

The Australian Women's Register

Entry type: Person

Entry ID: AWE5719

Kenny, Susan

Occupation Barrister, Commissioner, Judge, Lawyer

Summary

The Hon. Justice Susan Kenny was the first woman ever to be appointed to the Court of Appeal, Supreme Court of Victoria. Since 1998, she has been a judge of the Federal Court of Australia. Kenny is also a Presidential Member of the Administrative Appeals Tribunal. An outstanding student who was educated at the Universities of Melbourne and Oxford, Kenny was associate for two years to the then justice of the High Court of Australia, the Rt Hon. Ninian Stephen. Soon after returning to the Bar, she took silk. It was while serving as a part-time commissioner for the Human Rights and Equal Opportunity Commission that a judicial career beckoned. For many years, Kenny has worked with various administrative bodies which are concerned with judicial reform and education.

Susan Kenny 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

The Hon. Justice Susan Kenny was born in Oxford, England in 1953. Growing up, she attended schools in the United States of America and in Australia, where she completed her secondary education at Methodist Ladies' College, Kew, before embarking upon arts and law degrees at the University of Melbourne. A brilliant student, upon completion of her studies she was placed first in History, winning the Dwight's Prize; she also shared first place in Law, thereby becoming a joint winner of the illustrious Supreme Court Prize.

For two years from 1979, Kenny was associate to the Rt Hon. Sir Ninian Stephen, then on the High Court of Australia. Afterwards she went into practice as a barrister. Becoming expert in the areas of constitutional and public law while also working in commercial and tax law, she took silk in 1996. During this time, she appeared in a number of prominent cases before the High Court of Australia, including the Tasmanian Dam Case and the War Crimes Case, and in the International Court of Justice in The Hague, including Portugal v Australia and Nauru v Australia.

Earlier, in 1985, Kenny had been awarded the Menzies Scholarship in Law, followed by a grant from the Queen Elizabeth II Silver Jubilee Trust. She subsequently went to Magdalen College, Oxford, where she studied comparative constitutional law under the supervision of Professor John Finnis. Her doctoral thesis, which involved a comparison of the methodology of the Australian High Court and the United States Supreme Court, was accepted in December 1988 and she graduated D.Phil (Oxon) in 1989.

In 1997, while serving as a part-time commissioner of the Human Rights and Equal Opportunity Commission and member of the Victorian Bar Ethics Committee, Kenny was appointed to the Court of Appeal of the Supreme Court of Victoria: the first woman judge on the Court. Her credentials included having been president of the Administrative Review Council (1993 to 1996), counsel assisting the Solicitor-General (1991 to 1992), and a member of the Advisory Committee on Executive Government for the 1987 Australian Constitutional Commission.

Since October 1998, Kenny has served as a judge of the Federal Court of Australia. While on the bench, she has been involved in the promotion of judicial education. Kenny is also a Presidential Member of the Administrative Appeals Tribunal and, from time to time, its Acting President under s 10(1) of the Administrative Appeals Tribunal Act 1976 (Cth). She has been a member of the Board of Governors, International Organization for Judicial Training (IOJT) (2005-2007); a member of the Executive of the IOJT (2008-2009); and regional deputy president of the IOJT (2010-2012). In Australia, she has been alternate member and member of the Council of the National Judicial College of Australia (2006-2010).

Kenny has an abiding interest in law reform and legal education. She was a part-time commissioner, Australian Law Reform Commission (ALRC) from 2003 until July 2012, and a member of numerous ALRC Advisory Committees in that period.. In addition, she was a member of the steering committee for the Australian Secretariat for the Asia Pacific Judicial Reform Forum from 2005 until 2008. In 2009 and 2011, under the auspices of the Australian Catholic University, Kenny co-taught the subject 'International Human Rights Law and Practice' to Burmese refugees living in a Thai refugee camp and studying for a Diploma of Liberal Studies.

Kenny is a Foundation Fellow of the Australian Academy of Law and serves on a number of university boards and committees. She is a Fellow of St Hilda's College, University of Melbourne; a member of the Council of the Australasian Institute of Judicial Administration; a former long-term member of the Advisory Board of the Australian National University's Centre for International and Public Law; and a member of the Executive for Future Justice.

Kenny has written numerous articles, book chapters, and conference papers concerned with history and constitutional, administrative and taxation law.

Published resources

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

[Susan Kenny interviewed by Kim Rubenstein in the Trailblazing women and the law oral history project](#)

Author Details

Larissa Halonkin

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Digital resources



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