

## **Velvet to Father of the Republic – A Brother's Tribute to George Winterton**

*Peter Winterton*

The passing of George Winterton one year ago is not only a personal loss but also a loss to all Australians.

He was born in Hong Kong on 15 December 1946 some 16 months after the end of World War II. His parents Rita – now aged 95 – and father Walter (deceased) had married in Hong Kong after fleeing their homeland in 1938, shortly after the Nazi invasion of Austria.

Walter had practised medicine in Japanese-occupied Hong Kong. The family travelled in May 1947 to London, where George's father obtained an English medical qualification and then steamed for Australia arriving on our sun-filled shores on 22 November 1948.

George's early years were turbulent; his nappies fluttered like surrender flags on the *MV Lorenz*, the slow boat that had taken the family to Britain on a three-month journey from Hong Kong. London in 1947 was austere as Britain began to recover from the huge costs of the Second World War; food, clothing and shelter were scarce. A highpoint of this period was the marriage of Princess Elizabeth to Prince Philip Mountbatten, an event witnessed by my mother with little George in his stroller.

Arriving on a warm spring day at Fremantle on the *MV Toscana* was a great culture shock for George's parents. Soon the work of a country GP and that of a GP's wife ensured the family became involved in the local community of Pingelly. The family began to make friends, some of who are still able to remember George and the family arriving in Pingelly. George's father settled with full vigour into a country GP's life whilst his mother struggled to adapt, as did so many post-war migrants, to the harshness of the Australian outback.

Late in 1951 my mother, pregnant with me, ensured that the family shifted to Mount Hawthorn and George started at North Perth Primary School. Many years later Mrs Hillson, his grade I teacher, would relate of the fond memories she had of a gentle, shy George who, in spite of the difficulties he had with pronouncing 'velvet', remained etched on her psyche.

In early 1953 the enlarged family shifted to Tuart Hill and George shifted to Tuart Hill Primary School. George was a quiet, reserved child but that didn't stop him from trying to 'wag' school only to be caught red handed by his mother as she saw him run down Wanneroo Rd at lunch time. Shoes were not a commonly worn piece of apparel in 1954 at Tuart Hill Primary School – so George would remove his shoes and lose his laces on an almost daily basis. Our mother had a standing order for shoelaces at the local Italian bootmaker who George would mimic for years to come. This gift of mimicry was to cause much amusement for those who knew him and on occasions got him into some very tight spots.

In 1958 George started attending Hale School, then in West Perth, so that he would become 'less messy and more organised'. Our mother, unaware of the etiquette of private school culture, sent George to school on his first day wearing a Guildford Grammar tie, because Foy's (a department store) had sold out of Hale ties. Our mother was oblivious to the school rivalries, George, after all, had a tie; so what was the fuss? This was not a good way to start a Hale School career. When asked by Bert Mills, his form 7 teacher, 'who wants an English text?', George remained silent. When then asked if George had the English text George said, 'No, he didn't want one'.

George's career at Hale was marked by academic excellence. He was Dux of school in 1963, matriculating with a general exhibition.

Law was his chosen field, as it had been of our mother. She had a profound influence on George's career into law. He graduated from the University of Western Australia in 1969 with LLB (Hons) and then over the next five years worked at Robinson Cox (now Clayton Utz) and Frank Unmack and Cullen in Fremantle. During this time he started to work on his Masters in Law. Winning the medal of the Faculty of Law ensured that his application as a Fulbright Fellow to New York would be successful.

At New York's Columbia University George taught and studied law - international law and constitutional law. Returning to Australia in 1975 he was appointed Senior Lecturer at the University of New South Wales.

It was at this time that one evening he made a cheeky comment about a beautiful woman bending over to put on her tap dancing shoes, telling her that tap dancing could be dangerous. Two years later they became man and wife. Ros and George had a wonderful relationship, both idiosyncratic in their own way, both unassuming and undemanding of each other.

They were blessed with four children: David, a Rhodes Scholar for NSW, and Philip both studying law and Madeleine and Julia who are developing careers in commerce and publishing.

Our mother had been raised in the 1920s during Austria's First Republic – a time of demonstrable antagonism to a hereditary head of state. It was not uncommon at our dinner table, a simple one of chrome and laminex, for my mother to extol the virtues of a republic as compared to a monarchy. She recognised that our present Monarch, whose wedding she had witnessed, had served us well, but objected to the idea of a head of state being proclaimed by birthright alone.

George, on the eve of his wedding, confronted his father-in-law to be, unashamedly a monarchist, about the use of the Loyal toast at his wedding reception to be held the following day in the Queen's Club in Sydney. George proclaimed, 'Loyal toast and I walk out'; as his 'kid brother' I was impressed by his fortitude of conviction and felt that I had witnessed a landmark case in Australian family law.

George was a scholar, a gentleman and a lawyer. His knowledge of European art, Egyptology, American history and European history was boundless. His wife had to learn the US Presidents in order and his children would get treats if they recited some historical fact. Over the next years of George's career he became more prominent in the Republican Movement and with the Convention in 1998. He was in very large part responsible for the draft that was put to the Australian people at the Referendum in 1999. This book is a legacy to those whom he counted amongst his closest friends and it pays him an enduring tribute.

In 1998, at the height of his academic career, George presented with a rare sarcoma (cancer of muscle) in his left leg. With fortitude and courage he continued to work. He would limp into his office at noon and go home at 2.00am the following morning, often stopping at the local Woolworths in Double Bay at midnight – where the staff called him 'The Professor' – to make his contribution in running a busy household of four growing children.

The referendum's defeat, like his illness, didn't dampen his conviction for the need for Australia to become a republic. In 2001 he presented late with bowel cancer and over the next six years George fought tooth and nail to beat this disease. He continued to write, teach and publish, interrupted by operations, chemotherapy and countless investigations and procedures. His spirit was inspirational. He died on 6 November 2008.

George could have contributed so much more in his field of constitutional law – there are few in Australia as learned in the field

as George. Chief Justice Robert French writing the obituary in *The Australian* on 21 November 2008 said:

George Winterton has passed from our midst. But his voice has not been stilled. His intellectual legacy means that it will be heard in our lecture halls and constitutional debates and will make its contribution to the development of our nationhood for many years to come.

His family, his colleagues and his students sadly miss him.

6 November 2009