



OFFICE OF THE GOVERNOR
VICTORIA

MONASH UNIVERSITY:
THE LATE FRANCINE McNIFF BEQUEST
Monday 28 August, 2017

Professor Margaret Gardner AO, President and Vice-Chancellor, Monash University
Professor Bryan Horrigan, Dean, Faculty of Law, Monash University
Professor Sharon Pickering, Dean, Faculty of Arts, Monash University
Mr Ron Tait
Members of the judiciary
Distinguished guests
Ladies and gentlemen

First, I acknowledge the traditional owners of the land upon which we are gathering and pay my respects to their elders past and present and to any elders here with us.

Tony and I are delighted to join you this evening.

For Tony, it is of course a visit to his alma mater. For me, to a university that I appreciate for the excellent education afforded to my husband and our two sons, but also one that I view with admiration and pride for its extraordinary successes in our State and, for that matter, well beyond our borders.

For both of us though, it is a pleasure to be joining you in celebrating the expansion of opportunity for this University and its students, thanks to the generous bequest of the late Francine McNiff.

I first became aware of Francine McNiff thirty-four years ago when, in August 1983, she became the first woman appointed to a judicial post in Victoria.

What a large crack that put in the notional glass ceiling!

The law reporter at The Age at the time, Garry Sturgess, wrote glowingly about her appointment, not only noting that this first judicial appointment came years after the first female carpenter, builder and plumber, but enthusing that 'Three of the most shunned attributes in judicial appointees – youth, femininity and reformist attitudes – have suddenly bobbed up in one person.'

His report quoted the then Premier and Attorney-General, John Cain, as saying that he hoped that 'this milestone will encourage other women to see themselves as aspirants for appointment to both the Magistrates' Court and higher courts.'

Two years' later, in 1985, I was appointed to the Magistrates' Court and later to the Family Court of Australia. Today, 40% of magistrates and judges in this State are women, and no doubt the number will continue to grow.

We all owe a debt to Francine who took what is usually the lonely journey of being the first...and for lawyers, being without precedent can feel particularly perilous! But her appointment made us realise that judicial appointments were not outside our reach. And she helped us to widen the crack that she started for us in that glass ceiling.

Francine and I never overlapped in the Children's Court of Victoria where she had been appointed, and where I initially worked as a magistrate. In fact, our careers thereafter did not intersect.

While I stayed firmly on the judicial track, she left the bench to return to her love of academia and policy in which she had earlier seen success.

Thereafter, she maintained an active career at the Criminal Bar and variously with the Law Reform Commission, the Public Trustee, the Australian Public Service Merit Protection and Review Agency Disciplinary Appeal Committee, as a tutor in the Faculty of Law at the University of Melbourne and as an occasional lecturer in the Faculty of Law at this university.

In addition, Francine McNiff published many books and articles covering a variety of topics, including Victorian juvenile justice, evidence and ethics – to name a few.

Unfortunately, she battled ill-health for a number of years.

When she passed away in 2015, her self-written death notice was published online in The Age.

It read: 'McNIFF Francine V. I have ceased to exist. 24.03.1948—02.04.2015. No funeral ceremony by direction.'

What has been observed before, however, is that thanks to an act of immense generosity and vision on her part, her memory will certainly not cease to exist. It will live on through a Chair in Criminal Jurisprudence, to be known as the Francine V. McNiff Chair in Criminal Jurisprudence in the Faculty of Law, and in an equity scholarship, to be awarded annually for candidates who are studying a post graduate degree of Criminology in the Faculty of Arts, to be known as the Francine V. McNiff Scholarship.

And so, in her memory, the body of jurisprudence – that underpins our system of justice and the rule of law – will be strengthened.

And students from disadvantaged backgrounds who have shown academic excellence will be afforded the opportunity to undertake post-graduate studies in Criminology.

Nothing could be more important to our State than the education of our young people. Nothing could be more important either than ensuring that such education is open to everyone, regardless of their family wealth or circumstances. By enriching one such young person our community is enriched.

Francine McNiff was an alumna of this University, was a staff member, friend and teacher to many. Now, she will continue to be a facilitator of learning and opportunity.

The university, the legal profession and the community is in her debt.