

MEDICAL JOURNAL OF AUSTRALIA
OBITUARY – DR OSCAR SCHMALZBACH
The Hon Justice Michael Kirby AC CMG

THE MEDICAL JOURNAL OF AUSTRALIA

OBITUARY

Dr Oscar Schmalzbach OBE

Dr Oscar Schmalzbach, consulting psychiatrist of Sydney, died in Sydney in January 1997. He was born in Poland in April 1912.

Dr Schmalzbach received his early tertiary education at the University of Poland. However, with the occupation of that country by Nazi Germany, he went into hiding. He was one of comparatively few Jewish refugees who escaped Poland through Hungary. He eventually made his way to Britain where he joined the British Army. After the War he became a Research Fellow in Brain Physiology at Middlesex Hospital and completed post-graduate work at Maudsley Hospital and the National Institute of Neurology, Queen's Square, London, in 1947. Two years later, he migrated to Australia. Arriving in Sydney, he was appointed successively medical officer and senior medical officer at the Mental Hospital, Callan Park, Sydney. At the height of his career he held a number of honorary posts at Sydney psychiatric hospitals.

By the mid-1960s he was appearing as a witness in many leading criminal cases. His expert testimony concerning the mental capacity of the accused became highly valued by the

courts. In 1963 he was appointed Consultant Psychiatrist with the Department of the Attorney-General (NSW). He held that post for two decades. Arising out of his court appearances, in 1967, together with a number of judges, lawyers, medical and other experts, he help to found the Australian Academy of Forensic Sciences. This body holds regular meetings on medico-legal aspects of forensic concern. Dr Schmalzbach became the first Secretary-General (1967-76). He was the editor of the *Australian Journal of Forensic Sciences* until shortly before his death. He was eventually elected President of the Academy (1988) and at the end was honoured as its Founder.

Oscar Schmalzbach had extraordinary qualities of energy, persistence and *chutzpah* which made him a legendary figure in medico-legal circles, especially in Sydney. His was a unique personality of great apparent disorder out of which sprang a lot of well targeted creative energy. He received the OBE for services to forensic science. He is survived by one son and is missed by many friends in the medical and legal professions in Australia.

M D Kirby*

* Justice Michael Kirby of the High Court of Australia.