

Appointment of Justice Jane Paingakulam

to the Industrial Court of New South Wales and as Deputy President of the Industrial Relations Commission of New South Wales



Colin Magee
Greenway Chambers

On 18 July 2024, a welcome ceremony marked the appointment of Justice Paingakulam as Deputy President of the Industrial Relations Commission of New South Wales and as a justice of the Industrial Court of New South Wales.

In attendance were members of her Honour's family and friends, the Attorney General, eminent members of the Bar and the broader industrial community, and a spectrum of judicial colleagues, including former justices of the Industrial Court of New South Wales. Notably, her Honour was joined at the ceremony by the Hon Justice Robert Beech-Jones of the High Court of Australia, the Hon Andrew Bell, Chief Justice of New South Wales, and the Hon Justice Julie Ward, President of the Court of Appeal. Her Honour's twin sister, Lisa, and her husband were also in attendance. Her parents, Joseph and Robyn, watched the ceremony from Merimbula.

The President of the Industrial Court, Justice Taylor, expressed his pleasure at Justice Paingakulam's acceptance of such a significant public service role and highlighted her Honour's esteemed reputation as a pre-eminent criminal barrister. Justice Taylor noted that the resurrection of the Industrial Court, coinciding with the return of the Work Health and Safety jurisdiction to the Court, underscored the importance



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of having someone with her Honour’s expertise and experience on the Bench. Justice Taylor remarked:

Your commitment to public service has been evident through your practice at the Bar, representing the most disadvantaged in our society before this state’s highest criminal appellate court, often through Legal Aid.

Justice Taylor praised her Honour’s values, good sense, humour and intellect, expressing his eagerness to work together in the coming years.

The Attorney General also addressed the gathering and congratulated Justice Paingakulam on behalf of the government, the people of New South Wales and the New South Wales Bar. He noted that her Honour’s unwavering focus on the crucial importance of upholding standards and fostering professional excellence had left a lasting impact on the organisations she has served and the people she has served with, and that a love of community and people is one of the foundations of her life.

Her Honour was born in Mackay, and her early years were marked by frequent moves across the state, including stints in Sydney and Trundle, in western New South Wales, before settling in Merimbula. Justice Paingakulam’s primary education was in Merimbula, before she attended Abbotsleigh as a boarder for her secondary schooling. She was a diligent child who strictly adhered to the rules. Despite the challenges of moving away from her tight-knit family, her determination and hard work paid off; she excelled academically and placed in the top 10 of the state for her HSC. Despite her initial desire to pursue an arts degree, she struck a compromise with her parents and

pursued a combined arts and law degree at the University of Sydney, where she fully immersed herself in the world of law.

Her Honour’s career in the law has been characterised by great variety. Her initial role was with the Refugee Review Tribunal, where she rotated through various departments, honing her skills and acting as an officer in tribunal hearings. Her Honour was admitted as a solicitor in 1996 and did a brief stint in private practice.

Justice Paingakulam’s desire for public service led her to the Office of the Employment Advocate, where she discovered her love for law enforcement. She later joined ASIC, advancing to senior lawyer and acting as National Manager of Enforcement. Her work included significant investigations into criminal matters such as fraud, market manipulation and insider trading. During her time at ASIC, she also joined the APEC 2007 task force on secondment, playing a pivotal role in planning and executing the APEC forum.

Following her time at ASIC, Justice Paingakulam joined the Australian Public Service Commission (APSC). ‘I loved, loved, loved this job,’ she said, particularly valuing the opportunity to work with Lynelle Briggs, the APSC Commissioner. Starting as the New South Wales Regional Director, she managed operations supporting APSC agencies in Sydney and later became Group Manager of the Regional Services Group in Canberra. Her tenure at APSC was marked by leading investigations into significant whistleblowing cases, emphasising integrity and accountability within the public service, and earning her the Australia Day Medal for Public Service.

While in the ACT, Justice Paingakulam decided to pursue a career at the Bar, noting

that ‘life is too short to live in Canberra’. Her transition was swift; she decided to become a barrister one Thursday morning, enrolled for the Bar exam the following Monday, and passed after three months of intense study. Her career as a barrister began at Frederick Jordan Chambers in 2009. Her Honour then practised at Denman Chambers from 2013 to 2023 and concluded at Sir Anthony Mason Chambers.

Her practice was predominantly criminal, appearing for both prosecution and defence in various courts, including the Local Court, District Court, Supreme Court, Court of Criminal Appeal and the High Court. Her work in these courts was exemplary, and she was known for her immense skill and unwavering determination.

Justice Paingakulam’s work for Legal Aid NSW was particularly meaningful, advising and advocating for those in need and making a real difference in their lives. Her colleagues admired her willingness to help, and many benefited from her open-door policy. Her persistence and dedication shone through.

Her Honour also developed a work health and safety practice that, combined with her criminal practice, will stand her in good stead for the task of managing the Industrial Court’s work health and safety jurisdiction.

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As the legal fraternity welcomes Justice Paingakulam to her new role, her journey serves as an inspiration, reflecting the values of dedication, service and excellence that define the judiciary.

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