

Welcome to the second Newsletter for 2022.

## Personalia

Please join me in warmly congratulating **Justice Andrew Bell** and **Justice Julie Ward** on their recent appointments.

The President of the New South Wales Court of Appeal, **the Honourable Justice Andrew Bell**, has been appointed to be the next Chief Justice of New South Wales. He will be sworn in as Chief Justice on 5 March 2022.

**The Honourable Justice Julie Ward**, the Chief Judge in Equity, has been appointed as President of the New South Wales Court of Appeal.

## Vale

I note with sadness the death of **The Hon Margaret Stone AO**, a Foundation Fellow of the Academy. She taught law at the University of New South Wales for many years and became a partner at Freehills in 1993, where she worked in the areas of commercial property, infrastructure development, commercial financing, and taxation. She was a judge of the Federal Court of Australia from 2000 to 2012. Thereafter Margaret Stone was a Judge in Residence at the Melbourne Law School and a Visiting Professorial Fellow at the University of NSW. She served for two years as Australia's Independent Reviewer of Adverse Security Assessments. Margaret Stone was appointed as Inspector-General of Intelligence and Security for a five year term on 24 August 2015, concluding her term on 23 August 2020. She died on 1 September 2021.

## Forthcoming events

**Tuesday, 8 March 2022, 6 PM AEDT**

**Senior trial judges from England and Australia speak about judging**

The distinguished panel will discuss important aspects of judging in practice. The topics to be

covered include: finding facts; decisions on the papers; writing judgments; case management; closed hearings; and ex tempore judgments. **Sir Ross Cranston QC**, Professor of Law at the London School of Economics and a former judge of the High Court, Queen's Bench Division, will be the Chair.

The speakers from England will be:

**Lord Justice (James) Dingemans**, Vice-President of the Queen's Bench Division. He has been heavily involved in the Commonwealth Magistrates and Judges Association and the Commonwealth Lawyers' Association



**Mrs Justice Cheema-Grubb**, a High Court judge and Senior Presiding Judge on the South-eastern Circuit. Dame Bobbie was Senior Treasury Counsel prior to her appointment, prosecuting heavy crime

**Mrs Justice Cockerill**, a High Court judge and the Judge in Charge of the Commercial Court. Dame Sara is a noted medieval historian, the author of *Eleanor of Castile* (2014) and *Eleanor of Aquitaine* (2020)



The speakers from Australia will be:

**Justice Julie Ward**, Chief Judge in Equity of the Supreme Court of New South Wales since 2017, having been appointed to the Supreme Court in 2008. Justice Ward has recently been appointed President of the New South Wales Court of Appeal



**Justice Susan Kenny AM**, the senior puisne judge of the Federal Court of Australia having been appointed to that Court in 1998. She was formerly a judge of the Court of Appeal, Supreme Court of Victoria



**Justice Katrina Banks-Smith**, a judge of the Federal Court of Australia having been appointed to that Court in 2018. She was formerly a judge of the Supreme Court of Western Australia



The flyer is [here](#) Please [register](#).

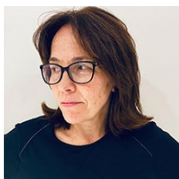
**Thursday 24 March 2022, 6pm-7.15 PM, Melbourne**

The Event Organising Committee for Victoria has put together its first panel discussion for 2022. The topic will be: 'The Legal and Ethical Regulation of the Internet of Things.'

The Internet of Things (IoT) is the interconnection via the internet of computing devices embedded in everyday objects, scanners, sensors, etc. that exchange data with each other. Privacy issues arise as well as informed consent and data protection.

The panel will be:

**Professor Jeannie Paterson**, Professor of Law at the University of Melbourne and co-director of the Centre for AI and Digital Ethics.



**Professor Lee A. Bygrave**, professor at the Norwegian Research Center for Computers and Law, attached to the Department of Private Law, University of Oslo.

**Dr Simon Coghlan**, a senior research fellow in the Centre for AI and Digital Ethics and the School of Computing and Information Systems at the University of Melbourne.



**The Hon Pamela Tate SC** will chair the event.

The event will be Online and at Court No 1, Federal Court, 305 William Street, Melbourne (restrictions permitting). The flyer is [here](#). Please register [here](#).

**Thursday 31 March 4:15pm (Perth time), 6:15pm (Brisbane time), 5:15 PM (AEDT)**

Online Seminar: Has COVID-19 revived Australian federalism? What does federalism look like after the pandemic?

**Professor Nicholas Aroney** (University of Queensland) will talk about decision-making in a

public health crisis and **Professor Alan Fenna** (Curtin University) will reflect on whether we are seeing a revival of federalism in Australia.

The chair will be **Professor Sarah Murray**, University of Western Australia Law School, Law Reform Commission of Western Australia

The flyer is [here](#). Please [register](#).

**7 April 2022, Banco Court, Supreme Court of Queensland**

**'Making Law through Practice: Examples from Commercial Law'**

The lecture will be given by **Sir Ross Cranston QC** and will draw from his recent book, *Making Commercial Law Through Practice 1830 - 1970*, emphasising the Australian dimension.

The AAL is pleased to sponsor this jointly with the Selden Society. I am also grateful for the assistance of the Queensland Supreme Court Library Legal History Committee.

Please put this date in your diary. Registration details will be provided as soon as they are available.

**11 May 2022, 5:30 PM at the ACT Supreme Court**  
**The topic 'Private and public lawyers: An ethical divide?'**

Please put this date in your diary. This is the event that was planned for 23 February 2022, but had to be postponed due to COVID.

The speakers will be:

**Ms Elizabeth Carroll**, President of the ACT Law Society, formerly Chief Legal Counsel, IP Australia, and a partner at Holding Redlich

**Dr Jennifer Duxbury**, Digital Industry Group, formerly in-house lawyer at bodies such as Ninemsn, Lonely Planet and Airservices Australia

**Professor Vivien Holmes**, ANU College of Law, teaches and researches in the fields of legal ethics, legal education and the legal profession and has worked as a litigation solicitor in private and government practice

**Mr Michael Kingston**, Australian Government Solicitor, formerly Chief Legal Officer of the Australian Securities and Investments Commission

and a partner at Mallesons Stephen Jaques

**Mr Athol Opas**, commercial barrister, the ACT Bar's representative on the Law Society's Legal Practitioner Act and Ethics Committee, and former President of the ACT Law Society.

I have agreed to chair the event.

Registration details will be posted soon.

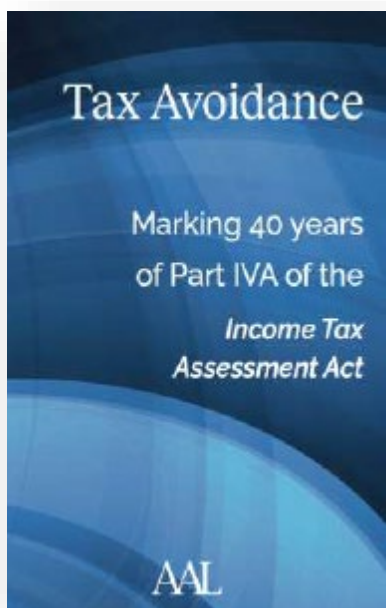
## 22 September 2022 - Austin Asche Oration in Law and Governance – NT event

This public event will be held at the Hilton Hotel, Mitchell St, Darwin. The speaker will be **Emeritus Professor Ros Croucher AM**, President of the Australian Human Rights Commission.

Please put this date in your diary.

## The first AAL monograph

This collection of the papers, commentaries and questions and answers at the AAL's very successful event on 8 September 2021 has been published. Its title is "Tax Avoidance: Marking 40 years of Part IVA of the Income Tax Assessment Act 1936".



The Chair was **The Hon Kevin Lindgren AM QC FAAL**, Deputy President, Australian Academy of Law.

The speakers were:

**The Hon AM Gleeson AC FAAL**, Formerly Chief

Justice of Australia;

**The Hon Tony Pagone QC FAAL**, Formerly a Judge of the Federal Court of Australia, author of *Tax Avoidance in Australia*;

**Ms Kristen Deards SC**, Senior Counsel with an extensive tax practice, including appearances in complex Part IVA cases;

**Professor Miranda Stewart FAAL**, Professor of Law at the University of Melbourne Law School and Honorary Professor at the Tax and Transfer Policy Institute, Crawford School of Public Policy, Australian National University.

Commentary and Overview were provided by:

**The Hon Roger Gyles AO QC FAAL**, Former Special Prosecutor – Bottom of the Harbour Tax Avoidance, Former member of the General Anti-Avoidance Rules (GAAR) Panel;

**Mr Peter Walmsley FAAL**, Deputy Chief Tax Counsel of the Australian Taxation Office and Chair of the General Avoidance Rules (GAAR) Panel.

The book is 113 pages and includes the papers, the commentary and the Q&A session. It also includes statutory materials.

The price is \$20.00 (incl GST), plus postage, to cover costs.

If you wish to buy a copy, or copies, please fill out the order form, which is [here](#), and send payment to [aalsecretariat@academyoflaw.org.au](mailto:aalsecretariat@academyoflaw.org.au)

The AAL will look for further opportunities to publish collections of papers given at its events.

## Second Annual Report

Directors and others are in the process of compiling the Academy's second annual report. The report will cover calendar year 2021. If you have a subject matter which you would like to see in the report, or if there is some material which you would like to see included in it, please get in touch by email.

My aim is to have the Annual Report published during March 2022.

## Projects for the Public Fund

A real success of the new Public Fund for 2021 was the expenditure of part of the charitable donations on

the First Nations Scholarship project. Not only was there a substantial scholarship of \$5000 awarded to a First Nations final year law student, but also individual AAL Fellows in the various jurisdictions volunteered to mentor each of the applicants for the scholarship.

If you have a proposal for a scholarship or other educational project for the Public Fund, please let me know as soon as possible, so that it may be considered in time for early 2022.

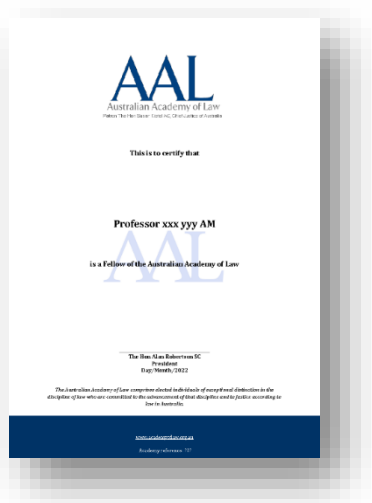
If you wish to make a donation to the fund, the starting point is [here](#): or please contact the [Secretariat](#): or [me](#).

## The second AAL sponsored monograph

[Emeritus Professor David Barker AM](#)'s book, the title of which is 'A Sense of Common Purpose - A History of the Australian Academy of Law', is to be published by the Federation Press in the first half of 2022. I am grateful to [the Hon AM Gleeson AC](#) for providing a foreword.

## Fellowship certificates

Following a number of queries from Fellows, the Board has decided to issue a Certificate of Fellowship to each new Fellow elected to the Academy. Existing Fellows may also have a certificate issued on request.



There will be no charge for the issue of a certificate.

We are leaving it up to individual Fellows as to how their name should appear and what honorifics or other details they wish to include. Fellows are, of course, welcome to include FAAL after their name

on the certificate.

If you would like to have a certificate issued, you should contact the [Secretariat](#) advising clearly the full text of the name and other details you want to have shown on it. A draft of the certificate will then be emailed to you for confirmation before a final certificate is issued. You should also advise the postal address to which the Secretariat should send the certificate.

## Postponed Event

### 25 March 2022 Causation Conference at the UWA Law School

The AAL is co-sponsoring the UWA Law School causation conference which was due to be held on Friday 25 March 2022, as a fully blended event, with the in-person component being held at the offices of HSF, Perth. Full day in-person registration will be \$150; remote registration \$50; and AAL members will enjoy free remote registration.

Due to current COVID restrictions, this event has been postponed to a date to be fixed. Further details will be provided as soon as they become available.

## New Fellows

Please join me in extending a warm welcome to the following distinguished lawyers who have accepted the Board's invitation to become a Fellow of the Academy:

### The Hon Justice John Bond

Judge, Court of Appeal, Supreme Court of Queensland

### Professor Rob McLaughlin

Professor, Australian National Centre for Oceans Resources and Security, University of Wollongong; Senior Fellow, Stockton Centre for International Law, US Naval War College

### Dr Ben Gauntlett

Disability Discrimination Commissioner, Australian Human Rights Commission

Alan Robertson  
President

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