

Planning Events for 2021

It is time to plan events for early 2021.

There are two main types of AAL events during this time of social distancing.

Roundtable events which have the following features:

- (1) The audience is made up of Fellows only;
- (2) Chatham House rules apply; and, as a consequence,
- (3) The event is not made available remotely, and, as a consequence,
- (4) The event has a local character with about 10 to 20 Fellows attending.

These events are not time-consuming to organise. Once a subject and a speaker are identified, all that needs to be arranged is the venue. Susan Jenkins, the Secretariat, is available to assist with publicity, such as putting together a flyer and emailing it to Fellows.

The ACT Fellows in particular have been very successful with organising Roundtable events.

Public events. The second type of event is larger, public and conducted remotely, but with the speaker and the people introducing the event and moving the vote of thanks often in the location of the broadcast.

This type of event has the following features:

- (1) It is open to the public as well as to Fellows;
- (2) At present, while social distancing is required, it is conducted remotely;
- (3) What is said is not confidential;
- (4) Attendance ranges between 25 to 250 people.

Susan Jenkins, the Secretariat, is available to assist with the choice of appropriate technology, as well as with putting together a flyer, emailing it to Fellows and others and taking registrations.

These events too are not time-consuming to organise, unless they involve a panel of speakers where coordination takes more time.

Successful events of this type have recently been held in Perth, Sydney and Brisbane.

I encourage Fellows, particularly co-ordinating Fellows, in each jurisdiction to identify a subject and a speaker for one or more local events in 2021. I am available to assist.

Plan now for February and March 2021 when lawyers with practising certificates are looking for CPD/CLE points!

Deductible Gift Recipient (DGR) Status

The Secretariat has set up the necessary bank account. It is called the "AAL Public Fund Account".

Like the other accounts of the Academy it is at the NAB.

It must be kept distinct from the other accounts of the Academy and used only to receive tax deductible donations.

Two donations of \$5,000 each have already been made into the account. There are no conditions attached to those donations other, of course, than that they must be applied for the furtherance of the objects of the Academy.

There are requirements touching the form and content of the receipt to be issued with which the Secretariat must comply.

I suggest that if a Fellow wishes to make a donation, he or she contact the Secretariat in the first instance to obtain details of the bank account. If the Fellow would like the donation to be used

for a particular purpose, he or she should contact me as President.

The Research and Expenditure Committee of the Academy is working on ideas for the use of the AAL Public Fund, which will, in due course, be placed before the Board of Directors.

Idea for a scheme whereby academics could spend a day with a judge

Do you think it would be a good idea to look at establishing a system whereby (relatively junior) academics may spend a day or two with a judge to gain firsthand experience of how a court runs? If a sufficient number of Fellows think it is a good idea then I will have a basis for planning how it may be done. Chief Justices, Chief Judges and other heads of jurisdiction would need to be consulted. It may be that there would be interest in academics visiting tribunals as well. Please let me know.

Policy on republication

Sometimes the AAL arranges events which result in a paper by the speaker being put up, with the speaker's consent, on the AAL website and the question arises whether it is to be published elsewhere as well. Sometimes a Fellow of the Academy presents a paper for another organisation and would like to have it also put up on the AAL website.

Would Fellows take care to refer such circumstances to me at the earliest possible time, and in the latter case take care to seek the consent of the other organisation.

Annual Essay Prize – publication of essays

The essays of the two winners, who shared the prize of \$10,000 equally, will be published in the *Australian Law Journal*. Congratulations to Ms Natalie Ngo of Melbourne, Victoria and Mr Tom Allchurch of Sydney, New South Wales.

Events

Most AAL events have been going ahead remotely. This means that Fellows may register and attend wherever they are, time zones permitting.

Forthcoming

Book launch

The Tuning Cymbal – Selected Papers and Speeches of the Hon Robert French AC

Edited by Robert Pascoe

Published by The Federation Press

Sponsored by the Australian Academy of Law

Please register for the online book launch, to be held by the Australian Academy of Law on **TUESDAY 15 DECEMBER 2020** from 5:00 – 6.00 PM AEDT

This collection of papers and speeches draws on the papers and speeches of one of Australia's leading jurists, the Hon Robert French AC. The book is divided into ten parts, each reflecting an aspect of Robert French's career, including indigenous issues, human rights, public law, commercial dispute resolution and the judicial system. Robert French's contributions are given context through commentaries by judges, legal academics and practitioners.

The speakers at the online launch will be:

Justice Virginia Bell AC of the High Court of Australia.

Professor Adrienne Stone, who holds a Chair at Melbourne Law School where she is also a Kathleen Fitzpatrick Australian Laureate Fellow, a Redmond Barry Distinguished Professor and Director of the Centre for Comparative Constitutional Studies.

Professor Gino Dal Pont, who holds the position of Professor, School of Law, University of Tasmania, where he teaches in equity & trusts, legal ethics and tax.

The Hon Robert French AC, Chancellor of the University of Western Australia, formerly Chief Justice of Australia

Professor Robert Pascoe, Dean Laureate and Professor of History at Victoria University, Melbourne, a long-time friend of Mr French.

The Federation Press is pleased to offer those attending the online launch the opportunity to purchase the book at the special price of \$136.00, a 15% saving on the RRP of \$160.00. Purchasers should enter the code EP1732 when ordering via the website of The Federation Press, or they may quote it, if they prefer to order over the telephone, +61 2 9552 2200. The address below is the landing page for the book.

<http://federationpress.com.au/bookstore/book.asp?isbn=9781760022402>

Published 21 July 2020: Hardback/464pp

ISBN 9781760022402

Regulatory Enforcement of Directors' Obligations

This event will be held at 5 PM AEDT on Monday, 22 February 2021. It is being held in association with the New South Wales Bar Association. I am grateful to Mr Tim Game SC, Ms Anna Mitchelmore SC and Mr Michael Izzo SC, all of the New South Wales Bar, for their enthusiasm, ideas and assistance.

The speakers will be:

Justice David Jackson (Supreme Court, Queensland)

Justice Robert Bromwich (Federal Court, New South Wales)

Professor Jennifer Hill (Bob Baxt AO Chair in Corporate and Commercial Law, Monash University, Victoria)

Dr Ruth Higgins SC (Senior Counsel, New South Wales)

The (draft) topics are as follows:

- Civil penalty liability
- Criminal liability
- The privilege against self-incrimination
- Continuous disclosure

Please put this date in your diary.

2021 Austin Asche Oration in Darwin

Fellows may recall that the 2020 Austin Asche

Oration was cancelled due to travel restrictions imposed by the current COVID-19 pandemic.

Please put the evening of Saturday 27 March 2021 in your diary. Travel restrictions permitting, that is a possible date for this event.

Recent events

The Legal Implications of Brexit

This Michael Coper Roundtable was held in Canberra at 5:15 PM on Wednesday 28 October 2020.

Professor Sally Wheeler OBE, MRJA, FAcSS, FAAL outlined the *Legal Implications of Brexit for the United Kingdom*.

The event was chaired by Emeritus Professor Stephen Bottomley ANU College of Law.

Some 20 Fellows, suitably social distant, gathered to hear Professor Wheeler's insightful presentation. A lively question and comment session followed.

Whistleblowing

On 19 November 2020 this event was conducted remotely and successfully. It was entitled:

WHISTLEBLOWING – what is it, who does it, when is it lawful, when is it mandatory?

The Chair was The Hon Justice Julie Ward Chief Judge in Equity, Supreme Court of New South Wales.

The expert panellists were:

Professor A J Brown, Professor of Public Policy & Law in the Centre for Governance & Public Policy, Griffith University

Professor John McMillan AO, Emeritus Professor, ANU; former Commonwealth and NSW Ombudsman

Ms Kate McClymont AM, Investigative Journalist

Mr Bret Walker SC Former President of the NSW Bar Association and Law Council of Australia; former National Security Legislation Monitor

About 75 people attended the event remotely. The presentations of the speakers were followed by discussions between them, questions from the Chair and questions from the audience. I thank the

Chair and the speakers for their contributions.

New Fellows

Please join me in extending a warm welcome to the following distinguished lawyers who have accepted the Board's invitation to become Fellows of the Academy since the last Newsletter.

The Hon Justice Jayne Jagot

Federal Court of Australia (NSW)

The Hon Justice Janine Pritchard

Court of Appeal and President of the State Administrative Tribunal (WA)

Justice Anthe Philippides

Court of Appeal (Qld)

Kevin Lindgren has proposed a useful innovation. It is that each organising committee should invite a newly elected Fellow to attend a Roundtable, so that the new Fellow may make or renew their acquaintance with Fellows in their geographical area. If he or she wishes, the new Fellow could lead a discussion at this "inaugural" Roundtable on a topic of his or her choosing.

Renewal of Membership

Some 25 Fellows appear not to have paid their annual subscription for the 2020-2021 year. If you are of that number, please make this payment as soon as possible.

Please let the Secretariat know if you have any queries or difficulties.

Website – biographical details

Space has been made on the Academy website under the name of each Fellow for you to show your biographical details, if you wish. Please attend to this yourself. Instructions on how to access the Fellows-only part of the website and add or change biographical details are **attached**. I suggest that entries be no longer than 150 words, although links to further biographical information may be included.

Personalia

Professor Melissa de Zwart of the University of Adelaide has been elected Chair of the Council of Australian Law Deans (CALD).

The new Deputy Chair of CALD is Professor Natalie Skead of the University of Western Australia Law School.

Please join me in congratulating these two Fellows.

If any Fellow wishes to have noted in the Newsletter a significant step taken by them or by another Fellow, please let me or the Secretariat know. To know what other Fellows are achieving contributes to the collegiality of the AAL.

Season's greetings

I wish each of you a safe and restful holiday period.



I take this opportunity to thank Susan Jenkins Secretariat, for her work for the AAL through the year.

Alan Robertson

President

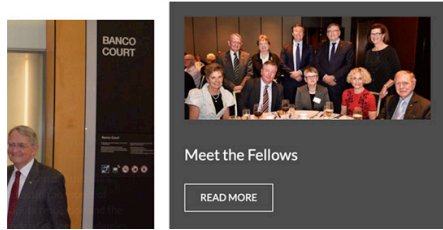
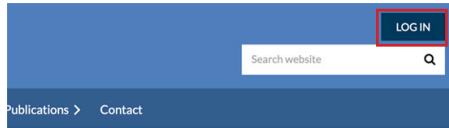
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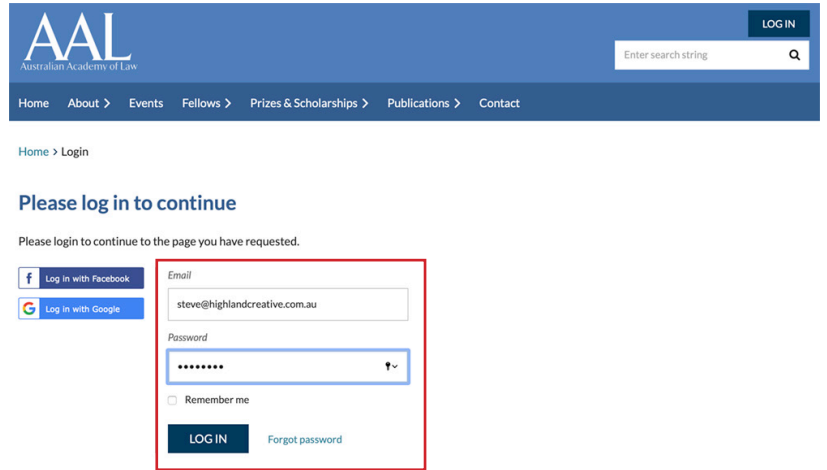
Add a biography to your profile

This is how to add a biography to your member profile to show in the Australian Academy of Law website member directory.

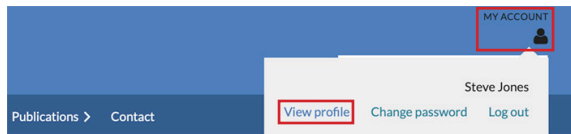
STEP 1 Click LOG IN button



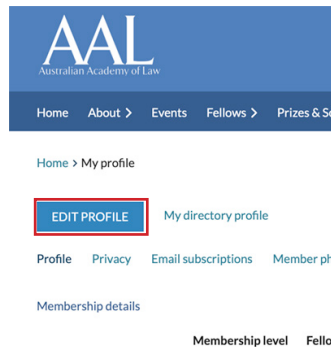
STEP 2 Enter and submit your credentials on the log in screen



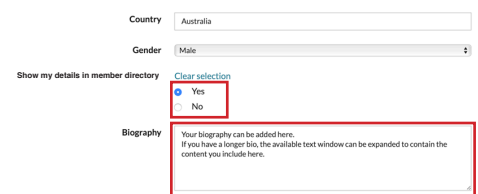
STEP 3 Click on the 'MY ACCOUNT' icon and then click 'View Profile'



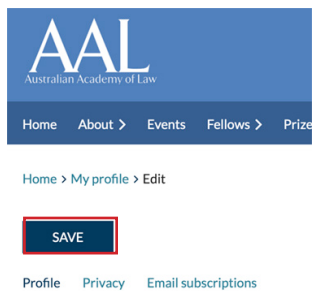
STEP 4 Click EDIT PROFILE button



STEP 5 Select 'Yes' and enter your 'Biography' content



STEP 6 SAVE your edits



STEP 7 Visit the relevant member directory on the website and search for your name. Click on your name to view your details with biography.

