Entry type: Person
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Lusink, Margaret (Peg)

(1922 - 2026)

Born	19220527, Tocumwal New South Wales Australia
Died	20260403, Melbourne Victoria Australia
Occupation	Academic, Judge, Lawyer, Professor

Summary

Peg Lusink was the first Victorian woman appointed to the judiciary and also the second woman appointed to the Family Court, when it began operations in 1976. Prior to her judicial appointment, Peg was a Partner at Corr and Corr, working principally in the areas of matrimonial causes and family law. She briefly practiced at the Melbourne Bar before becoming a Family Court Judge. Upon retirement from the Family Court, in 1990, Peg became one of the foundational Professors in the Law Faculty at Bond University. In 1996, Peg accepted another judicial appointment, becoming the President of the Commonwealth Professional Services Review Tribunal. In that same year she was appointed AM for law for services to the Family Court and the community.

Peg Lusink was interviewed by Kim Rubenstein for the Trailblazing Women and the Law Oral History Project. For details of the interview see the National Library of Australia – CATALOGUE RECORD.

Details

Peg Lusink was born in Tocumwal, New South Wales to Joan Rosanove QC and Dr Edward Rosanove. She was educated first at Loreto Mandeville Hall and then later at Merton Hall. In 1939 Peg enrolled at the University of Melbourne to study law. At age 16, she also made history by being articled to her mother, Joan Rosanove. Six months later, in 1940, she married Dr Graeme Larkins and went on to have three sons. Upon Graeme's early death in 1959, Peg returned to the University of Melbourne in 1960, as a mature aged student, and completed a Bachelor of Laws degree.

Admitted to the Bar in 1965, Peg went on to become a Partner at Corr and Corr, Solicitors working in the matrimonial causes area. She practised briefly at the Victorian Bar before becoming Victoria's first female judicial officer and the second woman appointed to the Family Court in 1975. In 1984 Peg was appointed the Judge Administrator of the newly established Dandenong Registry of the Family Court and pioneered a progressive counselling approach to family disputes until her retirement in 1988.

In 1990 Peg became one of the foundational Professors in the Law Faculty at Bond University, teaching family law and running the Moot Court Program. In 1996, Peg accepted another judicial appointment, becoming the President of the Commonwealth Professional Services Review Tribunal, and in that same year was awarded an AM for law for services to the Family Court and the community.

The following essay was written with the cooperation of Peg Lusink in May 2016.

Lusink, Peg (Margaret) AM
Justice of the Family Court of Australia

Peg Lusink was the first Victorian woman appointed to the Judiciary of a Superior Court of Record and also the second woman appointed to the Family Court of Australia, when it began operations in 1976. Prior to her judicial appointment Peg was a partner in Corr and Corr, Solicitors, working principally in the area of family law under the then Matrimonial Causes Act. She signed the Roll of Counsel and worked as a barrister for a brief period until taking up her appointment in February 1976 on the newly established Family Court of Australia, which was created within the newly introduced Commonwealth legislation, the Family Law Act 1975. In 1984, upon the opening of the new Dandenong Registry she became the Judge Administrator where she was given the opportunity by the Chief Justice of the Court, Justice Elizabeth Evatt to pioneer a more progressive approach to family disputes. Upon resignation of her commission in 1990 she became one of the foundation professors in the Law Faculty of the newly established Bond University and in 1996 accepted another judicial appointment as President of the Commonwealth Professional Services Review Tribunal. In that year Peg received the honor of an AM for law, services to the Family Court and to the community.

Peg Lusink was born in 1922 in Tocumwal, New South Wales. Her mother was Joan Rosanove QC, the renowned trailblazing female barrister at the Victorian Bar. Her father, Edward Rosanove, was a General Practitioner in Tocumwal at the time of Peg's birth, before the family relocated to Westgarth, in the inner northern suburbs of Melbourne. Peg was raised by parents who had a 'remarkable' relationship being 'absolutely devoted to each other' in their support of each other's professional careers (Interview Rubenstein). For a significant period of time Joan Rosanove was the only woman at the Victorian Bar and was unusual in pursuing a career in law at that time. Peg particularly adored her father who she says 'allowed her mother to work and was ahead of his time' (Interview Rubenstein).

Peg's father relocated the family to London, England in 1932 to further his studies in dermatology. Peg's younger sister Judy was born in London, and when the family returned to Melbourne they lived in Toorak. Peg was enrolled first at Loreto Mandeville Hall and then later at Merton Hall. In 1939 Peg enrolled at the University of Melbourne to study law. This event was recorded by The Daily News in Perth as 'legal history' in the making with Peg articled, aged just 16, to her mother Joan Rosanove (Daily News).

However, this period of time at the University of Melbourne and undertaking articles with her mother was short lived; she studied for six months and in 1940 married 'the love of her life' Dr Graeme Larkins (Interview Rubenstein). Peg went on to have three sons with Graeme and enjoyed many happy years of marriage living in Corryong, where life as a doctor's wife in the country guaranteed much community work and a good social life. Peg returned to England, again living in London, as Graeme pursued his medical career. Graeme's early death in 1959 left Peg bereft but nonetheless a young widowed mother with the responsibility for raising three sons. While law was never high on her list of priorities, and grieving the loss of her dearest companion and husband, Peg realised she had to provide an income for her family. Supported by her son John Larkins, who was already a law student at the University of Melbourne, in 1960 she returned to her studies in law.

Completing her degree at the University of Melbourne as a mature aged student, Peg found support from then Dean Harold Ford and from lecturers such as Sir Zelman Cowen and Professor Robin Sharwood. Peg was one of only four female mature aged students at the Law School.

In this environment she met another mature aged law student, Theo Lusink, a Dutch national who had re-located to Australia after World War 2 and joined the Royal Australian Air Force. In November 1964 she and Theo married. Soon after, at the beginning of 1965, Peg's admission to practice was moved in the Supreme Court of Victoria by her mother Joan Rosanove Q.C with her son John Larkins as her Junior. As a solicitor, she commenced articles with the law firm of Corr and Corr (as it then was). Almost immediately she was asked to run the then small matrimonial practice which was conducted under the existing State legislation, the Matrimonial Causes Act. At this time Peg quickly found support and friendship with members of

the legal fraternity and was inspired by many including the Hon. Esler Barber who was in the Supreme Court sitting mainly on family disputes. In the late sixties Peg was made a partner in the firm, becoming the first woman to do so in a large prestigious commercial law firm in Melbourne.

In June 1974 Peg was called to the Bar reading with Bill Gillard, who would later become Justice Gillard of the Supreme Court. However, her time as a Barrister was short lived, as in February 1976 she was appointed a Justice of the Family Court of Australia becoming the first woman in Victoria to be appointed under the newly introduced Commonwealth Family Law Act 1975 and the first Victorian woman to be appointed to a Superior Court of Record. Peg was mentored among others by Chief Justice Elizabeth Evatt who she describes as “a woman of great intellect” (Interview Rubenstein). Peg further states that she was a woman of compassion and vision.

However, the Family Court was in its infancy at a time of great excitement and anticipation, the radical reform legislation having been led and introduced by the Whitlam government. Peg recalls “”being thrown in at the deep end being given a whole new meaning” as a Judge of a new and unexpectedly popular Court. A court “without any mentors or experienced judges to tell us how to do it, no precedents to follow or assist, a brand new law to interpret and rule upon behavioural scientists who had had no training in the law and lawyers who had had no training in counselling. Having done a brief year of psychology -1 I was marginally better equipped- if you’d call it that and we were plopped in this commercial building and told to be a “nice friendly helping Court”” (Interview Brodsky). In the early months Peg was operating in this environment with three male judges enjoying with them the stimulation and challenge of riding a steep learning curve in the shaping of this new court and its law.

In 1984 Peg was appointed to be Judge Administrator of the new Registry of the Family Court, which was established at Dandenong. It was an initiative of Chief Justice Evatt who provided five counsellors to one Judge, an unheard of ratio, and a more formalized Court setting with the idea of pioneering less adversarial solutions. This proved popular and very successful leading to Judges visiting at first from Melbourne, and later a second Judge being appointed by the Attorney General Mr. Bowen. During these years Peg was also invited by the Premier of Victoria to become Foundation President of the newly established Victorian Womens’ Trust.

Until her retirement, aged 66 in 1988, Peg shared the Family Court bench in Australia with only a handful of women with whom she was on very friendly terms. These included Chief Justice Elizabeth Evatt and Justice Josephine Hemsley-Maxwell both from Sydney and Justice Kemeri Murray from Adelaide. Of this time historian Shurlee Swain observed “Justice Peg Lusink’s excitement at the prospect of change which the Family Law Act provided is shared by many of those with whom she worked during the early years of the Family Court. However much of the dream faded over subsequent years, they remain proud of the contribution they made to reforming the way in which the breakdown of relationships was managed in Australia. Hailed as the ‘fulfilment of possibly the most humane and enlightened social reform to be enacted in Australia since the Second World War” (Swain).

Retirement from the law was to be a brief interlude. In 1990 Peg was approached by Bond University to join its newly created Law School. In these “exciting times” Peg taught Family Law and was instrumental in developing the Law School’s Moot Court program (Interview Rubenstein). In 1992 Peg and her husband returned to Victoria where she and some like-minded Solicitors provided mediation for matrimonial disputes as an alternative to the adversarial alternative. Although “mediation” was in its infancy this proved very successful. This was in Benalla in the North East of the State and was conducted whilst her husband Theo continued his passion for farming.

Further appointments followed in 1996 with Peg becoming the President of the Commonwealth Professional Services Review Tribunal investigating medical professionals and Medicare fraud. Peg was also appointed a Member of the Adult Parole Board of Victoria and was awarded an AM for law for services to the Family Court and the community. In 2004, Peg was honoured with induction into the Victorian Women’s Hall of Fame as a leader in law, women’s health and education.

Having spent significant periods of her life in regional Victoria, New South Wales and Queensland, Peg has contributed enormously to the cultural fabric of rural communities, forming many lasting friendships. In 1992, she convened the Friends of the Library in Euroa and subsequently became Chairperson and Honorary Life Member of the National Friends of the Libraries of Australia. She has also been a board member of a number of local hospitals and was the representative of the Euroa Bush Nursing Hospital on the Victoria Bush Nursing Hospitals Association.

Principally considered a trailblazer for her appointment as Victoria’s first female Judicial Officer of the Family Court and first female Partner in a Melbourne commercial law firm, Peg has been privileged, over nine decades, to observe tremendous social change and developments in the law. However, Peg’s greatest achievements must also be noted to include the deep and enduring relationship with her two adored husbands and three sons. As Peg observes of her life both inside and outside the law: ‘it’s a great history’ and ‘an extraordinary journey’ (Interview Rubenstein).

Events

2004 - 2004
Inducted into the Victorian Honour Roll of Women

Published resources

Book
Born in hope : the early years of the Family Court of Australia, Swain, Shurlee, 2012

Newspaper Article
Law in Family, 1939

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

Archival resources

National Library of Australia, Oral History and Folklore Collection
Peg Lusink interviewed by Kim Rubenstein in the Trailblazing women and the law oral history project

Author Details
Larissa Halonkin with Peg Lusink

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Digital resources



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