



Law Council
OF AUSTRALIA

Ceremonial Sitting of the Federal Circuit and Family Court of Australia – Judge Jennifer McArdle

Speech delivered by Elizabeth Shearer, on behalf of the President of the Law Council of Australia, at the Federal Circuit and Family Court of Australia, Brisbane.

27 February 2023

May it please the Court.

I acknowledge the Jagera people and the Turrbal people as the Traditional Custodians of the land on which this Court sits, and recognise their continuing connection to land, waters and community. I pay my respects to Elders past and present and extend that respect to Aboriginal and Torres Strait Islander peoples here today.

It is a pleasure to be present to welcome Judge McArdle on behalf of the Law Council of Australia and the Queensland Law Society.

Your Honour is very well known in the legal community, and particularly the family law community in Queensland.

The fact you that have spent your life studying, working and living in this state means many of us in this room have been fortunate to cross paths with you at one time or another.

I myself, worked with Your Honour at Legal Aid Queensland some years ago, and I know first hand, like so many others present who have shared your professional journey, of the qualities you possess that will equip you so well to carry out the demanding role of Judge of this Court.

I know I speak on behalf of the local profession, as well as the profession nationally, when I say that we are very proud and pleased by your appointment.

Your Honour is not someone who takes readily to effusive praise, or indeed effusive expression of any kind in a professional context, being clearly focused on the facts of the matter at hand.

However in this matter, it is necessary to traverse some of the facts of your achievements, so I will speak of a few key professional and personal attributes, admired by those who know you, which bode so well for your judicial career.

The law was Your Honour's calling from a very young age – eclipsing a love of history that might have led you down the path of becoming an archeologist.

You are a self-declared 'law nerd', but I think that term downplays your wide and deep legal knowledge, your passion for helping others, your attention to detail and your hard work.

Your Honour's hard work means that in your years of practice, you were always well-prepared. Your incisive intellect means that you were always focused on the important issues, and clear about the outcome you sought.

If I can any advice to those of us who may appear before you, it is to be prepared, address the important issues, and know the outcome you want.

Despite the wide discretion that marks the jurisprudence of family law, submissions about the vibe, are unlikely to find favour with Your Honour.

Your Honour's integrity, professionalism, and fairness will serve those who come before you well. As will your dedication to ensuring all parties' interests, but particularly the children at the centre of a matter, are heard, considered and respected.

I know Your Honour appreciates those who, over the course of your career, have provided you with guidance and insight; but I am not sure you truly appreciate for how many others you have been that trusted, valued and never-forgotten mentor.

You have given back to our profession in a multitude of ways:

- as a senior practitioner at Legal Aid Queensland leading a large team of family lawyers and training the profession more broadly, particularly Independent Children's lawyers,

- through your long-standing membership of the Family Law Practitioners Association of Qld, including your term as President,
- through your membership of the Family Law Section of the Law Council of Australia, and
- as a member of the Family Law Committee of the Bar Association of Qld and, for 10 years the Queensland Law Society's family law committee.

Beyond the law, Your Honour's interests are varied taking in: sport, AFL and rugby league; live music – particularly that performed by your husband, Bruce; reading; and spending time with family and friends. You also cook to gourmet standards, do fine needlework, and love to travel the world. You are truly a person of wide interests and accomplishments.

Your ever-present, and ever dry, sense of humour is combined with an ability to always see the bright side of life.

A story was shared with me about an emergency evacuation you had to make due to flooding following a trial in Hervey Bay. Transport options out were very limited and it was no doubt a stressful time. You looked at it as another of life's adventures.

And of course, you are not afraid of a bit of razzle dazzle, of stepping into the spotlight and performing for a good cause. I speak of course of your pantomime career.

Although I can only give hearsay evidence of this, I am told you displayed exceptional acting and singing skills, as you generously and regularly joined with other members of the profession to raise funds for organisations like the Women's Legal Service.

This court is not generally the forum for razzle dazzle, but as you step into the spotlight of the bench, the Court, and the litigants who come before you, will be very well served by your incisive intellect, commitment to justice and propensity for hard work.

Your Honour, on behalf of Law Council of Australia and the Queensland Law Society, I welcome your appointment, assure you of our support, and extend to you our congratulations and best wishes.

May it please the court.

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