

Eulogy By the Hon Neville Wran AC QC at the Memorial Service for The Late Tony Bellanto QC - Sydney

We have all heard the saying "when they made him they threw away the mould". That observation was never more pertinent than in the case of our late lamented friend and colleague, Tony Bellanto. He was truly a unique person - an unforgettable character.

I remember in the late 1950s when we were relatively young, Wentworth Chambers was built to provide accommodation exclusively for barristers. Naturally there was a lot of competition amongst the barristers to get onto a floor which had leading QCs and top flight law clerks. When the dust settled, the fourth floor remained for those who had missed out on the better floors.

The barristers who took chambers on the fourth floor were, by and large, the odds and ends of the Bar - those whose only thing in common (apart from being barristers) was that there was no place or welcome for them on any other floor in the building.

Tony Bellanto was one of the odds and ends, and I was too. We were in good company however. Lionel Murphy, later Federal Attorney General and a High Court Justice; Jack Sweeney who became a Justice of the Federal Court; Bill Fisher, Chairman of the Industrial Commission of NSW; and Frank McGrath, Chairman of the Workers' Compensation Commission, and a number of others who distinguished themselves on the bench were occupants of the fourth floor.

In other words, many of the rejects went on to bigger and better things. Tony Bellanto, who could have been a judge ten times over, went on to dominate the criminal bar of New South Wales and to command a practice in the field of criminal law unmatched by any of his peers.

I think his temperament probably precluded him from accepting office on the bench. Tony, as we all know, was a great mixture of aggression and compassion. He revelled in the court dramas in which, so often, he was a principal actor and he loved the conflict through which, so often, he obtained justice for his clients.

He was a very passionate person - passionate in his beliefs; passionate in his commitment to win; passionate in pursuit of justice for his clients. The trials in which Tony Bellanto appeared for the accused were emotionally-charged trials. Tears were common: tears when he won, tears when he lost. He was always a fervent advocate of an accused's entitlement to the presumption of innocence. In recent times, I think he would have been appalled by the way in which the value of that presumption has been savagely diminished by means of trial by media and the failure, all too often, of the courts to bring the media to account.

Tony Bellanto was marvellous with juries. He spoke the language of the common man and he spoke it with conviction and sincerity which, more often than not, persuaded juries to give his clients the benefit of the doubt.

He was an extremely clever barrister and a complete

criminal lawyer. He was a dramatic actor whose grasp of the law was sure and firm - an actor whose script was always well prepared.

Tony's advice to his son that genius is 1% inspiration and 99% perspiration was the principle that guided him. He started work early in the morning and worked until late at night making sure he had a meticulous grip on the facts and a thorough understanding of the legal background applicable to his case. His clients got 110% value because he put 110% of himself into each and every case in which he appeared.

I have said he was aggressive and passionate, yet he was not arrogant. I must say he was a master of flattery and even when he was one of the most senior Queen's Counsel in New South Wales, he would always, on being introduced to a minor bureaucrat or official, address that person as "Sir", and more than once, in the course of a trial if a constable's evidence was proceeding according to Tony's liking, the constable would be promoted to a sergeant in the course of Tony's cross-examination.

After less than a decade in Wentworth Chambers, his true worth was recognised by his peers and he was elected to the Bar Council. It was about the same time that he became a member of the AJC. He loved racing and it wasn't uncommon for Tony to finish a case on Wednesday before lunch and coincidentally find himself on Wednesday afternoon at the races at Canterbury. Indeed racing, apart from his family, was his relaxation. It is well known that he was generous on and off the racecourse and many an unfortunate has gone away either from the racecourse or the law courts with money in his pocket deposited there by this man of considerable compassion.

Today, of course, is evidence of his many friends from diverse walks of life. Indeed I think it's fair to say that Tony Bellanto was universally liked, mainly because he never tried to score points from his friends and acquaintances and was always willing to put himself out to help a lame dog over the stile.

He had one tilt at parliament when he ran as the endorsed Labor candidate for Fuller and although he didn't do so well in the silver-tail end at Hunters Hill, down around the Gladesville area he picked up a lot of votes, but on the occasion he stood, the swing wasn't there generally to carry even such a popular candidate to office against the sitting member.

So there we have it. He liked a bet; he liked an argument; he liked a drink; but most of all he loved his family, of whom he was immensely proud and of whom he spoke with affection to his colleagues at the Bar frequently.

Theirs, of course, is the greatest loss and our deep sympathy is with them. But at least they have the satisfaction of knowing that in his lifetime he was greatly admired by his professional colleagues, and genuinely loved by his friends. He will forever be remembered as a great barrister, a man of honour and to all who had the privilege to enjoy his company, a good friend. □