



MARK TEDESCHI IS DRIVEN TO CREATE. HE IS ALSO A LAWYER. AND HE MARRIES THE TWO PRACTICES WITH A CONCENTRATION ON PEOPLE ABOVE ALL ELSE. HERE HE SPEAKS ABOUT WHAT INSPIRES HIM MOST.

## THE CREATIVE LAWYER: MARK TEDESCHI

ANNA WALDMANN

Mark Tedeschi AM QC is a prominent Queen's Counsel and New South Wales Senior Crown Prosecutor. He has prosecuted some of Australia's most high-profile cases, including Ivan Milat, Bruce Burrell, Kathleen Folbigg, Sef Gonzalez, Keli Lane and underworld figure Arthur 'Neddy' Smith. He is also a well-known photographer, with exhibitions both here and abroad and work held in public collections across Australia. Here Anna Waldmann asked Tedeschi about balancing the roles of artist and advocate.<sup>1</sup>

**Anna Waldmann:** In his essay on the 'decisive moment', photographer Henri Cartier-Bresson said: 'Of all the means of expression, photography is the only one that fixes forever the precise and transitory instant.'<sup>2</sup> Do you approach photography from a documentary perspective?

Mark Tedeschi: The photographer sees a continual progression of 'decisive moments'. Most of them are very mundane. Every now and again you see one forming that you think might be unique and you are seized with an overwhelming desire to capture it. If you fail, if it vanishes into thin air, there is a sense of loss.

**AW:** Your family comes from Turin and you have been awarded the Italian national honour of Cavaliere della Repubblica for services to photography and the law. What is your spiritual and artistic connection to Italy?

MT: I identify very strongly with my rich Italian cultural heritage. My grandparents left in 1938 after the Fascist 'racial laws' were introduced and arrived in Australia in July 1939, just weeks before the Second World War broke out. I have been to northern Italy many times. The Italian government recognised me with a national award largely because of my photographs taken in Italy and exhibited extensively over here. I think it was also a belated acknowledgment of my grandparents for the hardship they suffered having to flee from Italy – a way of saying sorry through their grandson.

**AW:** You have been quoted as saying 'It's important to maintain your interests outside the law. I think you maintain your sanity like that.'<sup>3</sup>

MT: I often say to people that it is my photography that keeps me sane

in my legal work. But that is actually not what motivates me as a photographer. I have a constant, pressing need to create. I don't have a choice about it. If I sit still for five minutes, my mind constantly wanders to what I could be creating.

**AW:** Your series cover an encyclopedic range of topics, from *The Block in Redfern* to images of Paris, from Holocaust survivors to NRL players. Are these projects thematically and emotionally linked?

MT: I tend to get enthused about particular topics, until I feel that I have captured their essence. It might be an individual person whom I come back to photograph time and again, or a community of people. The common link is people, which is what really interests me.

**AW:** John McDonald described you as a 'super amateur' and a 'photographic Everyman'.<sup>4</sup> Does one need formal training to be a good photographer?

MT: I don't think that an artist must necessarily have a formal art education. You can read as many how-to books and go to as many lectures as you like, but until you do it yourself – push yourself, experiment and complete a body of work, then compare your output with the efforts of others, and allow others to see and critique your creations – you can't call yourself a practising artist.

**AW:** Is it important for you to develop a distinctive personal style?

MT: This is one of the most difficult things for a photographer. It is much easier for a painter, a sculptor or writer to have a distinctive style. This is one of the reasons why some purists view photography as a second cousin to art. Many of the great photographers are known for just one or two images. I am probably best known in Australian photographic circles for my 1989 photograph of five boys in Eveleigh Street, Redfern, or for my 2004 portrait of Margaret Cunneen SC washing up dishes in her barrister's robes. I would like to be known for other images as well that, in my view, convey the most esoteric aspects of human existence in a way that only photography can, but so far these haven't captured the public imagination.

**AW:** You have a knack for revealing unfamiliar facets of familiar



CLOCKWISE FROM TOP LEFT  
Mark Tedeschi, 2011  
Photograph Lewis Morley

*Inmer sanctum*, 1988  
Silver gelatin print  
Courtesy the artist

*The cat saw that!*, 1989  
Silver gelatin print  
Courtesy the artist

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*47th Street station*, 2007  
Digital photograph  
Courtesy the artist



**personalities. Do you gain your subjects' trust before photographing?**

MT: If I am doing street photography, I believe in 'shooting first and asking questions later'. I have the chutzpah, the hide, to be able to get in there, close up, and to take the photo before anybody has realised. Once you announce yourself and ask for permission, the moment is lost and you can never regain it. Instead, after taking the photograph, I will wait and give the person time to voice any objection.

**AW: Artist Jeff Wall told me that he took 1600 shots to achieve the one image he felt was emotionally and intellectually satisfying. Are your photographs serendipitous or do you plan them?**

MT: I believe that good photography is a subtle blend between going out there with a steely determination and having a receptive, almost-Zen Buddhist approach, and that if you are in the right frame of mind opportunities that you never expected will present themselves to you in a serendipitous way. I have found on numerous occasions that if I have the right attitude, the most remarkable opportunities will present themselves to me. This is not only in photography. This is in life.

**AW: Do you believe photography is the most socially inclusive of all the mediums?**

MT: Undoubtedly photography is the most universally practised artform around the globe. That makes it very difficult for serious, exhibiting photographers to achieve recognition. Photography is so pervasive that when you have an exhibition most people will not try to analyse an image. People who would spend a full two minutes looking at a painting will give a photograph no more than a momentary glance.

You talk about photography today being socially inclusive. The most common apparatus for taking photographs is the mobile phone, and the most common delivery platform is in electronic social media. While this is a fantastic mode of visual communication, it tends to dilute serious art photography. In the future, gen X and gen Y will be almost bereft of a photographic record, because most of the images we take will disappear into the digital netherworld.

**AW: Is your work about memories and your attempt to reclaim them?**

MT: It is only in retrospect that I can look at my photographs and see that they say something about my state of mind at the time. I can now see that some of my most poignant images were taken at a time when I was feeling particularly vulnerable. I look at an image like *It's a dog's life*, 1988, or *Proud to be Australian*, 1989, and I think it says as much about me at that time as it does about my subject.

**AW: What do you value most in photography?**

MT: Photography has the capacity to portray the most exquisitely subtle emotions, or 'states of being' that pass almost imperceptibly during our everyday lives. I have managed to capture the most amazingly obtuse and obscure emotions: obsequiousness, envy, emotional hunger, sexual alienation, femininity, emotional distance, grand-maternal love, social isolation, and a sense of disconnectedness from one's environment (there is no word in English for this emotion). I am intensely satisfied when I have a photograph that depicts the quintessential qualities of one of these subtle states, so that anyone, in any country, of any culture, and at any time would recognise it.

**AW: Henri Matisse, Wassily Kandinsky and Igor Stravinsky studied law. Many lawyers become actors, stand-up comics and writers. Is a legal career a good a stepping stone to creativity?**

MT: Law *can* be very creative – many people would be surprised to hear this – particularly my area of law, which is advocacy. While the law strives to be eminently rational and logical, if you are going to convince people to your point of view, you have to be creative in the

way that you present the facts. I think that being a jury advocate, as I am, is almost the same as being a teacher. Both my paternal grandmother, Rosina, and my mother, Ruth, were excellent teachers. I think that I have inherited this from them. There is nothing more creative than teaching and mentoring.

**AW: Which photographs claim a greater share of your affection?**

MT: I love 'The Block' series (1988–90) because it is now part of a history that no longer exists. I think that in 'Femininity and Other Feelings' (2005) I succeeded in capturing an extensive array of emotions. And with the series 'Legal Chameleons' (2007) it was such fun to portray my colleagues in incongruous situations, but cloaked in the 'authority' of their robes.

My favourite photographs include *47th Street station*, 2007, which is about how time is not a completely objective, scientific phenomenon, but rather a subjective, individual experience; *Precocious fashionistas*, 2007, an image in which I have captured two young girls imagining their future lives; and *Kiss by the Hotel de Ville (homage to Robert Doisneau)*, 2009, an updated look at how romance has changed since Robert Doisneau took his original image in 1950.

**AW: Have you been influenced or inspired by other photographers?**

MT: One is always influenced and inspired by other photographers. Off the cuff, I would highlight André Kertész, Bill Brandt, Eugène Atget, Brassai, Henri Cartier-Bresson, and Australians Harold Cazneaux and Carol Jerrems.

- 1 This interview took place in May 2013.
- 2 Henri Cartier-Bresson, *The Decisive Moment*, Simon & Schuster with Editions Verve, New York, 1952, unpaginated.
- 3 Stephanie Quine, 'Stranger than fiction', *Lawyers Weekly*, 2 November 2011.
- 4 Mark Tedeschi, *Shooting Around Corners*, The Beagle Press, Roseville, 2012, p. 9.