Entry type: Person
Entry ID: AWE5444

Rizkalla, Margaret

(1953 -)

Born	19530101, Broken Hill New South Wales Australia
Occupation	Barrister, Judge, Lawyer, Magistrate, Tribunal Member

Summary

In 1985, Margaret Rizkalla was appointed a magistrate in the state of Victoria, the first woman to be appointed to the position. Changes to the appointment criteria, which introduced a Law Degree as a requirement for new appointments in the Victorian Magistrates Act, rather than a progression from the rank of Clerks of Courts, enabled this appointment. Rizkalla graduated with a law degree from the University of Melbourne in 1975 and completed the Leo Cussen Legal Education course as an alternative to completing articles in 1976. She was admitted to practice as a solicitor and barrister in Victoria in 1976.

Rizkalla practised at the Victorian Bar until December 1984, when she was appointed a Member of the Small Claims and Residential Tenancy Tribunal of Victoria. Her appointment to the magistracy occurred in September 1985.

Whilst a sitting magistrate, Rizkalla was also appointed Chair of the Police Disciplinary Board of Victoria. In June 1988, she was appointed President of the Victorian Equal Opportunity Board and Deputy President of the Victorian Administrative Appeals Tribunal.

In June 1994, Rizkalla was appointed a Judge of the County Court of Victoria. She retired from this position in February 2013.

Go to ‘Details’ below to read a reflective essay written by Margaret Rizkalla for the Trailblazing Women and the Law Project.

Details

The following additional information was provided by Margaret Rizkalla and is reproduced with permission in its entirety.

I retired from the County Court in February 2013 after spending all my adult years in the Law -28 years in all and I can truly say that despite the pressures both emotional and intellectual, that were presented over that time, there wasn't a day that I didn't find my work fulfilling . It is still amazing to me that a young girl from the country who hadn't even met a lawyer prior to entering the Law Course at Melbourne University was able to have such a fulfilling successful career in the Law. Sometimes Ignorance Is Bliss! I didn't imagine any obstacles in pursing Law, and didn't really have any formed idea as to what I would do once I graduated -I simply trusted that life and circumstances would dictate my path. And they did!

I had no intention of studying Law until a perceptive friend of my parents spoke to me the year I finished school and after much discussion announced he thought I would make a good lawyer. He then proceeded to direct me as to how to change my University preferences from Arts to Law and set me on a path that I have loved ever since. Once I finished my degree the Leo Cussen Institute in Victoria was beginning an alternative to Articles Course which suited me perfectly, as I was by then married and had a small son. Here, via the instructors from the Victorian Bar, I learnt of the life at the Bar, and was encouraged to apply to join the Bar, which I did. So at the ripe old age of 23 years I signed the Bar Roll in November 1976 and began reading with David Byrne (later Justice Byrne of the Victorian Supreme Court) , who accepted me sight unseen on the basis of a request from David Ross Q.C. then a director of Leo Cussen Institute. And so I was on the path.

I loved my years at the Bar doing anything and everything my Clerk could rustle up. There were not many women practising at the Bar then (I think about 15 or so) and I guess we were regarded by the majority as a bit of an oddity. This didn't manifest itself directly, although I know solicitors took a bit of convincing to proffer briefs until "we had proved ourselves". Ironically, I think it was more problematic for women in the profession once they were obvious in numbers and hence seen as genuine competition by some of their male counterparts.

After nine years or so I decided I would look for part time work whilst I had my second child, so applied for a position at the Small Claims and Residential Tenancy Tribunal. I was successful in obtaining a position as a Member adjudicating on all sorts of disputes; mostly where the parties represented themselves, so active participation was very necessary. Despite the fact that it wasn't really a part time position, I realised that I thrived on deciding disputes, even more than I did arguing for one side or the other. Hence, when I received a call from the Attorney General asking if I would be interested in an appointment to the Magistrates' Court of Victoria as one of the first Law Graduates to be appointed, and as it turned out, the first woman, I jumped at it.

Thereafter I had three fantastic years in the old City Magistrates' Court in Melbourne before I was offered the challenge of taking up the position of President of the Equal Opportunity Board for a three year contract period with my security of tenure attached to a dual position as Deputy President Administrative Appeals Tribunal of Victoria. Once again I had been handed another interesting opportunity and I grabbed it, not really knowing what was in store. It was a fascinating and challenging job, involved in determining all disputes which were brought under the Anti-Discrimination Legislation.

It goes without saying that it was a controversial area and often involved Government agencies as Respondent. At that time the President sat on cases with two other members who came from legal and lay backgrounds, and this in it was a challenge which I came to love. Discussing the case with other members really did mean I had to be clear on my thinking and non-lawyers especially challenged how far a body such as this should go in determining the way members of the community treated each other, in terms of the areas covered in the Legislation. Sparks did fly a few times as discussions were argued with feeling and determination. After a second three year term I was then offered an appointment to the County Court as a Trial Judge and by this time I was ready to return to what I called the "straight law". And so in 1994 I started on the County Court bench and remained there until retirement.

I suppose when I look back on my experience I think there is a lesson for others in not being deterred from taking a course which might at first appear outside the areas you have thought would be your career. In my case if I had done that I would never have experienced a fulfilling life in the Law. When we are young, it seems to me the main thing, especially for women, is to have an open mind and be prepared to accept challenges life presents.

Published resources

Resource
Women Barristers in Victoria: Then and Now, The Victorian Bar, 2007,
https://www.vicbar.com.au/wba/

Trove, National Library of Australia, 2009

Site Exhibition
Australian Women Lawyers as Active Citizens, Trailblazing Women Lawyers Project Team, 2016,
http://www.womenaustralia.info/lawyers

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Digital resources



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