

## **Eulogy: Rosemary Monaghan**

### **CHIEF EMPLOYMENT COURT JUDGE GRAEME COLGAN\***

I have known Rosemary as a lawyer and, more recently, in my role as a Judge of the Employment Court where I got to assess, critically, some of Rosemary's work. I also had frequent informal but professional dealings with Rosemary about matters of common interest in employment law. I am speaking not only on behalf of my current fellow Judges of the Employment Court, but also of the now former Judges of the Court.

As I have said, in many ways, my professional relationship with Rosemary was rather like being an examiner marking her exam papers but without any end to that role in sight. Rosemary was the eternal student sitting exams and I, and my colleagues, the eternal markers of those exam papers. I know also that, as Chief of the Employment Relations Authority, Rosemary had a job that is sometimes described as 'herding cats', with the cats being the individual and independent judicial decision makers on the Authority. Rosemary herded her cats and kept them as well contained, albeit temporarily, as any musterer could have done.

Rosemary was, in all things, professional and discreet. In discussing a problem or a difficult issue, Rosemary always anonymised the participants so that it remained an issue of principle and not of personality. Rosemary took professional criticism professionally although I have to say it is difficult to find much for which to criticise her in her important work as an Employment Relations Authority Member. Rosemary was both objective and sensitive to human frailties. She was unafraid to make what might be perceived as unpopular decisions, but expressed them always in a way that left the participants with their dignity intact. These were all judicial qualities and, I suspect, ones influenced by, if not inherited from, Rosemary's late father, District Court Judge Gerrard Monaghan.

Rosemary was a 'proper' person, not in a conventional or fusty sense but one who knew instinctively what was the right thing to say at the right time, how to say it, and to whom. 'Proper' has its place in the world in which Rosemary and I operated and, in my view, she got it just right. She was also committed to improving the quality of Employment Relations Act decision making through her own leadership by example and through continuing education for her colleagues. Two of my colleagues, Judges Christina Inglis and Tony Couch, have spoken warmly of working closely with Rosemary on continuing professional programmes.

In our different ways, we will all miss Rosemary enormously but I know that her legacy to employment law and employment relations will long endure. If others of us do as well as Rosemary did, we will indeed have succeeded.

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\* Chief Employment Court Judge Graeme Colgan, chief Judge's Chambers, Employment Court.