



WELCOME

**ADDRESS AT THE WELCOME TO HER HONOUR MS TARA
HARTNETT,
IN COURT 1 OF THE MELBOURNE MAGISTRATES COURT,
ON THURSDAY 28 JUNE 2018 AT 9.15 AM
BY PAUL HOLDENSON QC**

May it please the Court.

I appear on behalf of the Victorian Bar to congratulate Your Honour on your appointment to this Court.

I acknowledge the traditional owners of the land on which we meet, the Wurundjeri people of the Kulin nation, and pay my respects to their elders past and present.

Your Honour's appointment to this court marks something of a homecoming for you, a return to the jurisdiction in which you found your path to the law. Indeed you are the first female registrar of this Court to have made it onto the bench.

It was during Your Honour's secondary schooling at Penleigh and Essendon Grammar School that you were taken on an excursion to the then Moonee Ponds Magistrates Court. Your Honour was immediately taken with the work and atmosphere of the place, and subsequently spent school holidays visiting the same court on your own – sitting, observing, listening and taking it all in.

Your Honour determined that you wanted to play a part in this process, but *not* as a lawyer. You decided to become a registrar. This was back when the people in those jobs were still known as clerks.

Your Honour lobbied officials at Moonee Ponds and in the Justice Department, looking for your way in. You did so with such enthusiasm that you were granted a two week trial at Broadmeadows, only on the condition that you would stop pestering those officials.

Your Honour passed the two week trial period and stayed on. You were 17, had just completed secondary school, and you had gained entry to the Arts degree at La Trobe University, which you took on part time.

It was during this time that you met solicitor Peter Ward, of Galbally and O'Bryan. He would arrive at Broadmeadows in a taxi at ten to ten. He would tell the driver to wait knowing that you would almost invariably have him back in the cab and on his way by ten past ten. He is still grateful.

This talent for efficiency is something your colleagues note about you to this day.

While working at Broadmeadows Your Honour's views changed. You decided you did want to be a lawyer after all. You wanted to be able to do more to help the types of people you were



dealing with every day. You worked hard enough in your Arts studies to gain entry to the Law faculty at La Trobe.

It was during this period, while working and studying, that Your Honour also had your first child. Your determination to juggle work and family commitments is something Your Honour's colleagues mention frequently, and with great admiration.

After graduation, Your Honour joined Galbally and O'Bryan where you were articled to Peter Ward. You were admitted in 1997 and stayed on as an employee solicitor, working in the firm's crime department.

Mr Ward says Your Honour was extremely dedicated, that nothing was too much trouble. Your son Harry was often with you when you worked after hours or on weekends. Several people recount young Harry kicking the footy with Mr Ward in Galballys' corridors while Your Honour got to work.

In 2000, Your Honour joined the Public Defenders' Unit of Victoria Legal Aid, and in 2003 you were called to the Bar. By then, you had had your second child. Your colleagues remember you sitting in the back row of the Readers' course with your infant daughter, feeding her and trying to keep her quiet.

Your Honour read with Jim Montgomery, later Judge Montgomery of the County Court. Your time as a solicitor and as a registrar served you well as you built your practice in crime, while also having your third child.

Your Honour's colleague Jacinta Studham, with whom you worked at Galballys, says you took to appearances like a duck to water. Your Honour has appeared regularly in just about every type of matter the criminal law throws up – murders; gut-wrenching culpable driving matters; a spate of cases dealing with the deaths of children by shaking; drug, theft and assault matters; applications for intervention orders in family violence cases. You have represented notorious people, and some who have merely played notorious people on the small screen. More recently, Your Honour has appeared regularly in the Federal Circuit and Family Courts in parenting and property disputes.

One colleague describes Your Honour as "the queen of the pleas". You are known as a persuasive plea-maker, who is deceptively smart, practical, considered, and who reads the bench well.

In that regard, Tony Hargreaves, on learning of your appointment, stated that you would get results that no other barrister could get.

And I think that I know the reason why: you could correctly identify the issue in the case, and then focus upon that issue.

Your submissions were expressed in a sort, clear and no-nonsense matter, and judges trusted you.

Your pleas were "seductive" – as evidenced by at least three Crown Appeals against sentence in the Court of Appeal in which both you and I appeared for Respondents as the DPP tried to undo the fruits of your work.

One case exemplifies Your Honour's view of the system and your place in it. Your clients were a husband and wife accused of child sexual abuse. The victims were their own children. Your clients each received (lengthy) custodial sentences. After the sentencing the now-adult victims approached Your Honour and hugged you. They had been concerned that the defence might seek to unfairly malign them. You hadn't. While it is your belief that everyone is entitled to representation, you were amazed at this unexpected display of gratitude from victims who might naturally be expected to react to you with hostility.



This incident bears out much of what is said about Your Honour. Time and again you are referred to as fearless, but kind and compassionate.

Among comments from you colleagues; “She is the most instinctively kind person I have ever met”; “She has the great skill of empathy”; “She’s a very compassionate woman”; “She is one of the most loved people going round”.

It is noted that Your Honour has had a habit of picking up unrepresented clients on the run, whether or not they had the means to pay.

Your Honour’s motives have not always been altruistic though. Shopping and food have always been big factors in your professional decisions. Put simply, Moorabbin Magistrates Court means a trip to Southland; Ringwood Court leads to Eastland; appearances at Dandenong require a compulsory stop at the culinary establishment Dandy Cakes.

Your Honour is regarded as being fabulous company, on and off the dancefloor. The kindness and generosity you have displayed in your work is also a hallmark of your friendships. Those who are close to you are unstinting in their praise, and fiercely loyal to you.

More than one has observed that your appointment is a loss to the Bar but a great gain for the Court. And it can be said that all those present here this morning would make the same observation.

On behalf of the Victorian Bar, I wish Your Honour joy in your appointment and a long, satisfying, and distinguished service as a Magistrate of this Court.

May it please the Court.