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THE GAVEL

THE OFFICIAL NEWSLETTER OF THE AAWJ



AAWJ Committee

With the recent changes in the AAWJ Committee, including the election of the new AAWJ President, Fleur Kingham, who replaces Judge Robyn Tupman, we trust that now is the perfect opportunity to list and acknowledge the current standing members of the AAWJ. We would like to thank all previous committee members for their participation and work on the committee and are very pleased to welcome the new members.

AAWJ COMMITTEE 2021-2022

President:	Fleur Kingham, President, Land Court, Qld
Vice-President:	Julie McIntyre, Judge, District Court, SA.
Immediate Past President:	Robyn Tupman, Judge, District Court, NSW
ACT Members:	Chrissa Loukas-Karlsson, Justice, Supreme Court, ACT Lorraine Walker, Chief Magistrate, Magistrates Court, ACT
FEDERAL Members:	Berna Collier, Justice, Federal Court of Australia, (Qld) Diana Bryant, Chief Justice (ret), Family Court of Australia, (Vic) Geri Ettinger, Senior Member, AAT, (NSW) Linda Kirk, Senior Member, AAT, (NSW.)
NSW Members:	Rachel Pepper, Justice, Land and Environment Court, NSW Beverly Schurr, Magistrate (ret), Local Court, NSW (AAWJ Secretary)
NT Members:	Jenny Blokland, Justice, Supreme Court, NT Elizabeth Morris, Chief Judge, Local Court, NT
QLD Members:	Helen Bowskill, Justice, Supreme Court, Qld Peta Stilgoe, Member, Land Court, Qld (AAWJ Treasurer)
SA Members:	Jay McGrath, Magistrate, Magistrates' Court, SA Maria Panagiotidis, Magistrate, Magistrates' Court, SA
TAS Members:	Helen Wood, Justice, Supreme Court, Tas Olivia McTaggart, Magistrate, Magistrates' Court, Tas
VIC Members:	Michelle Quigley, Justice, Supreme Court, Vic; President, VCAT Caitlin English, Deputy State Coroner, Coroners Court, Vic
WA Members:	Vicki Stewart, Judge, District Court, WA Jenny Hawkins, Magistrate, Magistrates' Court, WA Co-Opted Members: Frances Millane, Judge (ret) County Court, Vic; VP, VCAT Charlotte Kelly, Judge, Federal Circuit Court, (SA)



*Australian Association of Women Judges
Advancing human rights and equal justice for all*

OUTGOING PRESIDENT'S REPORT
23 JUNE, 2021

It has been 2 years since the last President's Report in June 2019. The AAWJ Committee took advantage of the offer of Fair Trading NSW to defer the 2020 AGM to 2021 during the disruption caused by the COVID Pandemic in 2019.

1. Membership

There are now 186 paid-up members of the AAWJ and about another 150 who remain on our email list but who haven't as yet renewed their membership for 2021. This is not unusual and particularly so following the disruption of 2020. It is likely that by late June there will be about 250 members. That is a very healthy membership.

The membership is right throughout Australia and what is of particular note is the number of heads of jurisdiction who are not only women, but are members of the AAWJ, from Magistrates Courts throughout Australia, to District Courts, to specialist courts, to Supreme Courts, including Chief Justices and Heads of Divisions and both current and a recently retired Judges of the High Court of Australia. There has been a significant increase in the number of women Judges who have been elevated to these positions and it is gratifying that almost all are members of the AAWJ.

As in the past, newly appointed Judicial Officers are invited to join, and most do. I encourage members to remind the State Committee members and the President of new appointments to their Courts because it is not always easy to keep up to date.

2. Finances

The AAWJ is in a very strong financial position currently. Our only income generally is from our annual fees together with donations made by members, usually made at renewal time. That has occurred again and the Association is very grateful for these donations, especially as we do not qualify for ATO tax deductibility status.

Somewhat perversely our strong financial position is largely because of the impact of the COVID restrictions. The Association was not called on to sponsor our PNG and other regional colleagues for the IAWJ Biennial Conference in Auckland, originally planned for May 2020, but ultimately held largely online in May 2021. There was a Regional Conference in February 2019 in the Philippines but the PNG delegates excelled by raising their own funds to attend. We sponsored the registration fees for 15 online delegates to the Auckland conference in May 2021, but that was only US\$1,500, much less than the sponsorship fees usually expended.

As at 22.06.2021 there was a credit of \$140,091.91 in the current account and a Term Deposit of \$25,000. There are some pending expenses of approximately \$20,000 for the IAWJ fees and payment of the expenses for the recent dinner held for Justices Virginia Bell and Jacqueline Gleeson.

3 Important AAWJ Events and Activities since the last AGM

Even though it has been 2 years, in fact the impact of lockdowns and border closures has meant far fewer activities than in previous years. There were some major events for the AAWJ before March 2020, some of them quite sad.

(a) Death of Jane Mathews. The AAWJ was saddened to learn of Jane's death in August 2019. We were so pleased that we had conferred life membership at the dinner in 2019. I wrote a tribute which was published to our members and also in the IAWJ newsletter and I was honoured to be invited to attend her funeral and also the State service. The tributes and speeches will be on the AAWJ Website.

(b) The 2019 AAWJ Human Rights Award was awarded to Professor Hilary Charlesworth at Melbourne University on 14 August 2019. I attended the function in Melbourne very ably organised by the VP Frances Millane and her Associates. My speech was made available to members and will be on the AAWJ Website.

(c) There was a Special Meeting of the AAWJ held in September 2019 to amend the Rules, one in particular of which Sarah Bradley, the President before me, and I had long advocated, namely amending the membership definition to remove gender and thus permitting all appropriately qualified current and retired judicial officers to join the AAWJ. The major impact has been to allow our male judicial colleagues to join and, whilst it is fair to note that we have not been overwhelmed by such membership applications, nonetheless we now have 3 male judicial officers as fully paid up members of the AAWJ. All of our court colleagues are very welcome, so members are encouraged to persuade them to join.

(d) The Queensland members held their Annual welcome to new members and farewell to retiring members on Friday 21 February, 2020 in Brisbane which I attended and, as events transpired, it was probably the last group event I was able to attend as President until our recent dinner for Virginia Bell in Sydney. It was as usual a very joyous and well organised event thanks to Queensland Committee members Peta Stilgoe and Debra Mullins and their court staff. The Queensland Committee was able to repeat this event in March 2021 but court commitments prevented me from attending.

Other States are encouraged to consider copying this Queensland initiative, namely hosting an annual AAWJ Function to welcome all new appointments in the previous year and farewell those who have retired. Queensland has been doing it for several years and it is a wonderful opportunity for local AAWJ members to meet.

(e) In July 2020, on behalf of the AAWJ, I forwarded a letter of support and congratulations to the Chief Justice of Australia following the High Court's timely response to allegations of sexual harassment. That letter and the Chief Justice's reply were published to members.

(f) I was honoured to be invited to the swearing in of Justice Jacqueline Gleeson to the High Court on Monday 1st March 2021 in the High Court and there on behalf of the AAWJ. A notable event in many respects (see below)

(f) Dinner for Justices Virginia Bell and Jacqueline Gleeson – 30 April, 2021. On behalf of the AAWJ I organised a dinner in Sydney to mark the retirement of Virginia and the appointment of Jacqueline from and to the High Court. It was well attended by members from all over Australia – it was almost like everyone just couldn't wait to get together again after such a long time constrained within borders. Her Excellency Margaret Beazley, the Governor of NSW, made the speech for Virginia, both speeches being funny and very entertaining. The event of the evening may well have been the extremely entertaining interview between Justice Anna Katzmann and Justice Jacqueline Gleeson, not the usual proposal speech and response where each revived and displayed their previous media training. Perhaps the best part of this exchange involved aspects of Her Honour's High Court swearing in, which initially caused audible gasps at the dinner and then great sighs of relief and laughter (you have to have been there!!). It was a very pleasant evening, even made profit of slightly less than \$1,000 and was such fun no one even remembered to take photos – so nothing for the Newsletter.

4. IAWJ Events

As Asia Pacific Regional Directors of the IAWJ I have been involved in many events since the last AGM of the AAWJ as follows:

(a) Represented the IAWJ in Fez, Morocco at a Regional Symposium of African Women Judges in October 2019 and presented as a commentator at a session. This was a very interesting experience and gave a bit of insight the potential involvement of the AAWJ and our sponsored delegates for the proposed Biennial Conference in Marrakesh, Morocco in May 2023.

(b) Attended the AGM and Annual Conference of the NZAGM in Wellington, NZ on 8-10 November, 2019. Yet again our NZ sisters were friendly and hospitable and, at that stage at least, looking forward with great enthusiasm to the next Biennial in Auckland in May 2020.

(c) After international travel ceased, the IAWJ undertook many virtual and online events including several sessions in our region to scope priorities for the IAWJ in the Asia Pacific Region. On behalf of the AAWJ I was involved as a participant in one and as the chair of another. I also participated in an International Webinar focussing on individual responses of Courts within our region to the COVID pandemic and became very good at navigating Zoom!!

(d) My 2nd term as Asia Pacific Board Member ended in May but I continue on the Executive of the IAWJ following my election as Secretary/Treasurer for a period of 2 years up to the Biennial Conference in 2023. It is a pleasure to work alongside the new International President, Justice Susan Glazebrook from the NZ Supreme Court, who is both a valued colleague but who, together with many colleagues from across the ditch, has been a good friend.

(e) Together with Fleur Kingham and Rachel Pepper I was able to take advantage of Trans-Tasman travel bubble and attend the postponed IAWJ Biennial in Auckland in May 2021. We were slightly unnerved when the bubble was suspended for 48 hours within hours of our arrival, but it was revived. The Conference itself was absolutely phenomenal, both in its content and organisation. It was in person, largely only for NZ members and 3 of us from Australia, and online for all other IAWJ members. There were over 1,000 delegates registered and the logistics were complicated and awe-inspiring. There will be some articles from Fleur, Rachel and me in a forthcoming Newsletter and the IAWJ Newsletter in September will be devoted largely to the Biennial.

(f) At the Biennial Conference in Auckland there was a session devoted to noting and honouring the passing of any members since the last Biennial in Buenos Aires in 2018. One of those was NSW Retired District Court Judge Linda Ashford who passed away suddenly in June 2020 on her way back from working as an Acting Justice of the ACT Supreme Court with Chief Justice Helen Murrell. There was also a spate session paying tribute to the late Justice Jane Mathews, the founder of the AAWJ and a former International President of the IAWJ and the late Justice Regina Sagu of the PNG Supreme Court, a founding member of the PNGJWA and good friend of the AAWJ. I was honoured to write the tributes to them both and present the award for Regina which was emotionally accepted, online, by Magistrate Tracy Ganaii from Port Moresby. I will put both of those tributes up on the website.

5. The Future

As I have said in the last two Presidential Reports, I express my hope that the AAWJ will continue to increase its profile within Australia and the Pacific and make a valuable contribution to legal discourse about access to justice both in Australia and in our region, particularly relating to women and children and to supporting women judicial officers and promoting equality and diversity. The events of the last year in particular appear to have made plain ongoing gender inequality in so many ways, not just involving issues of gendered violence and sexual harassment but also access to justice, especially when that is being delivered only online, and also the serious and disproportionate economic and social impacts on women of natural disasters and world events. There is much that can be done by organisations like the AAWJ and I am certain that this will continue.

6. A Retrospective and View to the Future

As I leave the role of President I look back on the last 7 years. One of the great achievements of the AAWJ, at least in my view, was to host the IAWJ Regional Conference in Sydney in April 2017. It was a triumph, very well attended and received. The whole AAWJ Committee worked extremely well to make that possible. I hope to be able to persuade the

incoming President to consider something similar in the near future - perhaps in Brisbane - watch this space!!!

I would like to thank the whole of the Committee for their work during very difficult times over the last 15 months. In particular I want to pay special tribute to Committee members who have not sought re-election – Anna Katzmann from NSW, Noreen Toohey OAM from Victoria, Sue Purdon-Sully from Queensland and last, but definitely not least, Debra Mullins, AO from Queensland. They will all be missed and particularly so Deb Mullins who has been a stalwart member of the Committee for many years, a delegate to almost every IAWJ Biennial and Regional Conference and a steady hand, hard worker and voice of reason on the Committee. The Committee will miss them all but are pleased that Noreen and Debra achieved their “gongs” during their terms on the Committee, in part acknowledging the work they have undertaken on behalf of the AAWJ.

At this point I would like to pay particular tribute to the outgoing Vice President Frances Millane who is standing down as Vice President at this AGM. For the first time the Vice President will be elected by the whole membership. Frances retired as a Judge in 2020 and decided that she would not stand again for an executive position with the AAWJ. Frances has been Vice President for almost 6 years and has given a great deal of time to the AAWJ both as an organiser of functions and undertaking committee work, in particular together with Diana Bryant and Sarah Bradley on the Human Rights Award Committee. Frances’ expertise and corporate memory however will not be lost. Whilst she has graciously agreed to stand aside from formal election to the Committee tonight to allow new members from Victoria to become involved, the new President and Committee will co-opt her onto the Committee so that her expertise is retained. Thank you Frances, for all of your work for the AAWJ in the past, with positive thoughts for the future.

I would particularly like to thank my Associate Heloise Millikan (and all of my Associates since I became President 2020) for her very hard work assisting with the administration of the AAWJ. It is a difficult task which she has handled with great efficiency and charm.

And now, using the words of the Hitchhikers Guide to the Galaxy, *“So long and thanks for all the Fish”!*



Judge Robyn Tupman
Immediate Past President AAWJ

Crisis for Women Judges In Afghanistan



There has been a lot of information exchanged by email about the situation in Afghanistan and how the AAWJ may be able to contribute. The links below are to statements by the AAWJ and the IAWJ which have already been circulated and widely published.

[Official AAWJ Afghanistan Statement](#)

[Official IAWJ Statement on the Current Situation in Afghanistan](#)

A significant amount of work has been done by both the AAWJ and the IAWJ to assist women judges in Afghanistan. Most recently on the 26/8/2021 Judge Robyn Tupman, the former President of the AAWJ spoke passionately of the plight of Afghan Women Judges and the need to assist them on an urgent basis when she was interviewed by Fran Kelly on RN ABC radio. We encourage you to listen to this moving interview, the link for which is here:

[ABC Interview with Judge Robyn Tupman.](#)

In addition, Judge Tupman was later interviewed by Virginia Haussegger of the Sydney Morning Herald in an article titled "The Australian female judges attempting to rescue their colleagues from Kabul". The link to that article is here:

[SMH Interview with Judge Tupman.](#)

Once we have moved past emergency evacuations, there will be much that we can do to support women judges who have been evacuated and are in the process of resettlement, and for those who remain in Afghanistan. The funds will be used for benevolent purposes and the IAWJ will report on how they have been used.

Looking forward, the AAWJ is facilitating donations to a fund established by the IAWJ for the Afghan Women Judges. I recommend you make your donations via the AAWJ Bank account (BSB 082 053 A/c 626923050). Please use the description Afghan Judges in the reference line. The AAWJ committee has decided to match donations dollar for dollar (up to \$10,000) and I encourage you to donate even a small amount to this worthy cause. At present the AAWJ and its members have raised \$31000 in response to this campaign.

Fleur Kingham

Incoming President, AAWJ

IAWJ Biennial Conference

ROBYN TUPMAN

The IAWJ biennial conference was held in Auckland, New Zealand from 7 to 9 May 2021. The conference welcomed many delegates, speakers, sponsors and supporters from around the world who participated both online and in person. The IAWJ did a fantastic job in, more or less, running two conferences at once, both in person and for everyone else who participated virtually.

Non-parochial highlights include a conversation with the Hon Helen Clark, a Session on Judicial Leadership with Baroness Brenda Hale, sessions with the CJ of NZ the Hon Helen Winkelmann, the CJ of Zambia Hon Irene Mambilima and the President of the South African Supreme Court Hon Mandisa Maya.

Other highlights included the keynote speech from The Hon Mary Robinson in a Climate Change session and a session on Gender Equality with the keynote speech delivered by Baroness Helena Kennedy.

There was also a special session on Afghanistan with presentations by two Afghani Judges and special awards for the two women who were murdered in Kabul earlier this year, Judges Hon Fazia Herawi and Hon Qadria Yasini.

All the Keynote Speeches will be available immediately to watch again. The other sessions will all be recorded and will be available soon afterwards for all registered delegates until the end of the year.

"An excellent and inspiring programme"



IAWJ Conference Session Summaries

JUSTICE RACHEL PEPPER LAND AND ENVIRONMENT COURT OF NSW

Day 1 - Orakei Marae

The conference commenced in spectacular fashion at the Ngati Whatua Orakei Marae in Auckland. At the pohiri (welcoming ceremony) the wero (challenge) was laid down by the tangata whenua (people of the land), which was accepted by the manuhiri (visitors). The pohiri, which largely took place inside the whareniui (meeting house) was conducted in Maori language, and consisted of song, prayer, a blessing and a powerful speech about the struggle of the tangata whenua to reclaim their land and have their rights recognised. In attendance at the pohiri was the Chief Justice of the New Zealand Supreme Court, The Rt Hon Helen Winkelmann CJ, and the Governor-General of New Zealand, Her Excellency The Rt Hon Dame Patsy Reddy. The pohiri concluded with the hongi and hariru (including a Covid safe version of shaking hands instead).

The afternoon session of the hui (meeting), comprised a presentation on the history of the Orakei Marae and the people of Ngati Whatua.

A welcome to the conference was then given by Deputy Chief Judge Caren Fox of the Maori Land Court, followed by a lecture by Sharon Hawke on Crown obligations to indigenous peoples.

An inspirational session on an innovative and transformative justice model being developed for the New Zealand District

Court was presented by Chief District Court Judge Heemi Taumaunu.

The rate of incarceration of the Indigenous population of New Zealand is as dire as it is in Australia and Judge Taumaunu spoke about the need to do something radically different in order to reduce this appalling statistic. While the specifics are still being formulated, it was encouraging to see new vision and leadership in this area.

The final session consisted of Associate Professor Claire Charters from the University of Auckland speaking on the 'The Treaty of Waitangi, the UN Declaration of the Rights of Indigenous Peoples and Indigenous Constitutional Issues in New Zealand Hotaka Tonu'. As the title suggests, the constitutional position of the Indigenous peoples of New Zealand, where formal recognition exists, is complex and much more entrenched than the position of the First Nations peoples in Australia, in respect of which considerably more reform needs to be undertaken.

Day 3 Climate Change/Environment

Two AAWJ members, Pepper and Pain JJ from the Land and Environment Court of NSW, participated in a panel on the final day of the conference in a session concerning climate change and the environment. The keynote speaker was The Hon Mary Robinson from Trinity College Dublin, Ireland (formerly the President of Ireland and the UNHCR), who spoke passionately about the role of women and climate change.

In particular, Robinson discussed the five "layers of injustice" that climate change was causing to this cohort. These layers include gender injustice, indigenous injustice, intergenerational injustice,

developmental pathway injustice, and the injustice caused to nature itself.

These injustices, and their correlative inequalities, have been, she observed, significantly amplified during the Covid-19 pandemic. Nevertheless, there were also valuable lessons to be learnt from the pandemic, such as the fact that connected human behaviour matters and can effect rapid change; the importance of leadership; the importance of following the science; and that fact that humanity has the capacity to act compassionately for the greater good. According to Robinson, the three steps that we can take to avert a climate catastrophe are to, first, make the climate crisis personal; second, get angry and demand change; and third, act immediately. In short, it is not too late.

The theme of climate change and its impact on women was further explored by the Hon Fatema Sharna from the University of Dhaka and the Law the Commission of Bangladesh. The emphasis in this presentation was on the disproportionate impact climate change was having, and will continue to have, on women who often form part of the most marginalised and vulnerable members of society.

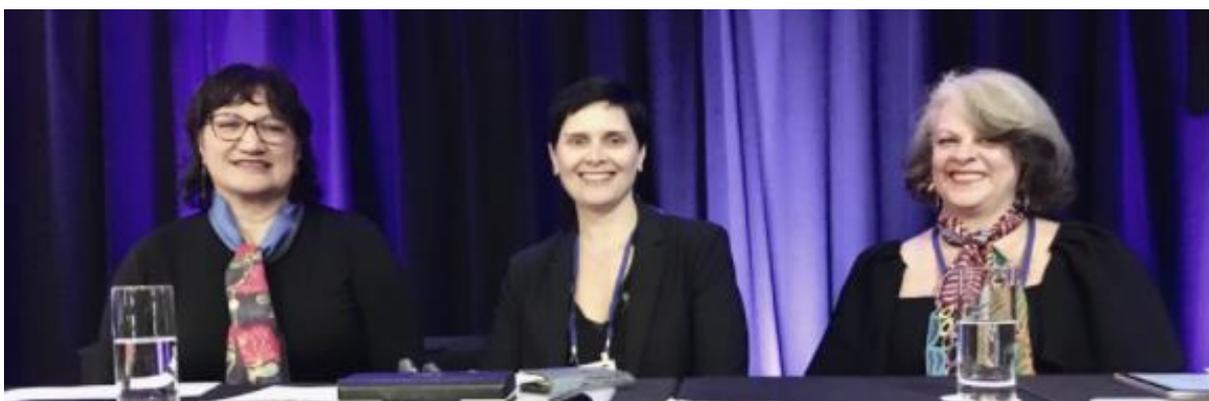
Justices Pepper and Pain provided an overview of the 'waves' of climate change litigation, with the first wave focused on tortious remedies and judicial review; the second wave focused on human and constitutional rights; and the third wave

directed toward breaches of corporate and commercial law.

It was their Honours' opinion that it was this third wave, ultimately targeting corporate finances, that was likely to have the capacity to cause the greatest impetus for change, and which is gaining the most traction. Human rights were the theme of the presentation by the Hon Germana Moraes from the Brazilian Federal Justice, who talked about the UN Harmony in Nature Programme.

The Hon Teresita Rodriguez of the Metropolitan Trial Court in the Philippines discussed environmental mediation and gave some examples of where this process has been successfully implemented, including against multinational corporations.

Finally, the Hon Justice Christian Whata from the High Court in New Zealand presented on the topic of 'Maori and the Environment'. His Honour explored the Maori system of knowledge and how it could be used to inform the discourse of climate change. In particular, he explained how Maori organising principles concerning genealogy and guardianship could be translated into better protection for the environment insofar as there is no concept of proprietorial ownership.



Inspiring Young New Zealanders

Auckland, NZ

Judge Lope Ginnen chaired the first session on the second day of the IAWJ conference, titled "Inspirational Young New Zealanders". This session featured a panel of four motivated young people, who variously spoke about disability rights, the impact of women in our lives, the experience of Muslims in New Zealand, and the importance of the Pacific on climate change issues. The speakers were:

- Grace Stratton
- Pita Roycroft
- Sarah Ather
- Fili Fepulea'i-Tapua'i

Grace Stratton

At 21 years old, Grace is the founder of "All is for All", a business advocating for disability rights everywhere. She is a named person in the Forbes 30 under 30 and is the ACC winner of the Attitude Awards.

For Grace, how the world sees disabled people is important. Simply being disabled is not where the difficulties lie. Rather, the difficulties in disabled people's lives emerge from the fact the world is not built for them. To ensure that disabled people have a quality of life equal to that of their non-disabled peers requires changing systems to enable disabled people to thrive.

Grace calls us to do better: we need to strive towards having equitable courts, those that value disabled people and their experiences. Doing so is the responsibility of everyone to ensure those that come before our courts and those working in our systems can access justice. When we advance the rights of persons with disabilities, we are advancing the rights of every single person in society.

Pita Roycroft

Pita's presentation focused on identity and the impact the female role models in his life have had on his identity. He began with an exploration of what identity means, and opined it is who someone is, where they have come from, and where they might go in the future. As well, Pita described identity as including one's history, aspirations, how they relate to others and how they think and feel. But, the distinctive and various traits that make up one's identity do not always blend well together and this conflict can lead to identity crises.

In conclusion, Pita left us with a challenge: do not be afraid to learn and to develop your own identity. While it is an intensely personal thing, it is inevitably shaped by those around you. For Pita, the greatest impact on his life has been because of the women around him.

"When we advance the rights of persons with disabilities, we are advancing the rights of every single person in society."

Sarah Ather

Sarah talked about her personal experience as a Muslim woman, both

before and after the Christchurch mosque attack in March 2019.

Sarah said that by the time of the Christchurch attack, Muslims in New Zealand were already in a state of distress. People lost their lives because of intolerance and hate, but also because of the country's wider prejudice: the terrorist's views were made clear to the community and community leaders had tried to alert the government, but nothing was done.

Sarah reminded us that justice does not start in the courtroom; it starts with people on the ground, accepting the differences of others. She cautioned the profession and judiciary against tokenism, and encouraged everyone to look at the Counter-Terrorism Legislation Bill critically and to work to change perceptions of what terrorism means.

Fili Fepulea'i-Tapua'i

Fili is a climate change activist and she talked about the impact of climate change on her and the Pacific Islands. She started off by saying that climate change is personal—how can climate change be personal? The importance of water and the sea can be stated in scientific terms, but the sea defines the people who live in Oceania.

Fili ended with a call to indigenous youth to take climate change seriously, to fight for the preservation of their homelands, so that this is a story not of destruction but of creation.

She also called on the audience to look for indigenous and Pacific voices in conversations about climate change. And she called on New Zealand, as a world leader on environmental issues



Nomination to the International Court of Justice

Joint media release from the Attorney-General for Australia and Minister for Industrial Relations

The independent Australian National Group – a body of eminent Australian jurists who serve as members of the Permanent Court of Arbitration in The Hague – has nominated Professor Hilary Charlesworth AM FASSA for election as a Judge of the International Court of Justice. The Australian Government has supported the nomination by the Australian National Group.

Professor Charlesworth is a leading scholar and jurist who have made a significant contribution to the study and practice of international law, including by serving as judge ad hoc at the International Court of Justice.

Professor Charlesworth is currently the Harrison Moore Chair in Law and Laureate Professor at Melbourne Law School and a Distinguished Professor at Australian National University. She has been a visiting

professor at several law schools in the United States, France and the United Kingdom and has also held both an Australian Research Council Federation Fellowship and a Laureate Fellowship. She has been President of the Australian and New Zealand Society of International Law, as well as being closely engaged with the Asian Society of International Law and the American Society of International Law. She is a graduate of University of Melbourne and has a Doctor of Juridical Science from Harvard Law School.

The election will take place at the United Nations headquarters in New York on 5 November to fill the vacancy resulting from the passing of Judge James Richard Crawford LLD, FBA, AC, SC on 31 May 2021, whose term was due to conclude on 5 February 2024.



Nine New Acting Judges

Press release by Loop Author

The National and Supreme Courts of Papua New Guinea is being boosted with the appointment of nine new Acting Judges.

The Acting Judges were sworn in by the Governor General, Sir Bob Dadae at the Government House this morning.

Chief Justice Sir Gibbs Salika said this is the highest number of Acting Judges appointed at any one time.

The Acting judges including; Acting Judge Nerrie Eliakim, Acting Judge Tracey Ganaii, Acting Judge Laura Wawun-Kuvi, Acting Judge Irene Ann Mugugia, Acting Judge Camillus Jacob Sambua, Acting Judge Emma Wurr, Acting Judge Michael Thoke, Acting Judge Gertrude Tamade and Acting Judge Gerhard Victor Linge.

The new Acting Judges took their declaration of oath loyalty and judicial declaration to serve the Independent State of Papua New Guinea.

Notably six of the judges are women. Acting Judge Eliakim, was form Chief Magistrate and senior Lawyer with Young and William Lawyers, Acting Judge Ganaii was senior Magistrate at the Waigani District Court, Acting Judge Wawun-Kuvi was also Magistrate at the Waigani District Court while acting Judge Mugugia, Acting Judge Tamade and Acting Judge Murr are senior lawyers.

Chief Justice Salika said their appointments were done on merit and experience.

He also commended the vast experience of the male Acting Judges; Acting Judge Linge, being the Deputy Chairman of CLRC and an experience commercial lawyer; Acting Judge Sambua who was Deputy Public Solicitor and Acting Judge Thoke an experienced lawyer based in the Highlands Region.

The Acting Judges will serve the National and Supreme Courts of Papua New Guinea for a 12 month period.



Image and article sourced from <https://www.looppng.com/png-news/nine-new-acting->



UN International Day of Women Judges

FULL ARTICLE FROM [UNODC](#)

30 April 2021 - The representation of women in the judiciary is significant for many reasons. Besides ensuring that the legal system is developed with all of society in mind and that in turn a representative perspective is brought to adjudication, the inspiration it provides to the next generation of female judges gives them continued motivation to achieve their goals. And while equality in the judiciary has been historically uneven, steps are being taken to remedy this, as evidenced by the acceptance of a new United Nations General Assembly Resolution marking 10 March as the International Day of Women Judges. This Resolution, drafted by the State of Qatar, is tangible proof of an evident positive shift underway in several geographic regions.

Most specifically, in African and Arab judiciaries, the large imbalance which has been presented for decades appears to be

correcting. A decade ago, less than 30 per cent of those working in these regions were female; now, according to UN Women, progress made on the Beijing Declaration shows that these numbers are rapidly increasing. Crucially, this includes in the highest courts where top decisions are made. In Africa, for instance, there are currently six women Chief Justices in African countries - Ethiopia, Niger, Lesotho, Sudan, Côte d'Ivoire and Zambia.

Despite hardships, many women have paved the way for this progress and were able to overcome biases and rise

to positions in the highest courts. In 1959, Iraqi Judge Zakia Hakki became the first female justice in the Arab region. Following this development there was a wave of inclusion of women in the judiciary, with Morocco and Tunisia accepting women judges in the 1960s.

Omnia Gadalla, founder of the Egyptian organization ' Her Honor Setting the Bar' describes the effects of limited representation of women in the judiciary. "As a university lecturer, I have been moved by students' questions on the impact of discrimination against women and the lack of women judges in the judiciary," she notes. "The absence of women judges in the Egyptian judiciary has not only negatively affected the rule of law, but it has social ramifications for future generations. The exclusion of women from the judiciary has an impact on the self-perception of these young women, who are told-unfortunately sometimes by other women-that they are not capable of doing various jobs, including becoming judges."

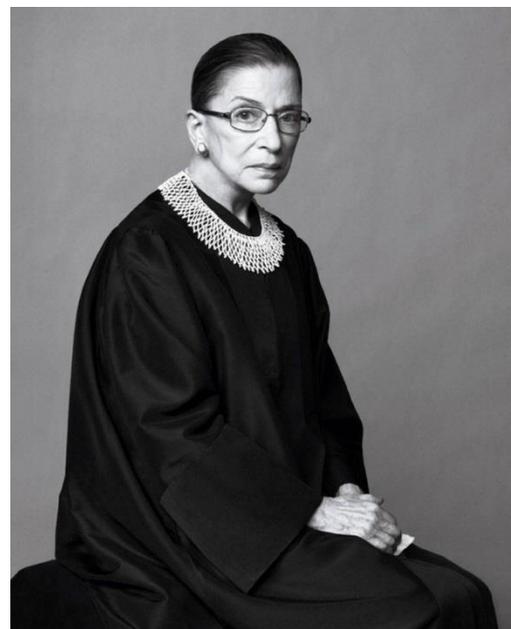
An International Commission of Jurists (ICJ) study came to a similar conclusion-that lower representation of women in the judiciary was often due to gender stereotyping. According to data from UN Women, three countries in the Arab region prohibit women from being judges outright, while in three others less than one per cent of the judiciary is female. Female judges participating in the study suggested that this could be improved in many cases by transparent selection and appointment processes.

In a panel discussion held in March 2021 as part of the Global Judicial Integrity Network's ancillary meeting at the 14 th United Nations Crime Congress, Chief Justice Meaza Ashenafi of Ethiopia detailed a lived experience in line with the findings of the ICJ: "Globally, and in Ethiopia too, the representation of women

in the judiciary is still low, though there is progress. In federal courts in Ethiopia, the number of women is 108 from a total of 344 judges. When I graduated from law school, I was the only woman who joined law school in that specific year. In recent years the number of young women graduating from law schools has increased immensely, nevertheless the saturation to the judiciary is still low. Stringent and closed recruitment processes, gender stereotypes, limited outreach of employment opportunities and reluctance to join the judiciary among women are the main factors."

The importance of female representation in the international judicial community is paramount. Lawyer Omnia Gadalla describes how she took inspiration from the autobiographies of women judges like Iranian Judge Shirin Ebadi and American Justice Ruth Bader Ginsburg, highlighting that support exceeds national boundaries.

The Global Judicial Integrity Network hopes to bring together female judges to learn from each other's lived experiences and provide a source of solidarity. Now, every year, on 10 March the international community can unite to celebrate the progress that has been made and raise awareness about the challenges ahead.



AAWJ Dinner

SYDNEY, Australia.

On 30 April 2021, the President and Committee of the AAWJ organised a Dinner to mark the retirement from the High Court of Justice Virginia Bell, AC and the appointment of Justice Jacqueline Gleeson SC. The event was held at the University and Schools Club in Sydney.

It was a sparkling occasion, and the many attendees relished the opportunity to join (in person!) in celebrating Justice Bell's remarkable career and contribution to the judiciary, as well as the bright future for Justice Gleeson SC in her new role.

As you might expect, after a spirited introduction by Governor Margaret Beazley AC QC, Virginia (if I might be so casual) had her audience in paroxysms of laughter. No less entertaining, and a bit revealing, was the Q&A that Jacqueline subjected herself to by her erstwhile colleague, Justice Anna Katzman SC.

I cannot remember laughing so much at a retirement/welcome event. This has set a new standard that will be hard to match. Congratulations to Robyn for the style, panache, and excellent COVID timing she brought to bear in organising this wonderful event.

Fleur Kingham



Thank you.

We hope that you have enjoyed reading this edition of the AAWJ Newsletter.

We always welcome new contributions to the newsletter, and we are now on the look-out for more stories and events for the next newsletter!

If you wish to make a contribution, keep an eye out for stories and events that may be of interest to the membership, and then contact us with your ideas.



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