

Resolution of Council

21 September 2026

Item 13.8

Vale The Honourable Mary Gaudron KC

Moved by Councillor Weldon, seconded by the Chair (the Lord Mayor) –

It is resolved that:

(A) Council note:

- (i) the recent passing of the Honourable Mary Genevieve Gaudron, the first woman appointed to the High Court of Australia, on Sunday 13 September 2026, aged 83
 - (a) Mary Gaudron was born in Moree, in north-west New South Wales, on 5 January 1943, the eldest child of Edward and Grace Gaudron. Her father worked for the New South Wales railways
 - (b) growing up in Moree, she witnessed firsthand the segregation imposed on Aboriginal people, who were kept off the town's buses, barred from the municipal pool, roped off in a separate section of the picture theatre and largely kept out of the local school. She later said that some people were treated as "more equal than others", and the experience shaped her lifelong opposition to discrimination in all its forms
 - (c) she won a bursary to board at St Ursula's College in Armidale and a Commonwealth scholarship to the University of Sydney, graduating in law with first class honours and the University Medal in 1965, the first woman to do so as a part-time student
 - (d) despite her results, law firms refused her articles because it was not their policy to take on women. She was admitted to the New South Wales Bar in 1968 and, in 1972, became the first woman appointed to the New South Wales Bar Council

- (e) in 1972, she appeared for the Commonwealth in the national Equal Pay Case, which extended the principle of equal pay for work of equal value to working women across Australia
 - (f) in 1974, at the age of 31, she was appointed Deputy President of the Australian Conciliation and Arbitration Commission, the youngest person ever appointed to federal judicial office, where she presided over the 1979 maternity leave test case
 - (g) in 1981, she became Solicitor General of New South Wales, the first woman to hold that office in any Australian jurisdiction, and the first woman appointed Queen's Counsel in New South Wales
 - (h) on 6 February 1987, at the age of 44, she was sworn in as a Justice of the High Court of Australia, the first woman in the Court's history. She served on the Court for 16 years until her retirement in 2003
 - (i) in *Mabo v Queensland (No 2)* in 1992, she formed part of the majority that rejected the doctrine of terra nullius and recognised native title in Australian law. Her joint judgment with Justice William Deane described the dispossession of Aboriginal people as "the darkest aspect of the history of this nation". Those words, and that decision, changed this country
 - (j) her judgments in cases including *Dietrich v The Queen* and *Street v Queensland Bar Association* reflected a consistent commitment to fairness, to equality before the law and to the rights of the individual
 - (k) after leaving the High Court, she served as a judge of the Administrative Tribunal of the International Labour Organization in Geneva from 2003, and as its President from 2011 to 2014
 - (l) she was the founding Patron of Australian Women Lawyers and a mentor and inspiration to generations of women in the law
 - (m) she is survived by her daughters Danielle and Julianne and her son Patrick
 - (n) Mary Gaudron will be remembered as a trailblazer, a fierce intellect and a woman of deep integrity and compassion, whose work made this country fairer. She will be greatly missed
- (B) the Lord Mayor be requested to write to the family of the Honourable Mary Gaudron KC expressing Council's condolences
- (C) all persons attending this meeting of Council observe one minute's silence to commemorate the life of the Honourable Mary Gaudron KC and her contribution to the law, to the rights of women and of Aboriginal and Torres Strait Islander peoples, and to the Australian community.

Carried unanimously.

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Note – All Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to the Honourable Mary Gaudron KC.