

Inside the intense world of Australian barrister to the stars Sue Chrysanthou

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August 09, 2024

QWeekend Courier-Mail

Sue Chrysanthou readjusted her right arm to support her breastfeeding baby, so she could jot down a note with her free hand. The high-powered barrister had given birth only four days earlier.

Most sleep-deprived mothers will attest to a fog of exhaustion in those bleary-eyed days, but Chrysanthou was holding court in a high-stakes mediation session representing one of the most famous names in Hollywood: Geoffrey Rush.

And she was sharp.

As her newborn breastfed, Chrysanthou spoke aggressively to her opponents on the other side of the table.

One of them was the then Editor of The Daily Telegraph, Christopher Dore, who was stunned.

"She was brutal. I couldn't quite believe what I was hearing," he recalls.

"This was during mediation don't forget. She was uncompromising, direct, devastating and well she was definitely threatening.

"She was leaving no one in any doubt about what she was prepared to do to win the case. I was looking at her eviscerate our side – fierce gaze, articulate and calm – while holding a newborn. Utterly unfazed. It was shocking. Outrageous. But also unquestionably sensational."

James, Chrysanthou's fourth child, had arrived three weeks early.

She had given birth on the Thursday, walked home from hospital on the Friday and spent the weekend preparing for Monday's mediation session.

By the time the case went to trial three months later, baby James was a permanent fixture at court.

Chrysanthou, now 44, would pass the baby to those around her as she prepared witnesses for cross-examination.

Right before Rush's wife, actor Jane Menelaus, gave evidence in court, James did a milk-vomit on her shoulder. Renowned theatre director Neil

Armfield quickly covered his suit jacket when the baby was next thrust in his direction. One person present recalls the opposing army of vastly far more experienced lawyers proved no match for Chrysanthou, and she won big-time for the Oscar-winning actor in his costly defamation suit against The Telegraph, owned by News Ltd, the publisher of this magazine.

It was a case that made global news and it cemented Chrysanthou's standing as one of Australia's most formidable barristers.

Fearsome, quick thinking and fiercely intelligent, Chrysanthou often features on the front pages, striding into court alongside her latest high-profile client.

Over her 20-year career at the bar, she has represented some of the biggest names in politics, the media, the arts and sport, including boxer Harry Garside, journalist Lisa Wilkinson and News Corp chairman Lachlan Murdoch.

Chrysanthou is terrifying yet disarming. Maternal yet ruthless.

Her unconventional practices are the antithesis of the male-dominated – and often patronising – legal fraternity.

Top barristers traditionally host meetings in plush city offices with sweeping views, but several of Chrysanthou's clients describe being summoned to her home to prepare for trial, to be met by four children, a cavoodle, a bichoodle, possums, birds and even a kangaroo roaming around.

It's little known that Chrysanthou volunteers for WIRES, Australia's largest wildlife rescue organisation, and takes emergency calls at all hours.

There are often multiple possums being bottle-fed in her laundry or, on one occasion, a baby kangaroo in the house.

"She's the white-collar apex predator in the courtroom and she's the loving mum, animal-rescuer and caring friend outside," says former army commander Heston Russell.

In between court preparation, her clients describe becoming ensconced in the Chrysanthou family home. It was an experience Russell had when Chrysanthou represented him in a defamation suit against the ABC and its star reporter Mark Willacy.

It's hard to imagine renowned barristers Bret Walker or Bruce McClintock popping on a load of washing for a client during trial prep.

Russell had travelled from Queensland for the court case and was staying in a hotel, so when he came to Chrysanthou's home every weekend to prepare cross-examination during the trial, he brought his washing with him.

Russell became part of her family, watching Avengers or playing tennis with her children, then ordering Uber Eats before settling down to work.

"We would go out on nightly walks to gather foliage for her rescue animals, particularly her possums," Russell says.

"We'd then sit on her couch until 1 or 2am to go through documents."

Amid the clamour of family life, Russell describes Chrysanthou's moments of genius that ultimately saw them win in court, in a verdict that was a devastating blow for the ABC and its investigations team.

At 1am on a Saturday night, Chrysanthou noticed an obscure handwritten note of Willacy's that mentioned the name of an American commander.

The pair tracked down the individual, who turned out to be a high-ranking American Drug Enforcement Administration agent and former marine.

He revealed that he had, in fact, spoken to Willacy prior to publication and had explained that he had served alongside Russell and found him to be a fantastic officer and a great commander. None of this exculpatory evidence had appeared in Willacy's story, nor had it been disclosed – which Willacy said in court was an oversight – even though trial was just a week away.

His revelation would help to blow up the case for the ABC.

Chrysanthou may have an antagonistic relationship with legal counsels at major media organisations, which are often paying out large sums of money to her clients and complain that she acts too frequently for plaintiffs, but she maintains a good relationship with many high-profile journalists – as long as she's not suing them.

2GB radio host Ben Fordham recalls the first time he met Chrysanthou.

"She introduced herself by saying, 'Hi, Ben. I'm Sue Chrysanthou; I've sued you before'," he says. "And that was the start of a beautiful friendship.

"She's got balls of steel and the quirkiest of personalities.

"I admire her intellect and love her company.

"In the courtroom, she's a lethal weapon. Outside of court, she's a charming knockabout who doesn't take herself too seriously.

"She can make a complicated legal argument accessible and even entertaining."

Like Russell, many have a reason to be grateful to Chrysanthou, who wins the majority of cases that go to trial, although she has had major losses.

When Bruce Lehrmann lost his defamation case against Ten and Lisa Wilkinson, the ecstatic TV star arrived at Chrysanthou's home with flowers and chocolates. The strategy to help Wilkinson win had been risky and perhaps may have taken a little convincing.

Essentially, Chrysanthou argued in court that Wilkinson had little input over the Brittany Higgins story – a story that won her a Logie award for journalistic excellence.

The legal argument saw Wilkinson mercilessly mocked in the media but ultimately she was spared the most scathing of Justice Michael Lee's findings, which were reserved for her employer, Network Ten.

On the week that case finished, Chrysanthou celebrated with friends at Justin Hemmes' up-market beachside restaurant, Mimi's.

Chrysanthou has now become extremely close friends with Wilkinson and her husband, Peter FitzSimons, even dining with them in Paris during the recent European summer.

The close relationship is even more extraordinary given Chrysanthou has acted against both Wilkinson and FitzSimons separately in the past.

Apolitical, Chrysanthou has no qualms about acting for figures on both sides of politics, from left-wing Greens senator Sarah Hanson-Young to right-wing One Nation leader Pauline Hanson, whom she recently represented against another Greens senator, Mehreen Faruqi.

It's why Chrysanthou immediately ignored friends who warned her not to take on the highly contentious defamation suit by then-Attorney-General Christian Porter against the ABC.

Her friends were concerned the case was political dynamite: Porter, who had prime ministerial aspirations, had become a top target of the left side of politics.

But Chrysanthou has never shied away from controversy and felt bullish about the case.

The ABC had accused Porter in a 2021 story of historical sexual assault during his university days, which he denies.

There was no evidence, no witnesses and no living victim. Some of Porter's most vicious political enemies were driving the issue forward.

It was also the biggest story in the country and it had been a coup to be offered the high-profile brief. In the sexist world of the bar – there is less than a handful of female defamation barristers nationally – the Attorney-General choosing a woman to represent him in a case that he hoped would save his reputation and career was a compliment.

Yet it would lead to one of the few blemishes on Chrysanthou's polished career.

Adelaide Writers' Week director Jo Dyer, a friend of the deceased woman allegedly accusing Porter of rape, took legal action to restrain Chrysanthou from acting for Porter, claiming she'd already sought advice from the barrister over the matter and, thus, Chrysanthou had been privy to confidential information.

It's a proposition Chrysanthou thoroughly rejected and still does.

In the Federal Court, Porter fought for Chrysanthou to continue to represent him but they lost, with Chrysanthou pulled from the case.

The Full Court of the Federal Court found that while it was a mistake for Chrysanthou to take on Porter's brief, she acted in good faith.

There was, therefore, surprise in senior legal circles that the NSW Bar Council ignored this finding and took it upon itself to reprimand her for "unsatisfactory professional conduct".

Crucially, Porter was ordered to pay \$430,000 in legal costs. This diluted the funds he had to sue the ABC and he abandoned the defamation case against them.

Two years on, the entire matter has left a bitter taste. Sources close to Porter say that he regretted his money being drained by the Chrysanthou legal matter, but other sources say money was not a major consideration and that he had insisted on fighting to keep Chrysanthou.

Either way, the entire matter divided the legal community.

The former president of the NSW Bar Association, Arthur Moses SC, sings Chrysanthou's praises, despite the reprimand.

"Sue is an exemplar of what a barrister should be: courageous, hardworking and without fear or favour," he says.

"She is willing to represent persons from all walks of life, no matter their beliefs or backgrounds. In many cases she is counsel for the damned but conducts their cases with unrelenting care and force to ensure that they receive a fair hearing.

"What I like about Sue, as an advocate, is that she is an effective communicator who bluntly and succinctly makes her points without affectation."

But as the Porter case and its aftermath showed, Chrysanthou has her enemies.

Melbourne solicitor Leon Zwier went to the trouble of writing to Network Ten's chief executive, Beverley McGarvey, to say that if Chrysanthou was appointed to represent Wilkinson then his own client, Brittany Higgins, might not be able to appear as a witness on behalf of Ten in the defamation case.

Zwier said he was not prepared to work with Chrysanthou "under any circumstances".

Zwier – who was an opposing counsel during the Geoffrey Rush case – declined to comment for this article or explain the reason for his animosity.

Sue Chrysanthou with colleague Rebekah Giles in Sydney. Picture: Gaye Gerard

Chrysanthou's courtroom demeanour is calm and measured, usually free from emotion, but she can be brutal in her quiet evisceration of a journalist during cross-examination.

"If she knows she is being fed bullshit by a witness she's like a Scud missile," says her friend and colleague of 10 years, defamation solicitor Rebekah Giles.

"She has an uncanny ability to read a witness and work out the best way to approach them. She can allow witnesses to hang themselves with their own answers, lulling them into a false sense of security."

Giles adds, "I would die if I was being cross-examined by her; it would be my worst nightmare."

Entrepreneur and venture capitalist Elaine Stead, who Chrysanthou represented in a high-profile case against journalist Joe Aston in 2020, was floored by the admissions she extracted from the columnist.

"I watched her lull people into a path of their own undoing while she was gently playing with her silks," Stead recalls.

"She was a real master of decimating their defences. There's no direct confrontation; she's not a banging-on-the desk barrister at all."

Elaine Stead arriving at the Federal court with Sue Chrysanthou in the Joe Aston defamation trial. Picture: Jane Dempster/The Australian.

Nine was ordered to pay \$1 million in costs and damages to Stead.

Justice Lee praised Chrysanthou's performance in the Aston case, telling Qweekend: "She's an entertaining but in some ways old-fashioned barrister who knows how to engage with an intelligent witness.

"Often it's difficult to cross-examine witnesses who can give as well as they get. It was a very interesting cross-examination as a battle of wits."

Ben Fordham says he often watches Chrysanthou in action in court.

"During the Heston case, Sue and I would compare thoughts during the breaks," he says.

"We chatted a lot during the Bruce v Lisa case, too. During cases, she'll often buzz and kick off with 'Can you believe what the f--king idiot just said!'."

While not possessing a photographic memory, Chrysanthou has something close to it, with an ability to absorb and recall detail from hundreds of pages of documents quickly.

"Sue would read one document one week and the next she'd read a different document and photographically recall the precise page and paragraph that directly contradicted the new information they'd submitted – this all at 1am after cross-examining all week," Russell says. "It was incredible."

Giles describes Chrysanthou's mind as a steel trap, with an ability to deal with huge volumes of information while having an unrivalled and encyclopaedic knowledge of the law.

"It's a brilliant mind but also her work ethic – she works harder than her opponents," Giles says. "In a trial when everyone goes out to dinner, we'll be working to 3am to make sure we're the better prepared party – and it shows when you consider who our opponents are."

Chrysanthou's cross-examination of journalists can be bruising, but friends describe the private side of the barrister as fun and loud.

She is currently learning the electric guitar, has a hidden talent for recalling song lyrics from any tune she's ever heard, and music echoes in her chambers.

There are videos of dances with her children in the living room to Beyonce's female-empowerment anthem Run the World (Girls).

More than one Sydney identity said Chrysanthou was unrecognisable at the glamorous Sydney Dance Company Ball last year when she came dressed as Cleopatra.

Some solicitors have stylists and make-up artists to curate their image before high-profile court appearances, but Chrysanthou rarely wears make-up.

Her only beauty product is moisturiser, even when she's guaranteed to appear in the media.

On occasion, her junior counsel has had to remove foliage from Chrysanthou's unbrushed hair prior to entering court.

"She turns up looking like something out of a Quentin Blake novel," Giles jokes, not unkindly.

Chrysanthou is, however, extremely disciplined when it comes to her fitness regimen.

For the past decade, she has completed half an hour of crunches, planks, squats and push-ups each morning.

It's a strengthening regime that a former client – a personal trainer of professional footballers – taught her after having a baby.

It's a story she has repeated to most clients, reiterating the need to keep fit and healthy during trials for their own mental health.

While her courtroom appearances are judicious and unhurried, in private, she's a whirlwind, often doing multiple tasks simultaneously, buying school shoes while on a work call, speaking without pausing for breath, her words a flood of information.

Her \$8000 fee for a full day in court could see her living in one of Sydney's most affluent suburbs, but the family home Chrysanthou shares with her barrister partner, Kieran Smark, is in an unpretentious inner-west Sydney suburb.

Chrysanthou and Smark have four children together, aged six, eight, 10 and 12. She's never hired a nanny and her own mother has played a hands-on role looking after the children.

Chrysanthou's family background is a quintessential Australian immigrant success story. Her parents, Harry and Sotiroulla Chrysanthou, were both born, raised and married in Cyprus, an island country in the Middle East.

They were newlyweds with a five-month-old baby – Chrysanthou's elder sister – when Turkey invaded Cyprus in 1974.

Forced from their home, Harry packed the car and drove his young family out.

They had nowhere to go and were refugees in their own country, along with 162,000 other Cypriots.

Relatives who didn't make it out in time were killed by the Turks, while thousands others were arrested, held in Turkish concentration camps or taken prisoners of war.

It took two years for Sue Chrysanthou's parents to secure the documentation required to immigrate to Australia, and they landed in Ballarat, Victoria. Her mother then found work at the Cypriot embassy in Canberra, where Chrysanthou was born.

At home, the Chrysanthou family spoke Greek. English was Chrysanthou's second language, which she learnt at preschool and later at school. Growing up in Canberra, she was enrolled at the French-Australian Telopea Park School, which former Australian prime minister Gough Whitlam had attended for a time.

While not particularly religious, Chrysanthou is traditionally Greek Orthodox Christian and celebrates culturally.

Giles says Chrysanthou's family background has a lot to do with her success.

"Her peers are blue-blooded legal pedigree," Giles says.

"She is the daughter of immigrants. She has the most insane work ethic.

"But while a lot of people who are professionally brilliant have defective personal lives, she does not.

"She's a full Greek mumma, amazing cook and an incredibly involved parent."

Giles and Chrysanthou work together so closely, as partnering solicitor and barrister, that Giles's three-year-old daughter commented "I have two mummies: Rebekah and Sue".

"(Giles' partner) Tim would say, 'We're eating dinner now – do you think you can hang up the phone to Sue?' And I wouldn't realise I was still on the phone," Giles laughs.

Chrysanthou declined an interview for this article and, while her day-to-day life revolves around journalism, she hasn't done a media interview in her entire career.

In a Q&A for her own chambers in 2021, she said, growing up, that she hadn't ever considered a career in law.

Chrysanthou had aspirations to work as a veterinarian, and has always loved animals more than people, but her allergies to cats and some dogs put an end to that career path.

Instead, she wanted to make films.

"My parents didn't want me to go to film school, so I found a way of making that career path appear acceptable to them by choosing a degree at UTS that was a combined Bachelor of Laws/Bachelor of Communications (media and arts production)," she said in the Q & A.

"I was one of about 10 students, and had never even considered law as a career path before that – it was simply a way of keeping my parents happy."

But once Chrysanthou began studying law, she found it "fascinating".

She worked for Justice David Levine QC and Justice Carolyn Simpson AO who, at the time, presided over defamation cases.

At the young age of 24, Chrysanthou took the bar and joined Justice Levine at Blackstone Chambers, which at the time had a large defamation practice. It was here that she met Smark, who was doing media work for Fairfax and Seven.

It wasn't until 2010 when they connected romantically and started their family. Smark is described by many as Chrysanthou's secret weapon and true mentor.

Chrysanthou's first high-profile case was acting for convicted drug smuggler Schapelle Corby's sister, Mercedes, against Channel 7 in 2007. She was the junior barrister with Stuart Littlemore QC.

It was a five-week trial. Chrysanthou was 27 years old – much younger than most barristers.

"The highest risk was the prospect of losing," Chrysanthou said in the 2021 Q&A.

"I didn't want to be known as one of the barristers who lost the biggest defamation case in 10 years.

"When the jury retired, we were paralysed with anticipation. I couldn't do anything except play solitaire on my computer for hours while I waited for their decision." She and Littlemore were ultimately successful.

Since then, Chrysanthou's attitude to cases has changed. She isn't brought to a standstill awaiting verdicts.

At 44, she knows she can't control the outcome but can control her preparation for a case.

"She never does anything in halves," Giles says, explaining that if Chrysanthou has left nothing on the table, she can then look herself in the mirror – even if the result is shockingly disappointing, as it was for the losses while acting for journalist Peter van Onselen and The Chaser's Julian Morrow.

Chrysanthou also does a lot of work for free.

"If I have a client who is in genuine need of ferocious representation, she'll never say no to me," Giles says.

Chrysanthou's closest colleagues insist she has no ambition to be a judge, claiming she has told them: "Why would you want to be an umpire when you're still fit enough to play."

And Chrysanthou is still very much at the peak of her game.