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CRIMINAL LAW JOURNAL

PROFESSOR THE HONOURABLE KATE WARNER AM

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In December 2014, it was announced by Buckingham Palace and by the Premier of Tasmania (Hon. W.E. Hodgman MP) that Professor Kate Warner would assume office as the Governor of Tasmania with effect from 10 December 2014. Her commission was issued under the Royal Sign Manual and the Public Seal of Tasmania.

She is the first female Governor of Tasmania. She succeeded the Hon. Peter Underwood AC, past Chief Justice of the State, who died in office on 7 July 2013. She is the 28th Governor of Tasmania since 1856. Prior to that, from 1804, there were Commandants and Lieutenant-Governors, acting under the Governor of New South Wales. The name Tasmania replaced that of Van Diemen's Land in 1856, following self-government. Van Diemen's Land was the name originally given to the island by the Netherlands. The Van Diemen's Land colony was established as a British penal settlement arising substantially out of the operation of criminal law and judicial sentencing: ironically the new Governor's special fields of expertise.

Professor Warner has had a long connection with this Journal and the companion service, *The Laws of Australia* (TLA). At the time of her appointment she was the sentencing editor of this Journal, a post she had held since 2006. She first joined the Journal's editorial team in 1984 (vol. 19), as an assistant editor. Her first article in this Journal, on new rape laws, had been published in (1983) 7 *CrimLJ* 245. In all, she published many important papers, including 18 "sentencing reviews" since 1998. With TLA she served from 1996 as a leading contributor to the subtitles on criminal sentencing and sexual offences.

It is rare, but not unknown, for an academic to be appointed to vice-regal office in Australia. Sir Zelman Cowen (one-time Dean of Law at the University of Melbourne)

served as Governor-General of Australia between 1977–82. Similarly, Dame Quentin Bryce, who was Governor-General of Australia between 2008-2014, served as the first female member of the academic staff at the Law School of the University of Queensland (1968-82). Amongst State governors, Professor Gordon Reid, an academic in the field of political studies, served as Governor of Western Australia (1984-89). More recently, Professor Dame Marie Bashir, who was Governor of New South Wales (2001-2014), served as clinical professor in psychiatry at the University of Sydney, where she was later to be elected Chancellor (2007-2012). Academics have proved highly successful and popular in their vice-regal service in Australia.

Professor Warner was educated at St. Michael's Collegiate School (Hobart), which was formed in 1892 on the initiative of Bishop Montgomery, father of the later Field Marshall, Viscount Bernard Montgomery of El Alamein. Professor Warner received her university education at the University of Tasmania, where she graduated as Bachelor of Laws (with honours) and later Master of Laws. She was admitted a barrister and solicitor by the Supreme Court of Tasmania. She joined the staff of the Law School of the University of Tasmania, and quickly rose to be Dean (1992-94) and Head of School (1994-97). The University conferred on her the title of Professor in 1996. She was a serving member of the Faculty at the time of her appointment as Governor.

In addition to her work in academia, Professor Warner served on a number of public bodies in the State. In 2001 she was appointed Foundation Director of the Tasmania Law Reform Institute. In the same year she became a member of the Tasmanian Gaming Commission. In 2007 she was elected a Foundation Fellow of the Australian Academy of Law.

In addition to her scholarly work for this Journal and for TLA, Professor Warner has written a number of important texts, including *Sentencing in Tasmania*, (1991) (2nd ed. 2002) and *Tasmanian Criminal Law: Text and Cases* (with J. Blackwood) (2006). In press at the time of her vice-regal appointment was her regular contribution "Sentencing Review". See (2014) 38 *CrimLJ* 364. In this article, she followed her already well established approach. She reviewed important recent decisions on sentencing in the High Court of Australia, including *Barbaro v The Queen* (2014) 88

ALJR 372. Then, in writing on the wave of State “coward punch” laws, she pulled no punches of her own. She declared that they bore “the hallmarks of penal populism”.

Professor Warner is married to Richard Warner and they have two daughters. Their official residence, Government House, is located in the Queen’s Domain, close to the city of Hobart. It commands a majestic outlook to the Derwent River and the surrounding Royal Botanical Gardens. She carries with her into office the admiration and good wishes of her colleagues and students and particularly of her friends in this Journal.

M.D. Kirby