Entry type: Person
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Mathews, Jane

(1940 - 2019)

Born	19401219, Wollongong New South Wales Australia
Died	20190831, Woolloomoolloo New South Wales Aus
Occupation	Barrister, Judge, Lawyer, Solicitor

Summary

The Hon. Justice Jane Mathews AO was the first woman to be admitted to full judicial office in New South Wales, and she has continued to pave the way for women lawyers on a number of fronts. Mathews became the State's first female Supreme Court judge, as well as its first female District Court judge and its first Crown prosecutor. In addition to these positions, she has served as president of the Administrative Appeals Tribunal and on the bench of the Federal Court of Australia. Other roles have included president of the International Association of Women Judges, following her involvement in establishing the Australian chapter of the organisation, and deputy chancellor of the University of New South Wales. Patron of the Women Lawyers' Association of New South Wales, Mathews was appointed an Officer in the Order of Australia for service to the judiciary, to the legal profession, to the University of New South Wales, and to music.

Mathews passed away on 31 August 2019. Recognised as a trailblazer in her field, prominent lawyers said the '"adored" and down-to-earth Mathews, who had a deep commitment to social justice, left an indelible mark on the legal profession and the women who followed in her footsteps.'

Jane Mathews 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

It was seeing the film ‘The Winslow Boy’ at an impressionable age that motivated The Hon. Justice Jane Mathews to study law. After attending Frensham School in Mittagong, she entered the University of Sydney, later graduating with a Bachelor of Laws degree. At a time when there were few female lawyers in the profession, Mathews succeeded in obtaining articles of clerkship at the Sydney firm Dawson, Waldron, Edwards and Nichols (later Blake Dawson Waldron): she became the firm’s first female articled clerk. After being admitted as a solicitor, Mathews practised briefly at a firm in Wollongong before returning to Sydney and joining the practice of Allen, Allen and Hemsley, where she was engaged in defamation work for the Packer Press [Jowett].

Mathews then embarked upon a career at the New South Wales Bar in Sydney; Mary Gaudron, who later became the first woman to be appointed to the High Court of Australia, was one of only a few female contemporaries. A decision to decline family law work meant that Mathews mainly dealt with legal aid and criminal law cases at the Bar. From 1974 to 1976, Mathews was Counsel assisting the Royal Commission on Human Relationships, which looked “at all aspects of society including the more controversial issues such as abortion, prostitution, rape, incest and homosexuality” [Jowett].

At the conclusion of the royal commission, Mathews accepted the offer of a role as a Crown prosecutor in New South Wales. Again she was the first woman to hold such a position. In her work, Mathews came to focus on sexual assault prosecutions, after recognising the difference it made for female complainants to be represented by a woman prosecutor.

In 1980, Mathews was appointed a judge of the District Court of New South Wales, her appointment significant for being the first time in which a woman had been appointed to the Court. She enjoyed the circuit work and collegiate atmosphere of the Court. Mathews became a part-time commissioner with the New South Wales Law Reform Commission and from 1985 to 1987 she also led the New South Wales Equal Opportunity Tribunal as senior judicial member at a time when anti-discrimination legislation was new and cases ground-breaking [Jowett].

In 1987, in yet another ‘first’, Mathews became the first female judge of the Supreme Court of New South Wales; she was only the second woman after Dame Roma Mitchell to be appointed to a Supreme Court in Australia [Jowett].

In 1989 Mathews, then the only woman serving on a Supreme Court in Australia, attended a conference in Washington DC celebrating the 10th anniversary of the American Association of Women Judges (AAWJ). The event was life-changing for Mathews, who had felt the isolation of being the only woman on the bench [Jowett]. She returned to Australia and in 1991 founded the Australian Association of Women Judges. The AAWJ conference also spawned the International Association of Women Judges and Mathews was involved as treasurer and later president of the organisation between 2004 and 2006 [Jowett]. Mathews is also involved as patron of the Women Lawyers’ Association of New South Wales.

From 1992 to 1999, Mathews was deputy chancellor of the University of New South Wales [Law Council].

In 1994, Mathews was appointed to the role of president of the Administrative Appeals Tribunal; consequently she also became a judge of the Federal Court of Australia. Between 1994 and 1999 she was also deputy president of the National Native Title Tribunal, which had recently been established [Jowett].

In 2001 Mathews returned to the Supreme Court of New South Wales as an acting judge. Nearly 10 years later, she was appointed an acting judge of the Supreme Court of the Australian Capital Territory [Corbell].

Beyond the law, Mathews has a great interest in music, especially that of Wagner. She is a former president of the Arts Law Centre and a continuing member of the Council of the Sydney Symphony Orchestra. She is also a self-described ‘Italy-phile’.

Mathews has been awarded honorary degrees by the Universities of Wollongong and Sydney. She has also been appointed an Officer of the Order of Australia for service to the judiciary, to the legal profession, to the University of New South Wales, and to music.

Mathews is a true trailblazer, embodying many ‘firsts’ in her considerable and wide-ranging legal career spanning both state and the federal courts. She has been a generous contributor to the development and reform of legal policy and case law, to fostering judicial leadership for women on a global level, and is an inspiration for all those who aspire to work in the law.

Published resources

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

Resource Section
Interview: Acting Justice Jane Mathews AO, Jowett, Tina, 2015,
http://www.nswbar.asn.au/docs/webdocs/BN032015_mathews.pdf

Retirement of Hon. Justice Jane Hamilton Mathews, Speech by President of Law Council of Australia, 4 April 2001, 2001,
https://www.lawcouncil.asn.au/lawcouncil/images/LCA-PDF/speeches/20010404matthewsretirement.pdf

Archival resources

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

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