

Book Launch – A Sense of Common Purpose – A History of the Australian Academy of Law

‘Chief Justice James Altop, the Hon Justice Melissa Perry, Distinguished Guests, Fellows of the Australian Academy of Law, Ladies and Gentlemen. There was a time when I was Dean of the UTS Faculty of Law, a long time ago now, when I always seemed to be making an address to staff or students, visiting dignitaries (although then there were not a great deal visiting UTS at that time, other than out of curiosity) or making speeches on special occasions, even speaking at book launches! However, although such obligations went as it were with the position of Dean of Law, the only occasions which I learnt to dread speaking at were the UTS Sports Union Dinners, when the former Chief Justice of the High Court of Australia, the late Sir Gerard Brennan, who was also the Chancellor of UTS, would always say ‘Ladies and Gentlemen I am now pleased to call upon Professor David Barker to speak and, who I know, will make us all laugh!’ I would only add that if the expectation of the guests was great, their disappointment at the end of the speech was always greater!

However, I am grateful to the Hon Justice Melissa Perry, an Academy Foundation Fellow, and a former LLM Cambridge University Postgraduate Law Colleague, in that she has given me a more conventional introduction, although I must also pay tribute to the generosity of her remarks regarding my ongoing connection with the Australian Academy of Law.

It has, of course, been a great privilege to have been involved with the development of the Academy from the very beginning in 1996 up until the present time, and although it is not my intention to pre-empt any of the narrative contained in the book I believe it is not unreasonable to look back for just a few moments at some of the more incisive events which have led to its development and most probably have contributed to the high standing with which it is regarded now among both the legal community and the wider group of academic associations.

It is important to acknowledge the early influence of what was originally the Committee of Australian Law Deans, subsequently retitled the Council of Australian Law Deans. Among its early members were such long-standing academic luminaries as Professor Paul Fairall and Professor Ralph Simmonds, and the sub-committee chosen to oversee the development of the Academy, Prof Robin Woellner and Assoc. Prof. Keturah Whitford, with its Chair the late Emeritus Professor Michael Coper. He remained one of Academy’s longstanding supporters both as a subsequent Chair of the Council of Australian Law Deans and as an Academy Director, until his untimely demise in 2019 and to whom these achievements have been acknowledged by the ACT Branch of the Academy in naming its Round Table Meetings after Michael and an Academy Student Prize being named in his honour.

The influence of yet another former Australian Law Dean, Emeritus Professor David Weisbrot, should not be underestimated. It was David who as President of the Australian Law Reform Commission when the *ALRC’s Report No 89, Managing Justice: A Review of the Federal Civil Justice System* was published in 2000 who advocated the establishment of the Academy and who subsequently with three other members of CALD led to the drafting of an

Academy Constitution and the selection of the Academy's 36 Foundation fellows. The latter process was conducted in such a way as to ensure an equal balance between the genders of the initial Foundation Fellows.

The Academy has been fortunate in its choice of Patrons, particularly in its first, the Hon Murray Gleeson, former Chief Justice of the High Court of Australia, who was deeply involved in the Official Launch of the Academy at Government House, Brisbane on 17 July 2008, and from whom the first part of the title of the Book has been taken from his formal speech launching the Academy. It is difficult to reproduce the excitement of the launch which was followed by a presentation of Foundation Fellows with Certificates of Academy Membership and a Symposium, whose topic was created by another stalwart, Academy Foundation Fellow Professor Ros Croucher, who also conducted the symposium. Tribute must also be paid to the then Queensland Governor, subsequently to become Governor General of Australia, the Hon Dame Quentin Bryce, also a Foundation Fellow, who made Government House available both for the Launch and a Celebratory Banquet which followed later in the evening.

The Hon Murray Gleeson was succeeded in October 2008 as the Academy's Patron by the Hon Chief Justice Robert French who took an active interest in the Academy and subsequently as his term as Patron came to an end the Academy sponsored a book incorporating a selection of his speeches entitled the *Tuning Cymbal*.

It was in 2017 that the Hon. Chief Justice Susan Kiefel became the current Academy Patron who, like her predecessors, took the first opportunity in Brisbane in 2019 to deliver the Patrons Address and has also written personal forewords in both the 2020 and 2021 Academy's Annual Reports.

All our three Presidents have been judges of the Federal Court of Australia. The Hon Robert Nicholson was elected as the inaugural President of the Academy at its first Annual General Meeting in July 2008. It was Justice Nicholson who, with very little resources, had to undertake all the hard work for the laying of the foundations of the Academy. It is a tribute to all his efforts that the Academy has grown and thrived since he took on its Presidency in 2008. I am sure that he would regard the Academy's Reception at the Governor-General's House at Kirribilli as the high point of his term of office.

There is no doubt that the election of a new President, the Hon Kevin Lindgren in November 2011 marked a turning point in the Academy affairs. During 2012, the first full year of his presidency, the Academy not only doubled its membership, published 12 editions of a newsletter, held meetings in every State and Territory and inaugurated a Patron's Annual Address on 30 October 2012. The culmination of these achievements was a Conference in 2017 to mark the Academy's 10th anniversary under the title *The Future of Australian Legal Education*, in conjunction with the *Australian Law Journal*. It also resulted in the publication of book under the same title.

Our current President, the Hon Alan Robertson has continued to ensure the ongoing improvement in the affairs of the Academy. At the same time, he has had to guide the

Academy through the setbacks of the Covid 19 Pandemic. This has not prevented the Academy from improving its communications through both its Board Meeting's and many hybrid Academy events being conducted through the medium of Teams Meetings. There has been an increase in Academy events overseas and a greatly improved Board of Directors committee structure and corporate governance, together with the publication of the first Academy's Annual Reports in 2020 and 2021 and an enhancement of the Academy's charitable objectives. The future leadership of the Academy is in good hands.

And so, to the publication of the book the subject of tonight's launch.

First my appreciation to Chief Justice Alsup for conducting the launch and making the Federal Court available for this occasion as he has done for the Academy for so many other events during the time that he has been the Chief Justice of the Federal Court of Australia.

I must also express my thanks to both Hon Murray Gleeson and Hon Alan Robertson for their most generous and informative forewords. In addition, I thank Alan Robertson for the support he has given me during the preparation of the manuscript and arranging for the Academy to endorse it with its sponsorship and, of course, arranging for the ongoing launch and reception in respect of the book. I deeply regret that an attack of Covid has prevented both the Hon Alan Robertson and the Hon Kevin Lindgren another strong supporter of this History initiative from attending the launch tonight and am grateful to Justice Perry for agreeing to act as Chair for the Launch at such short notice.

I should also like to acknowledge the professionalism of Federation Press particularly Trisha Valliappen, Kath Fitzhenry and Belinda Rimmer. In addition, I express my thanks to Trischa Mann of Inkshed Press, who carried out the preliminary editing of the manuscript, Jones Olatunji of AustLII for his technical help and Dr Jennifer Farrell of the Academy Secretariat, who has been involved in the administrative arrangements for the launch.

Lastly, I would like to thank my wife Catherine, who has always taken a special interest in what I have written and who gave a great deal of attention to reading and correcting the current Book's original draft manuscript. She has always been the person to ensure that I have never dared to end a sentence with a preposition nor to have split an infinitive. As always, I am grateful to her for her patience at yet another intrusion into our married life. The fact that she is not here tonight is that she has been called away to the United Kingdom to assist in the birth of our first grand-daughter, Summer.

Lastly, but not least, thank you to everyone who has attended tonight, your support and participation has been most welcome and much appreciated.