



This Michael Coper Roundtable is to be held by the
Australian Academy of Law for Fellows of the
Academy

EVENT: THE ETHICAL OBLIGATIONS OF GOVERNMENT LAWYERS: LESSONS FROM THE HOUSE OF LORDS REPORT
DATE: TUESDAY, 27 JUNE 2023 | 5:00 PM – 7.00 PM AEST (IN PERSON)
LOCATION: HIGH COURT OF AUSTRALIA
31 PARKES PLACE, PARKES, CANBERRA, ACT 2600

The report of the Select Committee on the Constitution of the House of Lords, “The roles of the Lord Chancellor and the Law Officers” published in January 2023 discloses that the position adopted in the United Kingdom is that government lawyers should only advise that proposed government action is unlawful if there is no respectable legal argument that could be put as to its lawfulness. This report provides a catalyst for the discussion of the appropriate role of government lawyers in the Australian context. The contention that will be advanced is that the approach adopted in the United Kingdom is fundamentally inconsistent with the rule of law and that government lawyers should advise upon what the law is rather than upon whether there is a “respectable legal argument” that could be deployed to justify government action. The talk will suggest that, particularly in light of the revelations of the Robodebt Royal Commission, ethical guidelines should be put in place for public servants and government lawyers about the appropriate questions that lawyers should be asked and the manner in which they answer those questions.



Speaker: Justice David Mossop was sworn in as a judge of the ACT Supreme Court on 13 February 2017. He holds a Bachelor of Science and Bachelor of Laws from the University of New South Wales and a Master of Laws (Public Law) from the Australian National University. He was admitted to practice as a solicitor in 1992. Justice Mossop practised as a barrister for 14 years from 1998 to 2011. He served as Magistrate and Coroner from 2012 to 2013 and as an Associate Judge of the ACT Supreme Court from 2013 to 2017.

Chair: The Hon Mary Finn FAAL

Please join us for light refreshments after the presentation

Registration for the event is essential and will close at 5 pm on Friday, 23 June 2023.

[To register click here](#)