

Welcome to the first Newsletter for 2024.

Planning for 2024

A States and Territories Event Organising Committees Planning Session for 2024 was held on 13 November 2023.

If there is a topic on which you wish to present a paper or wish to have as the topic for a seminar or other event please contact a member of the Event Organising Committees in your State or Territory <https://academyoflaw.org.au/Board-Committees>

or the Secretariat as soon as possible.

The Secretariat's temporary email address while the AAL's email issue is being resolved is:

academyoflaw23@gmail.com

Ideas being explored for seminars and lectures in 2024 include:

- Truth Telling
- The future of the legal profession
- The daily nature of judicial life
- Arbitration/international arbitration
- Statutory commissions of inquiry
- The operation of the National Anti-Corruption Commission
- Report of the statutory review of the *Modern Slavery Act 2018* (Cth)
- Climate Change, Small Island States, and the Law of the Sea: The International Tribunal for the Law of the Sea Advisory Opinion Request

2024 AAL First Nations Scholarship

The Australian Academy of Law again offers the AAL First Nations Scholarship tenable in 2024 for a First Nations final year law student* studying for the

LLB or JD or combined Law degree at any Australian law school, or the Diploma in Law through the NSW Law Extension Committee.

The amount of the award is A\$5000 for one year only.

The successful applicant may, additionally, have the opportunity of being mentored for up to a year by an AAL Fellow.

Applications based on the Selection Criteria below are through nominations by the respective Law Deans to the AAL Secretariat by the closing date of 18 March 2024 at 5pm (AEDT). Each Law Dean may nominate one Final Year First Nations law student.

Interested applicants should contact their respective Law Deans to seek to be nominated.

They must provide their academic transcripts, CVs, Personal Statements of no more than 500 words and a list of their existing sources of financial sponsorship (if any).

**A "final year law student" means a person who will complete the LLB or JD or combined Law degree, or the LEC Diploma in Law, by April 2025.*

Selection Criteria

1. Academic ability and likelihood of success;
2. Not normally in receipt of any other substantial scholarship or award;
3. Proposed post-graduation career path evincing a commitment to the law and/or legal practice.

Shortlisted applicants may be required to attend an interview in April 2024 with the Selection Panel.

The winner will be announced by the end of April.

A scheme whereby academics may spend a day with a judge

Fellows may recall a proposal from pre-COVID days

whereby the AAL would facilitate academics spending a day with a judge. We have now revived that proposal and will conduct a pilot program, in the first instance in the ACT.

A small number of academics in the ACT have expressed interest and the program will now get under way in 2024.

There is still room for further expressions of interest. Please contact the Secretariat.

Publication of selected papers of the Hon James Allsop AC SC

The AAL has again joined with **The Federation Press**, this time to publish a selection of the papers of **the Hon James Allsop AC SC**, the former Chief Justice of the Federal Court of Australia and who was such a strong supporter of the AAL during his term of office.

Dr Ruth Higgins SC and **Kevin Connor SC** are the editors of the volume. The manuscript will be delivered to the Federation Press shortly.

We are aiming to publish the volume in April 2024.

Joint event with the AIJA and the ALJ: Enduring courts in changing times

This 2½ day joint event with the Australasian Institute of Judicial Administration and the Australian Law Journal and was held on Friday 8 – Sunday 10 September 2023 to mark some important national legal bicentenaries: for New South Wales, the Third Charter of Justice promulgated on 13 October 1823 establishing the Supreme Court and, for Tasmania, the first sitting of the Supreme Court of Van Diemen's Land on 10 May 1824.

The AAL is now, with the help of **Dr Trischa Mann**, editing the papers for publication in book form. We are aiming for completion of the book by March/April 2024.

Donations

Please consider making a donation to the AAL's charitable purposes via the Public Fund, which has DGR status. Donations may be made via the website:

<https://academyoflaw.org.au/Donations>

Forthcoming events

18 March 2024 – Melbourne from 5:00pm – 6:15 pm AEDT

The title of the event is: **Mechanisms in the Administrative Review Tribunal Bill to thwart Robodebt-type maladministration**

The venue will be **Court No 1, Level 8, Federal Court, 305 William Street, Melbourne and online.**

We are fortunate that the **Hon Justice Emilios Kyrou AO** has agreed to be our speaker at this event.. Justice Kyrou is the President of the present AAT and of the proposed Tribunal. He is a judge of the Federal Court of Australia.

From 2008 **Justice Kyrou** was a judge of the Supreme Court of Victoria and from 2014 until his appointment to the Federal Court in 2023 was a Judge of Appeal in the Supreme Court of Victoria.

The commentator will be **Mr Albert Dinelli KC** of the Victorian Bar.

On 7 December 2023, the Commonwealth Attorney-General introduced into the Federal Parliament the *Administrative Review Tribunal Bill 2023* and the *Administrative Review Tribunal (Consequential and Transitional Provisions No. 1) Bill 2023*. When enacted, the Bills will abolish the Administrative Appeals Tribunal and replace it with the Administrative Review Tribunal. The ART Act will:

- Empower the President to manage the caseloads of the ART in jurisdictional lists and to assign members to jurisdictional areas in accordance with the demands of those caseloads from time to time.
- Provide for a code of conduct and a professional standard for members and facilitate the professional development of members.
- Empower the President to delegate ADR and case management functions to registrars to free members to focus on hearing and determining cases that are not resolved by agreement.
- Provide mechanisms to enable the ART to identify, escalate and report upon systemic issues in administrative decision making, including referring them to a new Guidance and Appeals Panel or to the re-established Administrative Review Council. A key rationale for these

mechanisms is to thwart Robodebt-type maladministration.

Justice Kyrou will discuss those mechanisms.

The two Bills are to be found here:

https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bId=r7117

https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bId=r7127

This will be a free public event and a link will be provided beforehand. Please register here: <https://academyoflaw.org.au/event-5482989/Registration>

21 March 2024 – Hobart

Planning is under way to hold an AAL event in Hobart on the evening of 21 March 2024. The speaker(s) and format have yet to be decided, but if you will be in Hobart on that evening, please hold the date.

An event in Adelaide on arbitration

I hope to take advantage of the presence in Adelaide of **the Hon Kevin Lindgren AM KC** in March and

April 2024 to organise an event on arbitration. Please let me know if you are interested in presenting a paper.

I note that the University of Adelaide Law School, in partnership with the Resolution Institute, will offer a Professional Certificate in Arbitration in 2024.

New Fellow

Please join me in extending a warm welcome to the following distinguished lawyer who has accepted the Board's invitation to become an Overseas Fellow of the Academy:

Professor Jason Varuhas Senior Crown Counsel, New Zealand Crown Law Office; Professor of Law, Melbourne Law School



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