

Welcome to the fourth Newsletter for 2023.

## Congratulations

I am certain that all Fellows join me in congratulating **Justice Debra Mortimer** on her appointment as Chief Justice of the Federal Court of Australia. **Chief Justice Mortimer** took up her appointment on 7 April 2023.

A welcome ceremony was held in Melbourne on 17 April 2023. A transcript of that event should be available soon.

## AAL's First Nations Scholarship 2023

The Australian Academy of Law again offered its First Nations Scholarship, tenable in 2023 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 \$5,000, for one year only.

The winner this year is **Georgia Fryer**, a member of the Cubbitch Barta clan of the Dharawal nation. Georgia is in her final year of a Bachelor of Laws and Bachelor of Arts (Media and Communications) Degree majoring in Socio-Legal Studies, at the University of Sydney.

A small presentation ceremony was held on 26 April 2023 at the Law School, Sydney University. **Georgia Fryer** was accompanied by her parents and by her partner.

The Law School was also represented and I thank them for hosting the ceremony.

Georgia has posted that she is so proud and honoured to have been awarded this year's AAL First Nations Scholarship. She wrote that this scholarship

has brought her closer to beginning her career where she will use her position to become a representative for Indigenous peoples within the legal profession and amplify the voices, perspectives, rights and interests of disadvantaged groups and individuals.

The winner of the scholarship and the runners up have each been put in contact with a Fellow to act as their mentor for their final year of study.



*The President congratulating Georgia Fryer and handing her certificate to her*

The AAL issued a media release, which is to be found [here](#). The Law Society Journal has already picked up the story:

<https://lsj.com.au/articles/commitment-and-dedication-earn-australian-academy-of-laws-first-nations-scholarship/>

The judging panel was **the Hon Alan Robertson SC**, **Judge Matthew Myers AM** and **Ms Raelene Webb KC**. We were very impressed with Georgia's commitment to her legal studies and to the law and by her interest in an area of great need, family law.

## AAL 2023 Essay Prize

The Australian Academy of Law is pleased to announce its Annual Essay Prize for 2023.

The essay topic for this year's Prize is:

*Mass torts and class actions: can the growth in this kind of private litigation in Australia and elsewhere be described as an evolutionary form of "privatised regulation", gap-filling where the state and its regulators have not fully or properly controlled or deterred behaviours, or protected and compensated affected persons? To what extent is it successful in that regard? Should it be encouraged? Why or why not? Give examples.*

The Prize is open to anyone, wherever resident, who is studying or has studied legal subjects at a tertiary level, or who is working or has worked in a law-based occupation. There is no limit by reference to the age or seniority or experience of, or position held by, a person who may submit an entry. Accordingly, judicial officers, legal practitioners, legal academics and law students are all eligible to submit an essay. The amount of the Prize is \$10,000.

The deadline for the submission of an essay is 31 August 2023 and this time limit is strictly observed..

This year the length of an essay to be submitted is a maximum of 8,000 words.

Please refer to the [Academy's website](#) for further information about the actual submission of an entry.

In past years the winning essay has been published in the *Australian Law Journal*.

## Proposed Federal Judicial Commission

At its meeting on 21 March 2023, the Board decided that a small committee should be formed to make a submission to the Australian Government's Judicial Commission Taskforce. That Taskforce has asked for submissions on, amongst other things, the design of a potential complaints-handling body. If you have an interest in this subject-matter and are available to be a member of this AAL committee, please contact me or the AAL Secretariat as soon as possible.

[AALSecretariat@academyoflaw.org.au](mailto:AALSecretariat@academyoflaw.org.au)

## Planning for 2023

If you wish to propose a topic for an event or would like to present a paper on an issue of interest to you

please contact the Secretariat or me.

## Donations to the AAL's Public Fund

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

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

I note with gratitude a recent donation to the Fund of \$500 by a senior lawyer who, although not a Fellow, wished to support what he described as "the excellent work" of the Academy.

## AAL Annual Report for 2022

The AAL's third annual report is now with the printer. The Report will be available on the AAL's website very soon.

## Forthcoming events

**ACT Event - Wednesday 17 May 2023, an after work public event in Canberra**

**Venue: ACT Supreme Court ceremonial court**

This event will be a reprise by **Graeme Neate AM** of his address: *Where There's a Will There's a Lawyer: The Dobell Case and Subsequent Litigation about the Archibald Prize*.

**Graeme Neate** has been President of the ACT Civil and Administrative Tribunal since 2017.

He will address the issues arising under Archibald's bequest adjudicated on by the court, commencing with Roper J's decision in the *Dobell Case*, interspersing slides of the art works that prompted the controversies and anecdotes drawn from his close study of the circumstances in which the controversies arose.

A flyer and registration details will be available soon. Please put the date in your diary.

I thank **Chief Justice Lucy McCallum** for making the courtroom available. I will chair the event.

**Western Australia event – 24 May 2013 at 5 PM**  
*Russia's Invasion of Ukraine and International Law*

**Venue: Corrs Chambers Westgarth, Level 6, Brookfield Place Tower 2, 123 St Georges Terrace.**

**Professor Jurgen Brohmer**, School of Law, Murdoch University and **Dr Lara Pratt**, Senior Lecturer at the University of Notre Dame will be the speakers.

I thank **Kanaga Dharmananda SC** and **Professor Jurgen Brohmer** for organising this event.

Registration details will be available shortly.

**Northern Territory event: 6 July 2023** from 5-7PM  
**The 12<sup>th</sup> Annual Austin Asche Oration in Law and Governance, with Charles Darwin University**

**Venue: the Hilton Hotel, Darwin.**

**Tony McAvoy SC** has agreed to give this year's Oration.

Registration details will be available soon. Please put the date in your diary.

**8 – 10 September 2023**

**Joint event with the *Australian Law Journal* and the Australasian Institute of Judicial Administration: *Enduring courts in changing times***

To mark some important national legal bicentenaries, a 2½ day joint event with the Australian Law Journal (ALJ) and the Australasian Institute of Judicial Administration (AIJA) will be held on Friday 8–Sunday 10 September 2023. Those legal bicentenaries are, 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.

I thank **Justice François Kunc** of the Supreme Court of New South Wales (and General Editor of the ALJ) for this initiative. **Emeritus Professor David Barker AM** and **Justice Geoff Lindsay** are on the subcommittee, as is AAL Fellow **Justice Steven Rares**, as a member of the Council and immediate past President of the AIJA. I am pleased to say that **Chief Justice Alan Blow AO** and **Justice Stephen Estcourt AM** of the Supreme Court of Tasmania have also joined the small committee, as has **Andrew W Smith** of the New South Wales Bar.

The Chief Justice of Tasmania, the **Hon Alan Blow AO**, and the Chief Justice of New South Wales, the **Hon Andrew Bell**, fully support the project. The

Chief Justice of Australia, the **Hon Susan Kiefel AC**, has agreed to give the opening address.



A large number of most distinguished speakers, judges and former judges, academics and practitioners have agreed to participate in the conference. These speakers, commentators and chairs now include:

**The Hon Susan Kiefel AC**, Chief Justice of Australia

**The Hon Alan Blow AO**, Chief Justice of Tasmania

**The Hon Andrew Bell**, Chief Justice of New South Wales

**The Hon Helen Bowskill**, Chief Justice of Queensland

**The Hon Justice Julie Ward**, President, New South Wales Court of Appeal

**The Hon Justice Joe Williams**, Supreme Court of New Zealand

**Justice Robert Beech-Jones**, Judge of Appeal and Chief Justice at Common Law, Supreme Court of New South Wales

**Justice Geoff Lindsay**, Supreme Court of New South Wales

**Justice Stephen Estcourt AM**, Supreme Court of Tasmania

**The Hon Brian Preston**, Chief Judge of the NSW Land and Environment Court

**Prof Val Napoleon**, Dean of Law, University of Victoria, British Columbia

**Professor Liz Fisher**, Professor of Environmental Law, Faculty of Law and Corpus Christi College, University of Oxford

**Justice Sarah Derrington AM**, Federal Court of

Australia

**Justice Sarah McNaughton**, Supreme Court of New South Wales

**The Hon Virginia Bell AC**

**The Hon Keith Mason AC KC**

**The Hon Robert Benjamin AM SC**

**The Hon Duncan Kerr Chev LH**

**Emeritus Professor the Hon Kate Warner AC**

**Professor Tim McCormack**

**Professor Lisa Ford**

**Emeritus Professor Bruce Kercher**

**Emeritus Professor Stefan Petrow**

**Emeritus Professor David Barker AM**

**Professor David Rolph**

**The Hon Michael McHugh AC KC**

**Professor Gabrielle Appleby**

**Professor Andrew Mowbray**

**Mr Malcolm Schyvens**, President, Tasmanian Civil & Administrative Tribunal

**Professor Hamish Maxwell-Stewart**

**Ms Una Doyle**, NSW Judicial Commission

**The Hon Mark Speakman MLA**

**Dr Gregory D Woods KC**

**Professor Brian Opeskin**

**Associate Professor Philip Chung**

**Ms Marcelle Burns**, Associate Dean Indigenous Leadership and Engagement, Faculty of Law, UTS

This will be a major event, similar to the “*Future of Australian Legal Education*” conference held by the AAL and the ALJ in 2017.

A draft program will soon be available.

I am very grateful to **Her Excellency the Honourable Margaret Beazley AC KC, Governor of New South Wales** who has graciously agreed to host the welcome reception for the conference on Friday 8 September. In addition, Her Excellency has accepted our invitation to close the conference on the afternoon of Sunday 10 September.

## October 2023 – Annual joint event with the Australian Academy of Science

I am very pleased to report that, in response to a joint invitation by the Presidents of the Australian Academy of Science and the AAL, **Dame Julie Maxton DBE**, Executive Director of The Royal Society, will be the guest speaker at our annual joint Academies’ event in October. She will share her expertise at the interface of science and law. The details will be sorted out over the coming weeks but it may be that Dame Julie would give more than one lecture while she is in Australia.

## Recent events

### Presentation ceremony for the AAL First Nations Scholar for 2023

See the second item in this Newsletter.

### Queensland Event - 27 April 2023 at 5.30 PM

**Venue: the Banco Court, Supreme Court of Queensland, Brisbane and the Federal Court in Sydney**

*Michael McHugh's Casebook: enduring issues in defamation law*

The presenter was the **Hon Justice Peter Applegarth AM** with substantial commentary by the **Hon Michael McHugh AC KC**.

Unfortunately **Professor David Rolph** was unable to act as a presenter due to illness. We wish him a complete and quick recovery.

I thank **Chief Justice Helen Bowskill** for chairing this event and for making the courtroom in Brisbane available.

I thank **Chief Justice Mortimer** for making the courtroom available in Sydney, at which **Michael McHugh** spoke.

130 attended in the Banco Court in Brisbane and a further 91 attended online. A further 8 took the opportunity to attend in person in Sydney.

As one senior lawyer commented, the hybrid event was splendid and the cross-city interaction was tremendous.

I am most grateful to **Justice Peter Applegarth** and to the **Hon Michael McHugh AC KC** for the very

large commitment they each made to the success of this event.

This was a joint event with the Selden Society, Queensland Chapter.

I also thank the Supreme Court Library Queensland for their substantial support.



*The Hon Justice Peter Applegarth AM with Chief Justice Helen Bowskill*



*The Hon Michael McHugh AC KC presenting from the Federal Court in Sydney*

The video from the event is now on the Selden Society [YouTube channel](#) and on the [Selden Society website](#).



*The hybrid intercity event, with Justice Applegarth AM in the Banco Court, Brisbane and with the Hon Michael McHugh shown on screen*

## New Fellow

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

**Justice Darren Jackson**, Federal Court of Australia, based in Perth.

Alan Robertson  
President

[alan.robertson.sc@gmail.com](mailto:alan.robertson.sc@gmail.com)

0404850364