

## **William and Lonsdale – Lives in the Law**

### **Ep 30. Peter Ward OAM**

**Presenter** [00:00:05] This is William and Lonsdale, a podcast about the legal ecosystem and the fascinating people and stories that make it tick. This week, your host Michael Green, speaks with Peter Ward AM, one of Victoria's leading criminal law practitioners for over 40 years. Peter has spent his entire career at the firm of Galbally and O'Brien and worked on some of the most high profile cases in Victorian history, including the Wall Street police killings in 1988. Like most practitioners, Peter had to work incredibly hard to prove himself at the start of his career. No one he knew had worked in the law, and he had no real connections. But Peter also had the additional challenge of being born with only 10% vision.

**Michael Green** [00:00:47] Do you think that you have to work harder than other people because of the vision impairment?

**Peter Ward** [00:00:53] I think initially I did. I was in my early days in particular. I was known for my enthusiasm and willingness to go out at night and advise clients at police stations. But I think I had to try harder just because you had that vision impairment that doesn't affect your speech or your ability to communicate. But people might be, you know, kind and gracious towards you. But some people think, oh, he can't see well, therefore he wouldn't be an effective advocate. So, I think I've probably spent my life trying harder to compensate and make up for it.

**Michael Green** [00:02:06] I'd like to welcome this morning as our guest on Lives in the Law Peter Ward. Peter has been a long time criminal law solicitor in Victoria at the very well-known firm of Galbally and O'Brien. Peter, good morning and thank you for coming along to talk to us.

**Peter Ward** [00:02:20] A pleasure Michael.

**Michael Green** [00:02:22] Peter, take us back to the start. Your childhood, your mum and dad and your brother what sort of a family were you in?

**Peter Ward** [00:02:29] Well, I came from a working class family. We lived in a poor part of Hawthorn in Glenferrie, and my dad worked in a grocery shop opposite our home. My mum was a part time secretary but devoted their lives and I have one brother who I tried to emulate but very difficult to do it.

**Michael Green** [00:03:02] So difficult to do so because of his intellectual ability?

**Peter Ward** [00:03:06] Yes, he topped every class at St Johns and University, and he in a way, was responsible for me trying to achieve something.

**Michael Green** [00:03:21] The other factor, apart from a loving family, including your brother, that helped you achieve something or may have helped you achieve something might be the fact that you were born with only 10% vision.

**Peter Ward** [00:03:32] Yes, I was for the first five years and in those days, Michael, relatives used to live near each other. I guess for the first five years of my life I was surrounded by family in Glenferrie and I can't remember going anywhere except maybe

the odd trip into the city. So, my life was very happy, very closeted and the eye sight factor really didn't kick in because I was with people I knew.

**Michael Green** [00:04:08] What about at school? You went to a local primary school in Glenferrie Road there, St John's?

**Peter Ward** [00:04:14] Yes.

**Michael Green** [00:04:15] Having 10% vision one; it must have affected your school. But two; I wonder about not going to a school for the vision impaired.

**Peter Ward** [00:04:24] Yes. Well, coming to the second point first, my mother was quite upset about my condition when I was a child. And she took me to an ophthalmologist. Apart from attempting to diagnose what was wrong. She asked him about school. Should I send him to a vision impaired school or whatever? He said, send him to a normal school and metaphorically, if he falls over, then pursue other options. Fortunately for me, she took advice and I went to a normal school. Coming to a second point. It was a challenge having poor vision. I emphasise said I was treated extremely well by teachers and fellow classmates. Once I got used to or familiar with the environment and so I went on, I developed strategies to cope. By the time I got to year ten because that's where school ended, I was part of the furniture. No one looked twice at me anymore.

**Michael Green** [00:05:49] Did you actually stand up from your seat in the class, walk up the front to the blackboard and stand in front of the blackboard so that you could read it?

**Peter Ward** [00:05:57] Correct. Yeah, correct. Some teachers used to say get a bit of help with the boy next to you. But no, that's what I did. And admittedly, perhaps I was embarrassed initially doing that. But having spent 11 years at the school, the kids got used to it and they called me say get out the way. And it was just a normal part of schooling.

**Michael Green** [00:06:29] From that day until this. You've been a great football fan.

**Peter Ward** [00:06:34] Yes.

**Michael Green** [00:06:34] You even played football at that school St. John's into year 10.

**Peter Ward** [00:06:40] Yes.

**Michael Green** [00:06:41] Tell me about you playing football at 10% vision. That sounds scary to me, Peter.

**Peter Ward** [00:06:46] Well, naturally I was with the with the no hoppers. And on Sports Day we were segregated into different games. On Sports Day, I would be playing with the kids a) that didn't really want to be there and I'd just better along. But the conclusion was always hopeless.

**Michael Green** [00:07:12] You may have been a great football talent, but held back by lack of vision. We'll never know.

**Peter Ward** [00:07:18] It's funny when you're a kid. When I was four or five, I was absolutely convinced I'd be playing for Hawthorn.

**Michael Green** [00:07:26] And in fact, I guess all kids are four or five convinced they're going to play for the team that they barrack for.

**Peter Ward** [00:07:31] That's right, Michael.

**Michael Green** [00:07:33] In those days, of course, there were quite a sprinkling of at least Catholic schools around Melbourne that went to year ten and then after year ten you moved on to another school. And you did that?

**Peter Ward** [00:07:43] I went to Massillon to do year 11 and 12, didn't enjoy Massillon, bearing in mind that 50 over 50 years ago. So, it's a different kettle of fish today. But I had to adjust to people I didn't know new classmates. And whereas when I was at St John's, everyone knew me and accepted me for what I was, at Massillon it took me a while. I started to adjust in about September, October, in my second year and when I was doing the matriculation. But I think part of the reason could be truthful that I didn't enjoy Massillon was that I had to adjust again.

**Michael Green** [00:08:33] You go on to do law at Monash.

**Peter Ward** [00:08:36] Ah, yes.

**Michael Green** [00:08:36] No family connection to law, no particular reason why. And yet you say from about year eight when you would have been 13 or 14, you wanted to be a lawyer.

**Peter Ward** [00:08:46] Well that's right. It was a funny experience. I remember we had to write down what we wanted to be, and I suppose I spelt lawyer incorrectly and the teacher looked at me and said, I think you're going to have a problems intellectually, but I used to walk past the old Hawthorn Court and police station on my way to school and I used to see the people congregating around and I thought, Gee, I'd love to be a part of that. After year nine, I didn't think my results would get me into law and I put it out of my mind. And turning now to year 12, if you're a humanities person, I hated the science subjects, there was really only a choice or arts or law, and I think I got into law on the fifth preference. I must have been about the last person admitted, and I'm always pleased to do law. But by that stage I'd set my mind on becoming a teacher, so I thought I'd do the preliminary degree, which was a better jurisprudence, and then move on to do a bachelor education. A priest in our local parish community got me a week work experience at a Catholic secondary school. I did that and hated it. I just thought, how could anyone want to be in that environment? And from that day on, I turned my attention to the law.

**Michael Green** [00:10:40] Peter, you say that so much of law is reading from a textbook, rather looking at a board which made it easier for you than school.

**Peter Ward** [00:10:48] Absolutely. And in doing year 11 and 12, going back to my Marcellin days, the board was really used. So, it was easier because I'd learnt if I couldn't say what was written on the board. I used to dive into the textbooks and follow what was happening from the textbook. You're right. Law although there was piles of reading. I was, I am able to read. It looked very awkward and very close to the page. But funnily enough, all my relatively quick reader.

**Michael Green** [00:11:27] Would it be right to assume that because of the vision impairment and having to read the books yourself, it may have sharpened up your analytical skills?

**Peter Ward** [00:11:36] I think so. I was on that point. I quickly learnt that although people treated me very well, there was no such things as aids in those days, I quickly learnt that you've got to do it yourself. While people were kind and gracious and offered to help, I quickly learned that to overcome that sort of problem you have to knuckle down and do it yourself.

**Michael Green** [00:12:05] Did you need to do things in any different way because of the vision impairment?

**Peter Ward** [00:12:10] Oh yes. So, I had to make a number of adjustments to, for example, were that my memory was a very important tool and it was just interesting because of the vision. And secondly, you adopt strategies, for example, one of the minor strategies, but it would be exemplify the point, I'd say go to the Frankston Court to meet a client and I'd seen only once and I wouldn't recognise at a distance. And to save embarrassment I would stand in a prominent place, but with my head deliberately looking elsewhere so they would come up to me. Whereas if I was focused on the door, for example, I wouldn't see the person and the client would say, Oh, you can't even see us. So, I developed some strategies to compensate. I must say I was always a bit embarrassed about my vision, which my friends tell me off for. But I was always conscious of it and I'd develop a different strategies to compensate.

**Michael Green** [00:13:27] So at this time you came in contact with other visually impaired people for the first time?

**Peter Ward** [00:13:32] Yes.

**Michael Green** [00:13:33] Through the Royal Victoria Institute for the Blind.

**Peter Ward** [00:13:34] That's so. I later served on the board of RVIB for 20 years, but I came into contact because I wanted to do work during school and not so much school but the uni holidays. And I knew that to get a job I had to go through quite a lot of paces. I had to declare my vision. I knew people would be skeptical. So, someone said, well, the RBIV have a factory. So, I rang up, said Oh, was vision impaired and I've worked weighing nails in this factory for visually impaired blind people at the RBIV. And I learnt so much at that factory that it was unbelievable.

**Michael Green** [00:14:29] Working at that factory with vision impaired people. Did you see a difference between most of those people and yourself?

**Peter Ward** [00:14:36] Yes, I wasn't better than them, nor was I more intelligent than a number of them. I think I went in with a preconceived notion that they would be non-educated and struggling, perhaps intellectually, or when I got there I remember, the guy next to me and he was totally blind doing some factory work and he started discussing politics, unions, world affairs. And I quickly discovered that there were a lot of people there at the time who were in a factory because opportunity didn't pass their way. And I thought how sad it was and I'm not demeaning these good people, that people with such astute minds were destined to work in an assembly line. And the other thing I learnt is that regardless of any handicap that we have, you have to live in a society where the norm is

not in one particular way. And I learnt that it's far better to try and be part of society rather than being segregated and separated into a group.

**Michael Green** [00:16:09] And that takes you back to your mum and the ophthalmologist. And what a good decision was made then.

**Peter Ward** [00:16:13] I keep thinking of my mother and your family just for giving that advice.

**Michael Green** [00:16:18] You finish your law degree and it's the days, of course, of articles. You have to get articles to get admitted. Was it easy for you to get articles?

**Peter Ward** [00:16:26] No. Although in the end maybe, I think I've been extremely lucky. I applied for over 40 firms and declared my vision issue and I got 40 knock backs. So, I thought, this is going to be interesting. David Galbally imminent QC and son of legendary Frank Galbally was in my year at uni and heard that I was having difficulty getting a positive response and said, look, Frank might be able to help you. And I gained an interview in a way you could say that the vision impairment got me to meet Frank, because I had no aspirations necessarily to do criminal law, I just wanted a job, I was newly married and thought I should support the family that would come along. So, David arranged an appointment initially Frank said he knew people in at the public solicitor's office in legal Aid and he'd try and get me a job. And for some reason, although we were diversely different people, we clicked somehow and, in the end, he said, oh look, it's only article for only 12 months. Come in here and do your articles. And that's how I got articulated.

**Michael Green** [00:17:52] And what was your experience of articles?

**Peter Ward** [00:17:54] Oh, it was magnificent. They were really good articles because I attached myself to Frank and went to court with him, although he taught me a lot, some of the things he did, no one else could do. So, you couldn't emulate him. Like I couldn't emulate his voice, his manner. There were things that I couldn't copy, but he was very generous to me and we developed a very close relationship.

**Michael Green** [00:18:30] So Peter, despite Frank Galbally telling you they would give you articles for 12 months and help you to find a job somewhere else after articles. Here it is 48 years later, and you are still at Galbally O'Brien. What happened?

**Peter Ward** [00:18:46] Well, I accompanied Frank to the Oakleigh Magistrates Court on the 4th of November 1974 and in the car going back to the office. Frank said to me, would you like to stay on and work as a solicitor? Well, I was very emotional. I hope he didn't see a tear, but I was very emotional, very grateful. I'd newly been married the previous December, and obviously I was thinking about what work I would do. And for Frank Galbally to personally ask me to stay on was a momentous moment. Hence, I remember the time that he asked me and I remembered where I was.

**Michael Green** [00:19:39] In being articulated to Frank Galbally and working with Frank Galbally. He worked with literally one of the giants of the legal profession in Victoria certainly when you and I were young lawyers, Peter, he was the highest profile lawyer, certainly in the state of Victoria.

**Peter Ward** [00:19:54] Yes.

**Michael Green** [00:19:55] What did you learn from him?

**Peter Ward** [00:19:56] I learnt I was fascinated with his ability to relate to people. He was equally at home with the Prime Minister. He had a relationship with Malcolm Fraser and a person down and out and effectively very underprivileged. So, he related and hence this was demonstrated in each jury appeal when you were addressing juries, he had the capacity to read people, understand people and relate to them.

**Michael Green** [00:20:33] Peter, I wonder with working with Frank Galbally, did you learn things about the tactics of running matters, strategies for trials and cases, how you deal with the prosecution, the police, the bench, etc.? Were those things you learnt from him?

**Peter Ward** [00:20:47] Yes, I learnt many things from him. Number one was he read the bench and I'm still staggered today how many young people don't put any emphasis on reading the bench. When Frank drove me to court, when he was appearing, he would always say, Jack X is sitting, you know, he's a he's a wonderful man. He likes so and so. He knew the bench impeccably. He also used to put a lot of work into tactics. What he did, which I thought was very humorous, he'd be cross-examining a policeman. And as you know, Michael, the stripes can detect what rank they are, whether they're a conny or senior conny or a sergeant. And he deliberately would call a sergeant inspector when he was cross-examining because he wanted, he just wanted to get them on side. And that was one of his strategies. But he was for tactics and strategies and I learnt a lot from that, although he was number one in terms of that because, actually I would say in Australia, but definitely Victoria. He always treated police with respect. A lot of police were a bit coy or nervous in front a room, but he always put the matter is and treated police with enormous respect.

**Michael Green** [00:22:25] And that was deliberately tactical to get the best possible result for his client.

**Peter Ward** [00:22:31] I would say that it was part of his personality, but he definitely used his brain power to know that if you don't treat people with respect, you won't get much in return.

**Michael Green** [00:22:49] You are also mentored in your articles year by Tony Howard. Yes, he was later a county court judge.

**Peter Ward** [00:22:57] And the husband of the governor of our state who I showed the other day. Initially I thought, Oh, he's always picking up mistakes that I make. But I soon learnt it was his device to teach me. Tony taught me to be thorough. I think before I met Tony I was a little bit slapdash in some things I did it and say to myself, well, that'll be okay. But Tony taught me to be prepared. Taught me how to deal with the crown. And he really is a wonderful human being. And I owe a lot to Tony Howard.

**Michael Green** [00:23:41] Over the next 20 years, you go from being article clerk to employee, to solicitor to associate salary partner equity partners. So, you become one of the owners, I guess, of Galbally and O'Brien.

**Peter Ward** [00:23:53] That's right. And that was probably one of the most moving experiences when I was asked by Peter O'Brien, the partner who managed the office to become a partner. I was very emotional, very grateful and very privileged and proud to be part of what I think is a great firm.

**Michael Green** [00:24:17] I'm assuming here from my own experience, Peter, that you weren't consciously trying to climb the ladder, you were working hard each day and doing the best job you could for your client and for the firm. And these promotions came about.

**Peter Ward** [00:24:31] Well, I was the first non-family member to be given equity partnership. So, I didn't think it was attainable. I just loved my work intently and I used to just throw myself into it. I never really thought of promotions because I didn't think they were there. I thought I thought I might get to be an associate if I kept there, but I had no idea that I would be given the honor and privilege of being a partner.

**Presenter** [00:25:10] William and Lonsdale are brought to you by Green List, one of the leading multidisciplinary barristers lists in Australia. Greens List believe in promoting conversation around the ideas and issues that shape not only our legal system but our wider community.

**Michael Green** [00:25:26] Moving on to your work - historically, the profession in Victoria has been divided between solicitors who don't do appearances and barristers who do appearances. And the one notable exception in my early time in the law was obviously Frank Galbally. Do you, or did you do many appearances yourself and to what level in the court system?

**Peter Ward** [00:25:48] I was junior to Mr. Frank Galbally in a couple of trials, especially the Croke trial, which was an amazing experience. In the early days I did a number of pleas and appeals in the county court, but basically my true love was the Magistrates Court. I would be appearing nearly every day of the week.

**Michael Green** [00:26:12] And doing pleas and contests and whatever came.

**Peter Ward** [00:26:15] That's right - getting to know the system and always at home in the Magistrates Court.

**Michael Green** [00:26:23] Were you effectively a barrister within the firm? I mean, did other firm members brief you to do their appearances in the Magistrates Court? Did you only do your own matters?

**Peter Ward** [00:26:32] No, I did my own matters and the structure of the firm would be that solicitors would do their own appearances and brief counsel. A change came about in recent years when matters became far more complex and the role of a solicitor intensified. For example, in the early days, you would brief counsel on, apart from doing the basic necessary work, you would go off and do your own appearances. But the amount of preparation and the solicitor plays a lot bigger role in briefing counsel. So, although today, as solicitors do appearances, there is far more emphasis on briefing counsel.

**Michael Green** [00:27:29] I was aware myself of the Magistrates Court becoming far more complex as the years went by. It seemed to me back when you and I started that the Magistrates Court was a bit rough and ready in the justice, but they got it right in nine cases out of ten or 99 out of 100. Is it a change for the better, the extra complexity within all of these matters, in criminal matters that come before the Magistrates Court?

**Peter Ward** [00:27:53] Well, I think it's six in one half a dozen another. I think some of the complexity now isn't necessary, but others are. We must remember that the jurisdiction of

the Magistrates Court has increased incredibly. When I started... take a common burglary or theft, the limit was \$500. In other words, if a person did a burglary and stole something worth \$600 in the early days, you had to go to trial in the county Court. Now the limit is \$100,000. So, the jurisdiction in the Magistrates Court has just magnified and I admire magistrates because they do so many cases having to make quick decisions. They are working under enormous pressure and do a great job.

**Michael Green** [00:28:55] As a solicitor in criminal law. You are a hub, so to speak, where you've got relations with the client, the police, counsel, the bench. Can you sketch out for us the role of a solicitor now? If you touch on the fact it is more complex and therefore maybe less chance to do appearances. Can you sketch it out for a bit what role a solicitor plays now?

**Peter Ward** [00:29:17] Well, the solicitor normally there are exceptions has first contact with the client and often you're advising a client how to deal with the police advice on interviews. The solicitor's got to get the confidence of the client and a relationship of trust and respect then builds up. You have to be quite invasive as a solicitor going into their background, their drug or alcohol issues, family violence. There're so many factors that lead to the commission of criminal offences that you need to be on top of that before you can think about going to court. The solicitor, who does their appearances virtually has a relationship with the client from beginning to end. So, the solicitor, although perhaps doing less appearances today, has a very important role.

**Michael Green** [00:30:29] Peter to get back to one thing you mentioned, which is, it may be start with giving advice on interviews with the police. When I started in the law, the basic position was you told your client to say no comment. Is that still the case?

**Peter Ward** [00:30:41] I think in the majority of cases it is. However, if you're satisfied that your client is articulate and will not cave under pressure, sometimes articulating what occurred can be advantageous. You're absolutely right. The majority of times, especially when you don't have a lot of time to interview the client before interview is to say no comment. But I don't think it should be a hard and fast rule. Can't be saying nothing. I think sometimes it can be very advantageous to talk.

**Michael Green** [00:31:24] What about dealing with the police as a solicitor? Are they always the opposition? Is there an adversarial relationship with the police or is it a cooperative relationship as well?

**Peter Ward** [00:31:36] I think there's a cooperative relationship. And if I may share a short story, it's changed a lot. Initially, the local sergeant would prosecute at the Magistrates Court. One day I went to court in the early days before a prosecutions division was established and the fellow had a face that was scarred and bruised. And I said, Oh, what happened to you? He said, your bloody client last night punched me. So that sort of hampered appropriate negotiations. Now they have a separate prosecution division and I would say in the main, it takes two to tango. But I would say the relationship between the solicitor, the barristers and the prosecution division in negotiation is highly professional, and as long as you respect each other's view, then I think it works fine. But I think that detachment from the early days where we had a local sergeant who spent a night with your client possibly swearing and abusing him. The prosecution division don't have any contact with the client, so they can more objectively analyse what appropriate.



**Michael Green** [00:33:03] I'd like to move on to some of the cases you've done, which get a lot of publicity in their time. And one of them easily comes to mind, of course, was the murder of two police officers in Walsh Street, South Yara in 1988, officers Stephen Tynan and Damien Eyre. You actually if one of the accused, Peter McEvoy, can you tell us about the case, the strategy you employed and the outcome of it?

**Peter Ward** [00:33:28] Well, first of all. Before I say a few things, I'd like to say it was a complete tragedy. Anyone dealing with that case would have enormous sympathy for the families of the victims. I remember before I got the case I was at Prahran and I went in and offered condolences, and this came about as part of what happened. The police were very, in general, justifiably very angry and very emotional. And I went to the police station to offer condolences. And then I got a call from one of the suspects, Peter McEvoy, now Walsh Street, apart from that tragedy, had a significant impact on future police investigations. The problem that police had in Walsh Street, and it's highly understandable, is that those investigating were very angry, wanted revenge. I don't mean physical revenge, but just were hell bent on prosecuting and making judgement. Call on the suspects. Since Walsh Street that impacted on police at a higher level and the police these days in a general sense are far more effective, far more professional, far more prepared in their case work than they were at Walsh St. Because as you can imagine, Michael, the Walsh Street killings had an enormous impact on the normal police officer. And so that was clearly understood. It was leaked to the media that Peter McEvoy and others were suspects in the killing and there was a lot of bad publicity. Oh, I thought that that would be very harmful to the prospects of a fair trial. So, we gave a press conference at the Sandringham Yacht Club with Peter McEvoy present, and the tenor of the conference went this way. We said, Look, it's been said that Peter McEvoy is a suspect. He proclaimed his innocence. If they say he's a suspect and that he done this reflect this horrific crime, bring it on and charge him. And I think that strategy was the cause of an early arrest, because on the one hand, they were saying these four fellows had done it, yet they hadn't charged them. What our strategy was, was to bring it on, and get them charged. And when I took Peter into a police station for an interview, the atmosphere was horrific because justifiably the police were very angry. It took a lot of strategy, took very appropriate counsel. The QC was like Robert Byrne, who was a great orator and a great facts man, the junior was now KC, Patrick Dean, who was a wizard with the law. A fair trial was conducted and they were acquitted.

**Michael Green** [00:37:09] Now, Peter, we get to the very heart of the matter here, and this one is a very personal question has got me concerned. You connived in Richmond losing the 1982 VFL premiership. I want you to explain to me who Helen D'Amico was, what part that she plays in losing that premiership for the Tigers. And how did you help her?

**Peter Ward** [00:37:30] Well, the Helen D'Amico story started on a Friday afternoon. I had a phone call.

**Michael Green** [00:37:38] Sorry, Peter. This is the Friday afternoon before the grand final. Day before the grand final.

**Peter Ward** [00:37:42] Yep, yep. Just got a phone call. A chap rang and said, do you guys have an after hour services? If we get arrested, can we get help? And I said, of course we have an after-hours service. We would help at any time. Stupidly. And I regret it. I said, Well, I hope you're not going to commit a crime or do anything stupid. We do have an after-hours service, but just be very careful. And I said, why are you asking the question? And he said, Well, there's going to be a stalker here at the grand final in the second

quarter. I didn't pay much attention to it. All I said to the gentleman was, we have an after-hours service. On watching the grand final with some mates. And I said to my mate, I'm told there's going to be a streaker, but it's probably rubbish. Sure enough, nothing happened. And my mates at half time said, Oh, you're full of it. What are you on about? And it happened in a third quarter when this woman ran onto the ground and wrapped the scarf around. I don't think it had any effect on the Richmond players. But I do believe it either inspired him or rattled him. But the Blues went on and won. But it was an amazing situation. I got the phone call as indicated by the Friday afternoon. I think she was scheduled to appear at the Melbourne Magistrates Court on the Monday. She attracted the biggest media contingent that I've ever seen and that includes all the murders that we were involved in, high profile cases and the media from was just unbelievable. Indeed, I had to protect her from being trampled and Frank was upset because he was some distance away and couldn't get to us. She received \$1,000 fine. Apparently, she wanted a mud wrestling contract and the phone calls that afternoon. The community thought this poor girl won't have the money. It was like taking calls for a telethon. If we had of accepted the money, I think I could have raised 30 or \$40,000. But naturally, we didn't take any money. And she got offered \$500 to appear on the Don Lane show. If it was her intention to attract publicity and I don't know whether it was. She did a damn good job. And the late Brian Clovier had a magistrate, had to impose a heavy fine, which was no stage to dissuade other people from doing the same thing.

**Presenter** [00:40:51] 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. The perfect acquisition for your Home Office or corporate gifting.

**Michael Green** [00:41:14] Peter, you were fortunate to have two outstanding mentors in Frank and Tony.

**Peter Ward** [00:41:20] I was.

**Michael Green** [00:41:20] And you found being a mentor a highly rewarding part of your own career. Can I ask you, what do you think makes a good mentor? And is there any particular advice you'd give to mentors?

**Peter Ward** [00:41:33] Yes, I think when one watches a court hearing and I'll come to the point, people think, oh, especially in a magistrate's court, lawyers just give a bit of background and hope for the best. The advice I'd give to mentors, is one; get the young person to watch and learn. I know. Harkening back to myself, I learnt a lot by attending court, waiting to get on and just watching and learning. Secondly, I would advise mentors to tell the young person that they need to respect police and the magistrates, learn the habits of the bench and learn as much as you can about the personality and propensity of the tribunal, whether it be a magistrate or a county court judge. The big lesson, however, is preparation. It really annoys me when I hear some young solicitors say, oh, it was just a .05 plea. Pretty easy. Every case and dealing with clients, they deserve the best attention. And preparation is the key so they are the three factors that I would, if asked to pass on to prospective mentors.

**Michael Green** [00:43:08] Hearing what you said then and in hearing what you said about Frank Galbally, would it be right to say the overarching theme in all of your dealings as a lawyer with everyone you come in contact with is respect?

**Peter Ward** [00:43:22] Yes, I think that that's incredible. In particular, I talk about clients. The worst thing you can do as a lawyer is be judgmental, someone who comes in, assaulted someone, using drugs and commit crimes. We don't, until we find out we don't know their background and who knows we could have been in the same position if we didn't have wonderful, caring backgrounds, good examples, and perhaps in my case, my brothers keeping it under control. Judgmental people don't have a place in the practice of criminal law.

**Michael Green** [00:44:08] It surely must be very hard to remain non-judgmental when confronted with some horrific circumstances.

**Peter Ward** [00:44:14] Well, that's true. But remember that, especially in a not guilty plea, you're following your instructions. And some people say, oh, who would believe that story? Well, who are we to play God and go beneath their instruction? What if we're wrong? What if a client came in with a horrific case? And I thought to myself, Oh, that's dreadful, that's terrible. And I made a judgement and said, Oh, he's guilty. And it turned out that he wasn't guilty. You are bound by your instructions, and if you don't, you're not playing your role. In fact, it's gravely wrong to be judgmental in those circumstances. So, your duty is to follow instructions and not be judgmental.

**Michael Green** [00:45:12] Peter in December of 2021 you were given a farewell from the Melbourne Magistrates Court, to my knowledge, not a common occurrence. How did that come about and what did it entail?

**Peter Ward** [00:45:23] I think it came about because I had the privilege of mentoring and a lot of people who ended up taking judicial appointments and I think it would have been initiated by some of those people who for some reason thought I may have assisted them. I think because of my long association with the court and the mentoring of so many people who are judicial officers facilitated that farewell. I must say, I was very overwhelmed by that.

**Michael Green** [00:46:03] No, it's a wonderful tribute. I mean, normally the sort of thing we only expect of a retiring magistrate or judge, but to do it for a member of the profession, a practicing member of the profession says volumes of the respect in which you are held by the bench in general.

**Peter Ward** [00:46:19] Well, I yeah, I think I was very fortunate.

**Michael Green** [00:46:23] Then you were awarded an OAM, I think earlier this year.

**Peter Ward** [00:46:30] It's interesting with the OAM. I learnt this subsequently. A person who nominates someone has to do a lot of work by way of submission and contacting people that you work with. And I owe the OAM largely to my wife and brother who did the groundwork. Going to Government House was a real experience and I reunited in a sense with Tony Howard, who I hadn't seen for a number of years. So, it was a very humbling experience. But I dare say that I know of people who would deserve that award far greater than me.

**Michael Green** [00:47:17] Peter It's been fascinating, you know, to sit here and talk to you about your career in the law, your journey starting from St John's in Glenferrie Road, Hawthorn, all those years ago through to today when you were still a practicing member of

the firm of Galbally O'Brien in a limited sense, to hear your story has got a degree of inspiration in it. Peter, I know you might not like the word, but it has got a degree of inspiration for all of us and I'm sure to the people who listen. So, thank you very much for coming in today.

**Peter Ward** [00:47:47] It's been a great pleasure, Michael, and thank you.

**Presenter** [00:47:57] Show notes from today's episode can be found at [greenslist.com.au/podcast](https://greenslist.com.au/podcast). There you 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 Macfarlane, who also wrote and performed all the music for the series. We're coming to you from the iconic Owen Dickson 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.