

The Hon Justice Mary Genevieve Gaudron

The degree of Doctor of Laws (*honoris causa*) was conferred upon High Court judge the Hon Justice Mary Genevieve Gaudron at a Law ceremony held on 29 October 1999.

Justice Gaudron also gave the occasional address at the ceremony.



The Hon Justice Mary Genevieve Gaudron, Deputy Chancellor Daphne Kok and Justice Michael Kirby, *photo, Tracey Schramm, 'The University of Sydney News', University of Sydney Archives.*

Citation

Chancellor

I have the honour to present the Honourable Justice Mary Genevieve Gaudron for admission to the degree of Doctor of Laws (*honoris causa*).

Justice Gaudron has been a judge of the High Court of Australia since her appointment in 1987 at the age of 43. She was the first woman to be appointed to this supreme judicial office, and remains the only woman in Australia to have held such a position.

Her Honour was educated at St Ursula's College, Armidale, and then at the University of Sydney, where she graduated in 1966 with first-class honours and the university medal in law. Later, while at the Bar during the 1970s, she served as lecturer in the Law of Succession at the University of Sydney.

Her Honour was admitted to the NSW Bar in 1968 and commenced her practice sharing chambers with Janet Coombs, the first woman to practise at the NSW Bar. Justice Gaudron had an extensive practice, with a special interest in industrial law and defamation (though she also undertook a number of civil rights cases). Perhaps the two cases for which she is most widely known are her success in the High Court appeal in the defamation case *O'Shaughnessy v Mirror Newspapers* (1970) and her pivotal role appearing for the Commonwealth in the 2nd (1972) equal pay case. As she later commented: "We got equal pay once, then we got it again, but we still haven't got it".

Justice Gaudron was appointed Deputy President of the Commonwealth Conciliation and Arbitration Commission in 1974, a post she resigned in May 1980 on a matter of principle. She then taught briefly as Visiting Fellow at the University of New South Wales, until she was appointed Solicitor-General of New South Wales in February 1981. She is said to have described law teaching at Sydney and UNSW as the 'hardest job she ever had'. As NSW Solicitor-General, a position she held until her appointment to the High Court in

1987, she appeared frequently for the State in many important cases in the High Court of Australia.

Her career on the High Court has been a distinguished one characterised by many notable judgments. While it is difficult to single out only a few for special mention, it would be remiss not to draw attention to the profoundly moving judgment she co-authored with Sir William Deane in *Mabo* (1992). Other judgments which will leave a powerful legacy include those in *Banovic* (the *Australian Iron and Steel Case*: 1990), *Kruger* (1997) and *Kartinyeri* (1998).

Justice Gaudron has pursued many interests outside the law. In addition to her well-known love of speleology, she once played the mandolin with a band called "Jock Strap and his Elastic Band". She is also renowned for her ready wit, both in and outside the courtroom. In one notable instance when before the NSW Supreme Court's Full Bench (predating the establishment of the Court of Appeal in 1970), Chief Justice Herron is alleged to have said to her: "Miss Gaudron, I am sure that if Lord Esher [pronounced Eesher] were with us today, he would prefer to have his name pronounced as I have just done, rather than in the mispronunciation you persist in using". Whereupon Her Honour is reputed to have thrown her Law Report on the floor and said, "If he had been with us today under whatever appellation, I am sure he would have been capable of appreciating the legal argument I have been trying to put to this court."

Justice Gaudron has been a member of the Council of Macquarie University, and is a highly sought after speaker and commentator on a variety of issues. In her address to the launch of Australian Women Lawyers in 1997, she reflected upon the difficulties Australian women had faced in the legal profession, and on the role of feminist legal theory in responding to that situation. She shared with her audience a comment she had made to a High Court colleague as follows: *The trouble with the women of my generation is that we thought if we knocked the doors down, success would be inevitable: the trouble with the men of your generation is that so many still think that, if they hold the doors open, we will be forever grateful.*

Chancellor, I have great pleasure in presenting the Honourable Justice Mary Gaudron for admission to the degree of Doctor of Laws (honoris causa).