

## Forthcoming events

### Visit by Professor Eleanor Fox

The Academy is fortunate in having an opportunity to hear Professor Eleanor Fox speak in Sydney on Monday 8 August 2016.

This opportunity came up recently and unexpectedly, and Fellows in Sydney have already been advised of it and sent the flyer referred to below.

Professor Fox is the Walter J Derenberg Professor of Trade Regulation at New York University School of Law and will be visiting Australia to deliver the Baxt Lecture for the University of Melbourne and as a special guest at the Law Council of Australia's Business Law Section's Competition and Consumer Law Workshop in Sydney. The Academy and the Business Law Section of the Law Council of Australia are delighted to co-sponsor a presentation by Professor Fox (on the eve of her departure for her return trip to the USA).

**Attached** is a flyer for the event. It gives the RSVP details.

Of course, all Fellows are invited to attend, although it is appreciated that it may be that only members in Sydney will be able to do so.

Fellows are invited to bring to the event lawyers who have a special interest in competition law

The Academy is indebted to Norton Rose Fulbright for their generosity in hosting the event.

### Event in Cambridge at 6:30pm for 7 PM on Sunday 11 September 2016

Fellows will recall from reading previous Newsletters that the Academy will be holding its first overseas event in Cambridge, England on the evening of Sunday 11 September 2016.

This will be an informal meeting of Overseas Fellows and other Fellows who will be visiting

Cambridge for the Public Law Conference in the following week.

Deputy President, Justice Alan Robertson, has the associated arrangements in hand.

The event will take the form of a reception and dinner at the Hotel du Vin Cambridge, 15-19 Trumpington Street, Cambridge. Our Patron, Chief Justice French, who will be speaking at the Conference the following week, will be attending.

Overseas Fellow, Desmond Browne QC, will speak at the dinner.

It may be that in addition to members who will be attending the Public Law Conference, others will be in England at the time and would be interested in attending the dinner. I would warmly encourage you to do so—it promises to be a most enjoyable evening.

The person to contact as soon as possible is Justice Alan Robertson at [Justice.Robertson@fedcourt.gov.au](mailto:Justice.Robertson@fedcourt.gov.au)

## State and Territory events for 2016

### Queensland

**Attached** is a flyer for the annual AAL event in Queensland.

It is to be held on Monday 24 October and the speaker will be the Hon Justice Margaret McMurdo AC, President of the Queensland Court of Appeal.

The topic of Justice McMurdo's address will be *"The Court of Appeal: the First Twenty Five Years"*.

As in previous years, the event will be held in the Banco Court, Level 3, Queen Elizabeth II Courts of Law, 415 George Street, Queensland.

The annual Academy event in Queensland is always a highlight in the Academy's calendar, and Fellows are encouraged to attend and to encourage others to do so.

## Northern Territory

The Sixth Annual Austin Asche Oration in Law and Governance, sponsored jointly by the Academy and Charles Darwin University, will be held in Darwin on Tuesday 11 October 2016.

The speaker will be the Hon Marilyn Warren AC, Chief Justice of Victoria, whose topic will be *"Young people in detention: impacts, progress and alternatives"*.

As in previous years, the Northern Territory event will be held in the Nitmiluk Lounge, Level 4, Parliament House, Darwin.

A flyer for the event is **attached**.

This event too is always a great success.

Fellows of the Academy in Darwin are encouraged to attend and to invite others to do so.

## South Australia

The Academy event in Adelaide will be held on Thursday 24 November and the speaker will be the Hon Justice Marcia Neave AO.

Detailed planning is in train and a flyer will be enclosed with the next Newsletter.

## Western Australia

As advised in previous Newsletters, the speaker at the Western Australian event will be Professor Lawrence Watters.

It is expected that Professor Watters's presentation will take place early in September. The Western Australian Organising Committee will confirm the date.

Further details were given in previous Newsletters.

It is hoped that a flyer will accompany the next Newsletter.

## New South Wales

The Patron's Address will be held in the Banco Court of the Supreme Court of New South Wales,

Law Courts Building, Sydney on Tuesday 18 October 2016.

The speaker will be Mr Justin Gleeson SC, Solicitor-General for the Commonwealth, whose topic will be *"The Increasing Internationalisation of Australian Law"*.

A flyer will accompany the next Newsletter.

## Victoria

The Academy's event in Victoria will be a symposium to be held in about late October. The topic will be *"The Impact of Scientific Development and Design on the Future Practice and Development of the Law"*.

The event will be held at the Supreme Court of Victoria.

A flyer will accompany a future Newsletter.

## Australian Capital Territory and Tasmania

Members will recall that both of these events for this year have already been held.

## Relocation of Secretariat

The Board of Directors accepted my recommendation that the Academy's Secretariat be relocated from the ANU College of Law to the Principal Registry of the Federal Court in Sydney.

There have been disadvantages in having the President and the Secretariat located in different cities, and they have increased as the activities of the Academy have expanded. Even after I cease to be President, the presence of the Federal Court in all capital cities would offer some advantages to the President for the time being, wherever he or she might be located.

For myself and on behalf of the Board of Directors, I would like to thank the ANU College of Law, its Dean, Professor Stephen Bottomley, and the secretariat, presently Lisa O'Farrell, for their considerable assistance and support over the years.

Lisa's successor in handling the day to day requirements of the Academy will be Claire

Hammerton of the International Programs Unit within the Federal Court's Principal Registry on Level 16, Law Courts Building, Queen's Square Sydney. On behalf of all Fellows, I welcome Claire into her new role.

### Annual essay prize

As at the closing date for expressions of intent to enter, 30 June, there were more than 50 such expressions of intent.

The closing date for entries for the Academy's annual essay prize is 31 August.

The Judging Panel this year will be Professor William Gummow AC QC, Professor Rosalind Croucher AM, and Mr Michael Murray.

### New members

On behalf of the Academy and its members, I am pleased to extend a warm welcome to the following

lawyers who have become Fellows at the Board's invitation since the last Newsletter:

Emeritus Professor Robyn Creyke  
Professor John Stumbles  
The Hon Justice Debra Mortimer  
Ms Kristen Walker QC  
Dr Stephen Donaghue QC  
The Hon Justice Clyde Croft  
The Hon Justice Patricia Bergin



Kevin Lindgren  
President  
[kevlindgren@gmail.com](mailto:kevlindgren@gmail.com)

0414 914 827



## “Through the competition window—reflections on globalization”

Monday 8 August 2016 5.30–7.00pm

Presented by the Australian Academy of Law and the Law Council of Australia (Business Law Section)

Where? Norton Rose Fulbright, Level 18, Grosvenor Place, 225 George Street, Sydney



**Eleanor M. Fox** is the Walter J. Derenberg Professor of Trade Regulation at New York University School of Law. Before joining the faculty of NYU Law, Fox was a partner at the NY law firm Simpson Thacher & Bartlett. She has served as a member of the International Competition Policy Advisory Committee to the Attorney General of the US Department of Justice (1997-2000) (President Clinton) and as a commissioner on President Carter’s National Commission for the Review of Antitrust Laws and Procedures (1978-79). She has advised numerous younger antitrust jurisdictions, including South Africa, Kenya, Egypt, Tanzania, The Gambia, Indonesia, Russia, Poland and Hungary, and the common market COMESA.

Fox received an honorary doctorate degree from the University of Paris-Dauphine in 2009 and received an inaugural Lifetime Achievement award in 2011 by the *Global Competition Review* for “substantial, lasting and transformational impact on competition policy”. Her books include *The Design of Competition Law Institutions: Global Norms, Local Choices*, with Michael Trebilcock (Oxford 2013), *US Antitrust Law in Comparative Context, cases and materials* (3rd ed. West/Reuters 2012), and books on European Union law and on developing countries and competition.

**In this presentation Professor Fox will consider globalization issues from the window of competition law and policy, reflecting on systems of globalisation, our aspirations for a high level competition agreement in the 1990s in the context of the WTO, and, in the more nationalistic and cautious world today, our more modest aspirations linked to practical projects for coherence and soft norms.**

Professor Fox is visiting Australia to deliver the Baxt Lecture for the University of Melbourne and as a special guest at the Law Council of Australia’s Business Law Section’s Competition & Consumer Law Workshop in Sydney. The Australian Academy of Law and the Law Council of Australia are delighted to be able to include this presentation by Professor Fox as part of her busy itinerary.

**RSVP by Friday, 5 August 2016**

To: Renee Sorras at Norton Rose Fulbright on [renee.sorras@nortonrosefulbright.com](mailto:renee.sorras@nortonrosefulbright.com) or +61 2 9330 8680

*This event may count as MCLE/CPD points*

**AUSTRALIAN ACADEMY OF LAW PUBLIC LECTURE**  
**THE COURT OF APPEAL:  
THE FIRST 25 YEARS**



**JUSTICE MARGARET McMURDO AC**

President, Queensland Court of Appeal  
Fellow of the Australian Academy of Law

<b>CHAIR</b>	Justice James Douglas Judge, Supreme Court of Queensland
<b>WELCOME</b>	The Hon Dr Kevin Lindgren AM QC President, Australian Academy of Law
<b>VOTE OF THANKS</b>	Professor Bee Chen Goh Southern Cross University
<b>WHEN</b>	5.15pm for 5.30pm Monday 24 October 2016
<b>WHERE</b>	Banco Court Level 3, Queen Elizabeth II Courts of Law 415 George Street, Brisbane

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Refreshments will be served after the lecture

**REGISTRATION DETAILS**

Please allow plenty of time to pass through security.  
BAQ and QLS attendees are eligible to claim 1 CPD point.

This public lecture is free to attend but attendees must register and numbers are limited.

<b>RSVP</b>	Monday 3 October 2016
<b>EMAIL</b>	<a href="mailto:kerry.harkins@justice.qld.gov.au">kerry.harkins@justice.qld.gov.au</a>
<b>PHONE</b>	07 3247 9170
<b>FAX</b>	07 3229 4364

The Australian Academy of Law ([www.academyoflaw.org.au](http://www.academyoflaw.org.au)) is a broadly-based body comprising individuals of exceptional distinction in the discipline of law who are committed to the advancement of that discipline and to justice according to law in Australia. A distinctive feature of the Academy is that its Fellows, and therefore the Academy itself, provide a "bridge" that links, indeed unites, the judiciary, academia and the practising profession through shared values and objectives.

# Sixth Austin Asche Oration in Law and Governance

## Young people in detention: impacts, progress and alternatives

**Tuesday 11 October 2016** 5 – 7 pm

**Nitmiluk Lounge** Level 4, Parliament House, Darwin

**The Honourable Marilyn Warren AC** Chief Justice of the Supreme Court of Victoria



Around 20 years ago, the Australian Law Reform Commission and the Human Rights and Equal Opportunity Commission were tasked by the then federal Attorney General Michael Lavarch with investigating the experience of children and juvenile offenders in the Australian justice system. Amongst the findings in the Commissions' 1997 report was the comment that due to their 'heightened vulnerability to physical and emotional harm and different perceptions of time' detention could result in harm to children, creating 'serious social and developmental consequences'.

At that time the report noted that a number of Australian jurisdictions, including Queensland, Western Australia and the Northern Territory, had enacted legislation adopting a punitive rather than rehabilitative approach to juvenile sentencing. By way of example, it pointed to the Northern Territory's system of mandatory imprisonment for young offenders who had committed more than one property offence. The report noted the Commissions considered such mandatory detention arrangements violated significant international and common law norms and recommended the systems be repealed. Four years later, the provisions were repealed by the Northern Territory government. Unfortunately, other jurisdictions took longer.

There has been a real development of our national awareness of the issues at stake in the detention of children. Yet despite the improvements, currently on an average day 883 young people will be in juvenile detention across Australia, an increase on the figures at the time of the Commissions' report. To continue our progress, the time is ripe to delve back into the research into the effects of detention on children, Australia's response to those issues, and the wisdom we can seek from other jurisdictions.

**Chief Justice Marilyn Warren** was appointed as Chief Justice of the Supreme Court of Victoria in November 2003, having been first appointed as a judge of the Court in 1998. She is the longest-serving of all current Australian Chief Justices. The Chief Justice is a graduate of Monash University. She is also the Lieutenant-Governor of Victoria.

**RSVP by Friday 7 October 2016:**

E [CDUEvents@cdu.edu.au](mailto:CDUEvents@cdu.edu.au)  
T 08 8946 6554

*This event may count as MCLE/CPD points.*