

Annual General Meeting

The Academy of Law's AGM will be held on Thursday, 22 October 2020 at 4 PM. It will be held remotely. The Secretariat will email each Fellow with instructions on how to participate. If you wish to stand for office or have an item for the Agenda, please contact the Secretariat.

Events

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

Forthcoming

New South Wales

“World in a Box - 50 years of containerisation in Australia”



Overseas Containers Ltd's 'Encounter Bay' - the first international container ship to arrive on the Australian coast - Fremantle, 28th March 1969.

The first forthcoming event is on Wednesday 23 September 2020 at 5 PM to 6:45 PM.

This is a great opportunity for those who have an interest in the development of container shipping and in the law touching it.

In this online event, you will hear from Martin Orchard, The Hon Justice Angus Stewart, The Hon Justice Sarah Derrington and the chair, The Hon Chief Justice James Allsop AO.

You will see a ten minute extract from a documentary film, *World in a Box – 50 years of containerisation in Australia*, based loosely on the booklet *The Homeward Trade*, written by Martin Orchard in 2006 on a commission from Shipping Australia. It gives an account of the transport of cargo between Australia and UK/Europe from the days of sailing ships to container shipping at the beginning of the 21st Century.

It is essential for those wishing to participate to [register](#) for the event. More information is on the [flyer](#) which is to be found here.

Patron's Address

The second forthcoming event is the annual Patron's address, to be given on Thursday, 22 October 2020, immediately after the AGM.

This annual address was inaugurated in 2012 when it was given by the Academy of Law's then Patron, Chief Justice Robert French AC. The last two Patron's addresses were given, in 2018, by the then Chief Justice of New Zealand, the Right Honourable Dame Sian Elias GNZM and, in 2019, by the Academy of Law's present Patron, Chief Justice Susan Kiefel AC.

Her Excellency, the Honourable Margaret Beazley AC QC has very kindly agreed to give the address and has chosen as a topic “Aboriginal Australians and the Common Law”.



From its inception, the colony of New South Wales operated under English Law. The initial designation was essentially military, unsurprisingly given the new inhabitants in this very ‘unEnglish’ land. As the colony grew, so did its common law footprint, and so it has remained. What was not and, it may be thought, is still not, settled was the common law's

relationship with the Australians who had been settled on the land for over 60,000 years.

In this brief overview, Her Excellency examines the historical and changing relationship of the Common Law and Australian Aboriginals.

It is essential for those wishing to participate to [register](#) for the event. More information is on the [flyer](#) which is to be found here

Whistleblowing

The third forthcoming event is on Thursday, 19 November 2020. This is the postponed event, now to be conducted remotely, entitled:

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

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

The expert panellists will be:

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

It is essential for those wishing to participate to [register](#) for the event. More information is on the [flyer](#) which is to be found here.

Recent events

Academy of Law/Academy of Science

The two Academies held a Joint Symposium on Wednesday, 19 August 2020 between 5 PM and 6:30 PM. It was an online event

The subject was *The Reception, Quality and Evaluation of Scientific Evidence in Australian Courts*.

I am very grateful to the Hon. Justice Virginia Bell AC of the High Court of Australia who chaired the event. The panel members were, in the order in which they spoke:

The Hon Justice Mark Weinberg AO QC Reserve Judge of the Supreme Court of Victoria and formerly a Judge of the Federal Court of Australia

Professor David Balding FAA Professor of Statistical Genetics, The University of Melbourne, Professor Carola Vinuesa FAA Professor of Immunology Co-Director, Centre for Personalised Immunology, Australian National University

Tim Game SC, President of the New South Wales Bar Association whose principal practice is in Criminal Law.

The event was open to the public and was a great success. A record of it will be put on the website of each of the Academy of Science and the Academy of Law as soon as possible.

Because of the number of registrants, some 800, it was necessary to use the Academy of Science's technology. In the event there were some 350 participants.

New South Wales

On Tuesday 21 July the Academy held a public online event, being the second part of a two-part event "*COVID-19: What effect as the pandemic had on legal practice, courts and on the law schools and how are they each responding?*"

(The first part, held on Tuesday 7 July, was reported in the last Newsletter.)

As Chair, I attended the event in a specially equipped room on level 16 of the Law Courts Building. The remaining panellists attended by means of Microsoft Teams.

The speakers were:

The Hon Justice Derek Price AO

Chief Judge, District Court of NSW

Judge Graeme Henson AM

Chief Magistrate of NSW

Professor Lesley Hitchens

Dean, Faculty of Law, UTS

Professor Tania Sourdin

Dean, Faculty of Law, University of Newcastle

Ms Rose Khalilizadeh

Barrister, Sydney

Mr Richard Spurio

Managing Partner, Allens, based in Melbourne
and

Ms Karen Pedersen

Group General Counsel, Lendlease.

As with Part 1, the event was a great success, both in terms of content and in terms of technology. I thank each of the participants for giving up the time and for the quality of their presentation.

Approximately 70 people participated in the event.

Queensland

On Tuesday, 11 August 2020, Justice Peter Applegarth and the Queensland planning committee organised an excellent event to celebrate Sir Samuel Griffith, who died on 9 August 1920.

I thank the Selden Society (Australia) and the Supreme Court Library Queensland for their valuable support of this event.

The chair was Justice Applegarth and the panellists were:

The Honourable Catherine Holmes AC

Chief Justice, Supreme Court of Queensland

Professor Carolyn Evans

Vice Chancellor and President, Griffith University

John McKenna QC

Barrister, Brisbane

Professor Sarah Joseph Professor of Law

Griffith Law School

Dr Raymond Evans

Distinguished historian

Each spoke for 10 to 15 minutes on an aspect of

Sir Samuel Griffith's life.

There were approximately 200 participants.

Renewal of Membership

As previously advised the subscription for the year has been reduced from \$400 to \$200 because of the Coronavirus.

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

The notice of renewal tells you how to renew online. When you click on "View invoice online" you will be taken to the website and you have to click on "LOG IN" in the top right-hand corner of the screen. Please let the Secretariat know if you have any difficulties.

Annual Essay Prize –the judging panel

The essay topic for the Prize in 2020 is as follows:

"The impact of a new and widespread contagious disease on pre-existing contractual obligations.

Note: Earlier 'new' outbreaks of infectious diseases may be taken into account."

The deadline for the submission of an essay is 31 August.

I am very grateful to the Hon. Professor William Gummow AC QC who has again agreed to chair the judging panel. I am also grateful to the Hon. Justice Pamela Tate and to Professor Ros Croucher AM who have also agreed to constitute the judging panel.

Donation to AustLII

At its meeting earlier this month, on 18 August 2020, the Board resolved to make a donation of \$5000 to AustLII which, as Fellows will know, is an institution operated jointly by the Faculties of Law of the University of Technology Sydney and the University of New South Wales. The Board considered that AustLII's public policy purpose, to improve access to justice through access to legal information, supported many of the objects of the Australian Academy of Law. The AAL has not previously contributed to AustLII.

Application for Deductible Gift Recipient (DGR) Status

The legislation remains delayed, for reasons having nothing to do with the merits of the AAL's application. I still expect the Bill to be passed but I do not know whether this will be in the August settings.

New Fellows

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

The Hon Justice David Mossop
Judge, Supreme Court of ACT

Professor Phillip Evans
Professor of Law, University of Notre Dame
(Australia)

Personalia

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 since otherwise I can only rely on the media to know what other Fellows are achieving enhances the collegiality of the AAL.



Alan Robertson
President
alan.robertson.sc@gmail.com
0404850364