
Message for Nina and Gus Fitzgerald

In memory of Anthony John Fitzgerald (Tony)

By John Lawrence, Criminal Lawyers Association NT (CLANT)

Dear Nina and Gus

As President of CLANT and on behalf of our membership and the legal profession of the Northern Territory, please accept our deepest condolences on the death of your dear father Tony.

As you know, he was a dear close friend of mine. I write to you because you should know why he is such a respected and honoured member of, not just our profession, but the Territory community. You need to know this. He was a special man.

I don't know much about your dad's background in Sydney and Melbourne and all that. I know he came up here (before my time in the late 70s) as a lawyer, and first worked for Aboriginal Legal Aid. He thereafter spent 25 years using his skills and acumen, fearlessly fighting for disadvantaged and minority groups. As a lawyer he was a star, because he used his skill, intelligence, energy and ability to lean down and help people up who were in disadvantaged circumstances. He was what a lawyer is really all about. He achieved a lot. A lot more than most legal practitioners.

Having said that can I say personally, in my view, his finest achievement and accomplishment was the upbringing of you two fine young people. As you know, I have known you both since birth and have had closer contact with you Gus, through my own son Ben. I have also watched and seen you, Nina, grow up to be a lovely and highly intelligent young girl. Both of you are a credit to your mother Ursula, and Tony.

On behalf of CLANT, I want to



Tony Fitzgerald was well respected within the Territory legal profession and in the wider community. He was pictured here during Law Week 2008. Photograph: Shane Eecen.

tell you about your dad. Since he passed away, and indeed on the way out, you have heard and seen many positive things said about him. Let me assure you, there is no exaggeration in this phenomenon. He was a special man.

His qualities, which will be yours, were these:

First and foremost his honesty. I first met your dad in 1988. I was a just started Crown Prosecutor, and I was prosecuting your dad's client on a grievous harm charge. I didn't know much about anything in those days. Tony knew the ropes. I had dealt previously with other defence lawyers who had deliberately bamboozled me with fog and smudge talk, exposing

and exploiting the fact that I had no idea what was going on. Not so in this case. Tony told me that his client was pleading not guilty to the charge and his defence was self defence. That was the issue, and he wanted the following witnesses called. He talked straight and to the point. He had credibility. I could rely on his word, a very important aspect for a legal practitioner. We became friends from that day on. Your father took to me and I was flattered.

At that stage Tony had a renowned reputation: he had worked for NAALAS, he'd run his own practice, he'd gone to the bar and he was now basically giving the Legal Aid Commission a favour by being

their senior criminal lawyer.

What you should know about your father is not just that he brought you up the proper way. He was a man of fierce principle. He never resiled from his principles. I learnt from your father. I consulted him frequently and learnt from his counsel. His counsel was invariably singular, radical and questioning. He would comment on scenarios I put, and his approach was sage and helpful. He was a mentor to me.

His job as the Anti-Discrimination Commissioner was perfect in a way. He was no pushover. He was no radical that jumped on and pushed the complainant's case. He was in fact an objective judge on issues. That really shows the integrity and honesty of your dad. A real professional.

I had lunch with Fitzzy only two weeks ago. He told a story about the wild old days. He, Dwyn Delaney and Dave Nason hired a light aircraft and pilot and flew to attend the famous Birdsville race meeting. The story involved large amounts of drinking and general mucking around. At the race meeting there was a traditional boxing tournament held on the side. Fitzzy told the tale that he was watching a small Aboriginal man boxing a very large white stockman. The Aboriginal had it over the white fella because of his skill and speed but nevertheless the white fella managed to connect a couple of times and that was the end of the little Aboriginal boxer. He was decked and his opponent set upon him as he lay on the ground. Fitzzy couldn't help

himself and jumped in. He started hitting the victor. This was apparently a complete no no as far as the rules of these boxing tournaments were concerned and the rest of the crowd set upon Fitzzy. He is still curious as to what happened to Dwyn Delaney that afternoon because he certainly didn't see him in the fight. But that aside his story ended well. He pointed out that years later he was acting as a lawyer to give advice to an Aboriginal group which included Sugar Ray Robinson. The advice was negative, so the room wasn't warm and Sugar Ray did have a well earned reputation. However early into the meeting Sugar Ray pointed out, "You're the bloke that jumped in down at Birdsville". Relations were warm after that.

I heard Fitzzy interviewed on *ABC Radio* a few weeks ago. The issue, for that particular morning, was prosecuting obese people traveling on aeroplanes; should they be made to pay for two seats because of their size and general condition. The prosecutors were winning the talk back easily. Everybody was ringing in saying they should be severely penalised because of their obesity. Fitzzy was asked his opinion and he said something along the lines of, "I would have thought that people afflicted with overweight problems have enough difficulties without being further persecuted by society".

The point really on those two stories is that your father, above all else, was a fundamentally decent man. His brief was to help people. People that needed help. That is the calling of a lawyer.

He was principled and oh so brave. He fought his condition like a lion. Most people would have been dead years ago but through his strength and resilience, he inspired all of us as to the value of life.

I've said too much and not enough. I am writing this on the day after your father passed away. I was able to thank your dad a few days before he passed on, for his friendship and guidance. I told him I'd always remember him and speak fondly of him. I salute your father, who was a man of great honesty, integrity and decency.

Tony Fitzgerald

The Law Society also remembers Tony for his services to human rights.

Tony's career as a legal practitioner fitted him well for the Anti-Discrimination Commissioner.

He will also be remembered as a Territory character, which is evident from Johnny's article.



ARE YOU EXPERIENCING SERIOUS STRESS?

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