IN THE DISTRICT COURT

OF NEW SOUTH WALES

THE CHIEF JUDGE

THE HONOURABLE JUSTICE D PRICE AM

AND THE JUDGES OF THE COURT

THURSDAY 16 FEBRUARY 2023

**SWEARING IN OF HER HONOUR JUDGE LARA GALLAGHER AS A JUDGE OF THE DISTRICT COURT OF NEW SOUTH WALES**

The Honourable M Speakman SC MP, Attorney General of NSW, on behalf of the NSW Bar Association

Mr B McGrath, Senior Vice President, Law Society of New South Wales, on behalf of solicitors

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(Commission read)

(Affirmations of office taken)

PRICE CJ: The affirmations of office will be placed in the Court archives as a record of this occasion.

Judge Gallagher, it gives me very great pleasure to welcome you to this Court. Your extensive experience, both in State and Federal criminal law, will serve you well as a Judge of this Court. On behalf of all the judges of the Court, I congratulate you and wish you all the very best in your judicial career. Mr Attorney?

SPEAKMAN: I begin by acknowledging the traditional custodians of the land on which we gather, the Gadigal of the Eora Nation, and pay my respects to their elders, past, present and emerging, and extend that respect to all Aboriginal people present today.

Your Honour, Judge Gallagher, it’s my great pleasure on behalf of our State and the Bar to congratulate you on your appointment as a judge of the District Court of New South Wales.

We’re joined in court today by your two children, Annabelle and Lachlan, your brother Andrew, sister Libby and their families and your Honour’s partner, Philip Strickland SC. Your late mother Judith and late father Noel will be sadly missed today.

Your Honour was born in 1967 in Sydney to Judith, a nurse, and Noel, a biochemist. You were the eldest child with Andrew and Libby following soon after. The family lived in St Ives Chase. Days were often spent at the nearby national park swimming and finding adventure. Evenings were spent around the dinner table as the Gallagher family had lively discussions about politics and world events. You were and still are very close to your siblings.

Your sister Libby describes you as the big sister who led the way. Libby says you were caring. She also says you were amazingly cool. She remembers you introducing her to music and clothes and every other new trend that caught your attention.

Music played a significant role in your childhood. Your mother Judy loved all kinds of music. Your own love of music meant many days wagging off school to go to see the latest band or artist with Nick Cave being a particular favourite. This wagging started off in high school. You attended St Ives High after going to St Ives Public School for your early education.

At high school your passion for creative arts flourished. You loved to read and to create art and starting developing your encyclopaedic knowledge of music. At this stage all the other subjects struggled to gain your attention.

After school you attended Macquarie University where you earned a Bachelor of Arts in Sociology and Women’s Studies. You excelled at university. Your sister Libby described you as driven, committed and focussed on your studies. It was around this time that your love of the law developed. This drive and this love were evident when you started studying law at the Barristers and Solicitors Admission Board while working part‑time. Libby remembers how compelling it was to witness you propel yourself through your studies while also working several jobs.

You gained a Diploma of Law in 1995 and then a Diploma of Legal Practice with distinction from the College of Law in 1996.

Work quickly followed. In 1996 and 1997 you were a legal clerk with the Office of the Director of Public Prosecutions, an organisation that would play a defining role in your professional life.

You spent over a decade in your next role with the Office of the Commonwealth Director of Public Prosecutions. As principal legal officer you conducted prosecutions for large scale drug importations, money laundering and fraud. Your supervisor at the CDPP, Joanne Philipson remembers you as hardworking and thoughtful as well as always immaculately dressed. She added, “Lara was probably the best person I’ve ever supervised”.

During this time at the CDPP you became a mother to Annabelle and then Lachlan. In 2008 you went to live in Warsaw with your then husband Steven and two very young children. While there you undertook further study, obtaining a post graduate degree in international law from the University of London.

Your return to work in 2012 took you to Singapore. Your first work role there was as a legal training consultant for an NGO called International Bridges to Justice. Your role focussed on capacity building by training prosecutors and legal aid lawyers in developing countries.

Your second role in Singapore was with the Australian High Commission. You worked as an investigative assistant to the Australian Federal Police and helped with the preparation of high level meetings between Singaporean officials and Australian law enforcement.

On returning to Australia in 2014 you re-joined the CDPP as Senior Federal Prosecutor. In this role you took carriage of prosecutions for serious offences including terrorism, drug and corporate crime.

In 2015 you left the CDPP and returned to the ODPP as a Level 2 Solicitor leading in several complex matters including the prosecution of police officers.

Two years later in 2017 you rose to Level 3 Solicitor and were responsible for the prosecution of 50 serious matters including homicide and historical sexual assault.

In under a year you became a Trial Advocate at the ODPP. You were briefed in 27 jury trials in 2018 and 2019. Work also included advice to the director on sufficiency of evidence, plea offers and proposals.

During your time as a Level 3 Solicitor and Trial Advocate you were a much desired mentor for younger staff.

In 2019 you were called to the Bar. You joined Maurice Byers Chambers where your practice focussed on criminal law, high risk offender matters, disciplinary matters, inquests and inquiries. Your colleagues there and everywhere you’ve worked have described you as unflappable. You’re always upbeat, always positive, always polite and all agree with Joanne Philipson, always the best dressed.

Younger female staff appreciate your dedicated mentoring and all cite your collaborative approach and your ability to ease tension as exceptional qualities. They counter these positives with one negative. Your music taste is stuck in the 1980s.

Music continues to play a significant part in your life. It’s your passion, your relaxation and sometimes your party flex. Your partner Philip has witnessed you on many occasions deeply critique a song or album with a professional muso at an event. Your knowledge and passion enthrals them and probably makes you the ultimate muso yourself.

So it’s lucky that your family adore music and the creative arts. Alongside her love of music, Annabelle is an avid reader who’ll be going to Melbourne next year for an Arts degree, and Lachlan is a hugely creative high schooler like you were.

You love being a mum. Your ex‑husband Steve and you are still very close and extremely proud of your children. You also love reading, with Hilary Mantel a favourite. You continue to create art like you did in high school.

Philip says that you’re an omnivore for experiences. You two met as opponents then worked together before starting a relationship in 2018. You both love sharing experiences with each other. You’ve joined Philip on adventure holidays in places to which you’d normally not go, and he’s joined you at gigs with bands he’s never heard of.

We’ve heard a few times that you’re a dedicated follower of fashion and the evidence is clear to see.

Your friends have said that you’re an amazing cook and an equally amazing friend. You love to laugh, you love to travel and there’s nothing you love more than going to the movies with Wes Anderson being on the top of your auteur list. It seems that what your sister said about you as a youngster still holds strong, you’re amazingly cool. Your friends, family and colleagues concur and predict that you’ll be an amazing judge. Libby cites your dedication and love of the law.

Your passion for the intellectual rigours of the law is clear, as is your humility and respect towards it. Joanne Philipson knows that you’ll bring a great energy to this role. Philip says that your diverse life experiences and life outside the legal profession will be essential. While married to the law these will bring a necessary balance to your courtroom. Everyone who brings matters before you will know that they’ll be heard, respected and dealt with fairly.

Your Honour, I offer my best wishes and those of our State and the Bar to you for your forthcoming career on the bench. May it please the Court.

PRICE CJ: Thank you, Mr Attorney. Mr Brett McGrath, Senior Vice President on behalf of the Law Society of New South Wales.

MCGRATH: May it please the Court. I too acknowledge the Gadigal of the Eora Nation, the traditional owners of the land on which this Court stands and pay my respects to their elders, past, present and emerging. I acknowledge and extend my respects to all Aboriginal people who are with us today.

Judge Gallagher, I am honoured to come before the Court on behalf of the solicitors of New South Wales to offer congratulations and wish your Honour well in your appointment to the District Court.

Your Honour is joined today by your partner, Philip Strickland SC, and your blended family of six, Olivia, Ed, Annabelle, Lachlan, Claudia and Saul, all of whom are proud to be celebrating your appointment today I am sure.

Law was not your first choice, however. In high school you hoped to become a writer or journalist and after you completed your HSC you enrolled in an Arts degree at Macquarie University majoring in Sociology and Women’s Studies.

Around this time you would speak regularly with a friend and neighbour, Jean Begg, who explained the injustices endured by Aboriginal people over the past three centuries. Jean’s conversations were informative and deeply inspiring and influenced you to look towards a career where your skills could be used to make a tangible difference in the lives of others.

Law was a very practical way to utilise what you had learnt so far so you enrolled in the LPAB course as we’ve heard and knew straightaway you had found the perfect fit for your career. While you studied you worked as a reporter for a private company, transcribing matters in various tribunals for the Bar Association. This would of course impact the path you would take in law later on.

So while you were doing your final months at the College of Law you applied for a short‑term entry level job at the New South Wales Office of Director of Public Prosecutions. This would count as a 24‑week practical component to your admission and you thought it might be interesting. That’s perhaps one way to describe it. In your first week your Honour instructed the legendary Barry Newport QC on a homicide trial. After the requisite six months of hard work and continual high interest you would be appointed a Principal Legal Officer at the Commonwealth DPP.

As we have heard your life took a turn in 2008 when you and your first husband would move to Warsaw and later Singapore for his first job. You spent your time in Europe earning your Graduate Diploma in International Law and in Singapore you took two very complex and interesting jobs, first at Bridges to Justice, an organisation that trains lawyers to legal aid in developing countries, and second with the Australian High Commissioner as an investigative assistant with the Australian Federal Police.

On your return to Sydney in 2014 you were able to return to your former role with the CDPP. As you gathered more experience and skills you were eager to try more varied work, so a year later you returned to the ODPP. The work was extremely interesting and you would eventually be appointed a Trial Advocate.

In 2019 you were called to the Bar and until just now have practised as a barrister. Your Honour has been heard in the District and Supreme Court on a wide range of criminal matters in the State and Federal jurisdiction as defence counsel or briefed by the Commonwealth.

Solicitors who have instructed you speak of you with admiration and fondness. Lauren MacDougall describes you as an absolute joy to work with and says,

“As many solicitors do when briefing a barrister for a first time, I gave her a few challenging clients to see how she handled it. Lara exceeded all expectations, carefully and patiently managing two clients who had probably the most ludicrous and untenable instructions I’d encountered in my career so far.”

She goes on,

“From the perspective of a solicitor Lara ticked all the boxes, clients like her, she does the work when she says she will, and she does it effectively. She makes time for lunch and a laugh. She is one of the handful of people I would ring in a crisis”.

Further, she says,

“Nervous defence and prosecution teams will cheer if they have the good fortune of having the listing officer announce they have drawn Judge Gallagher on a Monday morning. Why? Because she is kind, because she is open‑minded, she has the energy and the will to make a difference.”

Praise doesn’t come much higher than that.

The legal profession knows criminal law can be distressing and draining. A good practitioner relies on a strong network and a healthy life outside of the Court with downtime and hobbies.

Your Honour once again ticks all the boxes. Reading in your garden, fashion as we have heard, spending time with family and friends, listening to those 80s classics and watching great movies.

That’s where a careful observer might draw a parallel here. Your own life has a touch of drama, perhaps even that of a rom‑com. Your first marriage ended and you were suddenly a single mum. In a plot twist that would enchant us all, you met your partner Philip Strickland SC when you opposed him in a complex matter. The plot didn’t so much thicken as brought a sigh of relief. The court matter was discharged and you and Mr Strickland have gone on with your six children to enjoy that illusive happy ending.

Another instructing solicitor recalls a matter when you later juniored for Mr Strickland in a matter that was weighed down by huge tracts of evidence. The solicitor reports that not only did you work together brilliantly but it was very clear that you both admired one another’s work and were able to conquer that swathe of evidence to the satisfaction of the Court and your client.

Your Honour brings a dazzling range of skills and experience to the bench. You have also provided the solicitors of New South Wales with a sterling example of carving out the career you want and serving the community through your work.

On behalf of the solicitors of New South Wales, your Honour, I congratulate you on your appointment and wish you the very best in your career on the bench. May it please the Court.

PRICE CJ: Thank you Mr McGrath. Judge?

GALLAGHER DCJ: Thank you Chief Judge. I too acknowledge the Gadigal people of the Eora Nation, the traditional owners of land on which we meet and I pay my respect to their elders. I also pay my respects to the Aboriginal people in the room here today.

Chief Judge, Attorney General, Chief Justice, Judges, members of the profession, family and friends here in person and online, thank you very much for coming.

Thank you Mr Attorney and Mr McGrath for those very kind words.

The study and practice of law has been one of the central aspects of my life for nearly 30 years. It has given me a great deal of personal satisfaction and been the source of many enduring friendships as well as the family and friends I share with my partner Philip Strickland SC.

Many of our family and friends are here today in person and online and I thank you all for coming.

As you’ve heard I had no real ambition to be a lawyer as a child or really anything else while I was at school. I had some rather vague ideas about being a writer or a journalist but my real passion was rock and roll music of a very obscure and most particular kind.

Together with my dear friend Kate Butchart who flew from her holiday in Melbourne to be here today, we studied the New Musical Express closer than our textbooks and followed our favourite bands closer than the syllabus.

I’d always had an interest though in social justice and that was something that I think I inherited from my mum and dad from those dinner table conversations. But it wasn’t until my Arts degree, that I thought about the study and practice of law, and an important influence on me was our family friend, Jean Begg.

Jean was the mother of my childhood friend Soraya and I’m very happy to say that she and Suraya are both here today. During our many and long conversations, Jean told me about the injustices that had occurred to her people and that was something that inspired me to take up the study of law. Her son Steven also became a lawyer and worked for Judge Hopkins at the ALS.

My mum and dad were both kind and hardworking people who believed in the importance of education and that one’s work should benefit the greater good. My mother Judy was a patient and very attentive listener and my father Noel had a very keen and slightly wacky sense of humour. Those qualities, kindness, hard work, patience and good humour are qualities that I will bring to my duties as a Judge.

My brother Andrew Gallagher and my sister Dr Libby Gallagher and I have always been very close and I know my parents would be very proud of each of them, as I am.

Andy for the talented landscape gardener and devoted father, husband, brother and uncle that he is. Libby for all of her achievements as an award‑winning landscape architect, the contribution that she is making to mitigating the effects of climate change in our cities, and for being the loving and attentive sister that she is. Thank you both for being here today and for all of your love and support over the years.

While I enjoyed the study of law, it was at college that I first experienced the collegiality and friendship that has sustained my commitment to the profession and brought me so much personal satisfaction. At college I met my friend and later colleague Avni Djemal as well as the Senior Public Defender, Belinda Rigg who’s been an inspiration to me as she has to so many other people with her intelligence and her energy.

And it was at college that I saw that note on the noticeboard, no doubt it no longer exists, a noticeboard, inviting applications to work at the New South Wales DPP. I thought that sounded interesting, applied and very happily for me I was employed. And as you’ve heard in the very first week I was assisting Barry Newport QC in a murder trial. I was extremely enthusiastic, had many many questions that Barry patiently answered and he involved me as much as he could in the running of the trial and I was hooked.

In those six months I met a number of solicitors who continue to be my colleagues and friends including Jo Gallagher. We bonded over US fashion magazines that we had sent to the DPP and that bond about fashion and law has continued ever since. It was at the DPP that I also met Sarah Huggett, Judge Huggett for the first time and I thank her for her years of friendship and her warm welcome to this Court.

After those six months I moved to the Commonwealth DPP which was my home for 13 years in all, and really as much as a workplace could be home, the Commonwealth was for me. We worked extremely hard on some very interesting and challenging matters. Matters that became increasingly complex over the years. I worked for and with many fine solicitors and instructed many outstanding counsel, a number of whom are now my colleagues on this bench, or on the Supreme Court or the Federal Court.

I want to pay particular tribute to two barristers that I briefed a number of times, Peter Neil SC and David Stehli SC. I have endeavoured to emulate their integrity, fairness, composure and eloquence in my own advocacy. No doubt I’ve come nowhere close to it, but to me they were the exemplifiers of good counsel.

There are so many people whose friendship and support I enjoyed at my time at the Commonwealth DPP but I just want to thank four of my managing lawyers whose support and friendship I so value. The late great Julie Shouldice, David Moorhouse, Joanne Philipson and the Deputy State Coroner, Liz Ryan. And it was at the CDPP that I met Judge Gina O’Rourke SC and I thank her for her many years of close friendship and her warm welcome to this Court.

While I was at the Commonwealth DPP and working in the Local Courts primarily, but as well as the District Court, I realised that my opponents at Legal Aid, ALS and in private practice were also my colleagues and many of them became my friends as well, including the President of the Bar Association, Gaby Bashir SC, Ragni Mathur SC who was later my colleague in Maurice Byers, David Carroll and Rebekah Rodger.

In 2001, I met and married Steve Bullock. We had Annabelle in 2004 and Lachie in 2006. Thanks to the hard work and dedication of the men and women who came before me at the Commonwealth, I was able to work part‑time while the children were young, as well as to have interesting work. I was lucky to work in an organisation that not only allowed me to balance my family and working responsibilities but to thrive in my working life.

In 2008, Steve, the children and our dear cat George moved to Warsaw where we lived for three years. We then moved to Singapore in 2011 and lived for another three years. They were, on the whole, very happy years although not without the challenges when living far from home. I studied and worked, I learnt some Polish, a very little bit, we travelled extensively and made friends from all over the world. Our family expanded when we got Claude, our lovely, sweet bulldog.

In 2014, the children, Claude, George and I returned home to Australia and while my marriage to Steve ended, our friendship continued and I am very pleased that he is here today with his lovely wife Wenny. I thank Steve for all of his support over many years. We remain family and I am grateful that your family is my family. Thank you, Martin and Joy, Caroline and Helena for your enduring love and support and for being here today.

On my return to Australia in 2014, after six years out of day‑to‑day practice, I went back to work at the Commonwealth DPP. I will always be grateful to the then Deputy Director, Ellen McKenzie and the then Director, now Justice Robert Bromwich for making that possible after six years away.

I had been fortunate to work in the profession at a time when experience away from day‑to‑day practice was not seen as a liability but as an asset, and I will bring everything I learnt from those years abroad, about being a long way from home when I preside in a court which for most people is a new experience.

In late 2015, I returned to the New South Wales DPP and by that time I had decided to fulfil my very long‑term ambition of going to the Bar. They were busy years looking after the family, working full‑time and studying for the Bar exams.

My children, Annabelle and Lachie, were extremely patient with all of the time that I was devoting to work and study and I thank you both for that. Thank you, Annabelle too, for your thoughtfulness and Lachie, for always keeping me laughing. And thank you both, for indulging me in repeated watching of my favourite films by Wes Anderson and Woody Allen.

In 2017, I was appointed a Trial Advocate at the ODPP and I worked at the Parramatta office. I had a very busy trial practice and was greatly assisted by my colleagues at Parramatta, many of whom became friends. I am very pleased to be starting my judicial career at Parramatta where I have such happy, hardworking memories.

It was at Parramatta that Craig Everson SC, made the fateful decision to brief me in a trial against Philip Strickland SC. When I tell the story of how we met most people ask me, “who won?” I say I did. The reality is the matter was vacated and re‑briefed, but, in reality, we both won.

Thank you, Philip for all of your love, your patience and your support. I could not have wished for a more caring partner and stepfather and I am so grateful to have your mum Jan, your aunt Judy and your four children as part of my family and my life, Olivia, Edward, Claudia and Saul, two of whom are here today. Thank you Liv, for your warmth and your curiosity. To Claudia, for your sweet sunny nature. Ed is sick unfortunately, but I thank him for his easy going charm and his dry wit. And Saul who’s ten, for giving us so much fun, which is the reason he’s not with us here today. Our treasured niece Hannah is also here today and thank you Hannah for all of your creativity and enthusiasm.

In 2019, I finally achieved that long‑term ambition of becoming a barrister, practising first with Sir Owen Dixon Chambers and then at Maurice Byers Chambers. I absolutely loved my time at the Bar. Again, not just because of the interesting and challenging work that I had but because of the friendship and support of my colleagues both on the floors and across the profession.

I want to pay particular tribute to Lester Fernandez, who was my mentor as part of a program run by the New South Wales Bar Association. Thank you Lester, for all of your generosity and time. You exemplify the collegiality of the Bar.

I was fortunate to junior some outstanding silks, each of whom I learnt a great deal from, John Stratton SC, the late Brad Hughes SC, Matt Johnson SC, Sophie Callan SC and of course Philip Strickland SC. Phil was bought into a case that I was briefed in to appear in a trial and quite a few of our friends thought we were absolutely mad to be working together. But in fact, we work together very well and working with Phil on that trial was one of the highlights of my professional life.

I was also fortunate to junior my friend, Avni Djemal in a long trial. I learnt a lot from Avni, particularly his skilled and sensitive approach to the cross‑examination of victims and I thank him for his friendship.

When I joined Maurice Byers Chambers 12 months ago, I already had a lot of friends on the floor, but I leave with many more. Thank you to all of the barristers, to the clerks and to Margaret Bancroft for your warmth and generosity on the floor.

In my time at the Bar, I continued to prosecute for both the Commonwealth and the State, as well as the Crown Solicitors Office and Legal Aid and I want to thank all of the dedicated and talented government lawyers who I have been instructed by. Thank you for your tireless service you give to the people of New South Wales, including the sensitivity you bring to dealing with complainants, victims and their families.

The work I did representing accused people and offenders has been incredibly rewarding work, in part because I have been instructed and assisted by so many talented and dedicated solicitors. I want to thank those, in particular, who entrusted me with the defence of their clients when I was very new to defence work. Really too many to name, but I am going to name a few. Thank you to Phil Weatherall, Sarah Hedberg, Sarah Kahn, Aisha Lopez, Lauren MacDougall, Carly Hydes, Karen Espiner, Carol Younes, Alex Cao and John Laxon.

I am honoured and grateful to be given the privilege to be appointed to this Court. I have appeared before many of the judges and they have inspired me with their fairness, good judgment and courtesy.

I wish to thank four in particular for their encouragement in my aspiration to become a judge; Justice Yehia, Justice Sweeney, Judge Hunt and Judge McGrath.

I thank the Chief Judge and the judges of this Court, as well as all of the staff for their very warm welcome to the Court.

I will do my very best to be the very best judge that I can be.

PRICE CJ: Thank you, Judge.