, you've got a far better ability to assess both as counsel for the plaintiff and counsel for the defendant the merit of that evidence, for want of a better word. And you can very quickly determine whether or not you shouldn't settle the matter very quickly and get it over and done with. And I do think that evidence on oath shortens trials, not lengthens them. So there's a whole lot of reasons. There's recently been criticism by Justice Jackman of the Federal Court about the length of time that judges are taking to decide cases. I think that's equally

Michael Green: [00:52:43] It's only for judgments. Would they reserve their judgment.

Brind Zichy-Woinarski: [00:52:46] For two years or longer. It's too long. Justice delayed is justice denied, and I know from some civil cases that I've been involved in, the client's gone bankrupt, although they've won the case, because the decision wasn't handed down until a long time after they'd gone bankrupt. The business last.

Michael Green: [00:53:07] The most Pyrrhic of Pyrrhic victories.

Brind Zichy-Woinarski: [00:53:09] Yeah.

Michael Green: [00:53:10] Now, you thought you could probably never be engaged or involved in as significant a case, again, as the Chamberlain case. Yep. Hugely significant in Australia's judicial history. Yes. But you have been. The case involving a former barrister, Nicola Gobbo, and her behavior towards between the police and her clients. Yes. You got involved in that. Now we can't talk about the details, I think,

because there are appeals going on and a whole lot of things happening. But you were appointed as amicus curiae, friend of the court? Correct. I remember fifty eight years ago in criminal law that they used that phrase amicus curiae. I think I'd never seen it again, Bryn, till I was reading the notes for today. So you better remind me and everybody else what an amicus curiae does, how an amicus curiae becomes involved, I mean, decides we need an amicus curiae?

Brind Zichy-Woinarski: [00:54:02] Well, normally the court decides they need an amicus curiae and they call upon you. It wasn't the first time I'd been appointed an amicus curiae by the Court of Appeal, it's probably the fourth or fifth time. The amicus is, as you've correctly translated from the Latin, a friend of the court, And the reason why the court needs the friend is very simple, because you will have a case run between two warring parties who may not be prepared to run the arguments that the court also needs to hear. Now in the Gobbo matter, you had the Chief Commissioner of Police wanting to stop the Victorian Director of Public Prosecutions from disclosing the name of Gobbo as an informer to seven named individuals.

Michael Green: [00:54:53] Who had been her clients?

Brind Zichy-Woinarski: [00:54:54] Who had been her clients and had been convicted of criminal offences. And in those circumstances, the Director of Public Prosecution might have wanted to say, yes, Gobbo did the wrong thing, but applying the proviso, there was still the proviso, which means that there having been a problem in the trial, there was still enough evidence or proper evidence admissible for the person to have been convicted. There's still enough there for it to be convicted and the person should be convicted. The Chief Commissioner of Police on the other hand wouldn't want to say there was anything wrong with the trial, because they wanted that person convicted. So I came along and said there'd been a miscarriage of trial,

Michael Green: [00:55:40] You a miscarriage of came along because the Court of Appeal or?

Brind Zichy-Woinarski: [00:55:44] The Court of Appeal realised

Michael Green: [00:55:46] Said we want an amicus curiae.

Brind Zichy-Woinarski: [00:55:48] Yeah, To run arguments that the warring parties will not run, and the main argument that we were running was simply that her involvement, having been their barrister, and also her involvement as an informer to the police in relation to her own clients, meant that there had been a complete miscarriage of justice. It didn't matter what the evidence was, there had not been a fair and proper trial in the eyes of the law, and the court had been misled. Court had had its eyes shut to the reality of what was going on. Now, the director's not gonna wanna run that argument, the police are not gonna wanna run that argument, so you need somebody independent to run it. So who's briefing you? The brief technically is from the court.

Michael Green: [00:56:35] But in fact, does the court appoint a solicitor or

Brind Zichy-Woinarski: [00:56:38] I a lawyer in the public had a solicitor who ran it.

Michael Green: [00:56:44] Private practice?

Brind Zichy-Woinarski: [00:56:45] Private firm, and our fees were paid, quite happy to say it, equally by the police and the director.

Michael Green: [00:56:53] So you're briefed, what about evidence? I mean, what are the Commissioner of Police and Director of Public Prosecutions, are they obliged to open up their files or open up their briefs and present them to you?

Brind Zichy-Woinarski: [00:57:08] No, unfortunately, that didn't occur, and had I known what I now known, I think the matter would have been resolved far quicker than it in fact was, rather than over about three years.

Michael Green: [00:57:21] Because they didn't cooperate?

Brind Zichy-Woinarski: [00:57:23] The police certainly did not cooperate, and there are a lot of things that I have, I subsequently got another brief in the Gobbo matter to represent the interests of the Office of Special Investigator, who'd been appointed to work out whether or not she or any members of the police force should be prosecuted, And I was briefed to represent that office in relation to some of the various matters that have been going on in both the Court of Appeal and the civil courts. And documents that

I have seen there make me realize that we were kept in the dark as much as we could be.

Voiceover: [00:58:06] Lives in the Law is proudly sponsored by City Maps Illustrated. Their recent publication, The Melbourne Map, is a celebration of our wonderful city. This stunning hand drawn illustration, which took more than three years to create, is available as an art print, jigsaw puzzle, and calendar.

Michael Green: [00:58:33] Brind, you've had a very long career, that's said respectfully. We've just touched on a few highlights, really. Clearly there's been bread and butter work going on all the time. Is there any other matters which are particularly prominent in your memory, but you would consider highlights of your career?

Brind Zichy-Woinarski: [00:58:50] One that I don't think I'll ever forget is I was representing a driver charged with culpable driving, and the jury went out late in the afternoon, and they came back at about 07:00 just after dinner and returned a verdict of not guilty, and court finished up prisoner, was discharged and his wife came over to me and put her arms around me and said, Thank you, I didn't wanna tell you today's our wedding anniversary. And was, yeah, it was very emotional and he kept on writing thank you notes to me for many, many years, Christmas card every year from him. And there are quite a few cases like that that I can't remember them all, where it gets back to my views about prison, where you manage to keep somebody out of jail, and many years later you'd learn that they'd kept a straight life and succeeded. And I think that makes it all worthwhile.

Michael Green: [00:59:50] Let's go outside the law, because I know that you have, in parallel with your legal career, done a lot of work within the community, with the Newsboys Foundation and the Australian Ballet. What have your roles been there? And have they been have they helped keep you balanced?

Brind Zichy-Woinarski: [01:00:07] Yeah, they've kept my balance enormously. Both my mother and father were very much, you've got to give back to the community. My mother, as I think I said earlier, did so much as becoming a volunteer. She helped set up so many of the Anglican church homes. She was the president of the Melbourne Ladies Benevolent Society for years and things of that nature. And my father was very heavily involved through Freemasons. I first became a director of an organisation called

Tri Youth and Community Services in 1972 because I wanted to put back, and I was involved in that until the early 2000s. Through that, I became involved in the Newsboys Foundation, and both those organisations are trying to help the youth of Victoria, particularly the underprivileged youth in Victoria, and particularly try and keep them engaged in education, particularly the Newsboys Foundation, of which I've been chair for far too long, since 2009, and still am. And the ballet school, again, was youth in Victoria. I loved ballet. I was taken to the ballet when I was very young. I was about six or seven, and I could still take you to the seat where I saw Copella in the Princess Theatre. I loved it. And I was involved in the ballet school until February last year when I could no longer support the then chair. But helping the youth of our country is something which I think is very important, because they are the future.

Michael Green: [01:01:37] Brendan, on that note, I'll say thank you very much for coming in this morning, for telling us about your career, the many important cases you've been involved in, and your great commitment to our legal justice system, and also to our community. Brind Zichy-Woinarski, known to Zich as his friend, by his friends, I say thank you.

Brind Zichy-Woinarski: [01:01:58] Thank you, Michael.