

Personalia

Chief Justice Michael Grant

The appointment of Academy Fellow Michael Grant QC as Chief Justice of the Northern Territory earlier this year escaped notice at the time for which I apologise.

Warm congratulations to Chief Justice Grant. He succeeded another member of the Academy, Chief Justice Trevor Riley, upon his retirement.

Professor Michael Coper

A conference and dinner are to be held at the ANU on Friday 2 December in honour of Professor Michael Coper, a Foundation Fellow of the Academy and long term member of the Board of Directors.

There is a list of outstanding speakers, as can be seen at the following:

<https://law.anu.edu.au/event/conference/new-ways-forward>

It is a great tribute to Michael that his colleagues at ANU have seen fit to organise the event and that so many legal luminaries have agreed to speak.

The late James Merralls AM QC

Sadly, I note the passing of Academy Fellow, James Merralls AM QC, on 4 October 2016.

As is well known, James Merralls was the editor of the Commonwealth Law Reports. He became editor in May 1969 and retained that position until his death—a period of some 48 years.

Successive Chief Justices of Australia have praised the quality of James's editorial work.

Sixth Austin Asche Oration held in Darwin on Tuesday 11 October 2016



Members will recall that the Academy's annual event in the Northern Territory is the Austin Asche Oration on Law and Governance which is sponsored jointly by the Academy and Charles Darwin University. Each year the event is held in the Nitmiluk Lounge, Level 4, Parliament House, Darwin.

As members know from previous Newsletters and the flyer attached to them, the speaker this year was The Hon Marilyn Warren AC, Chief Justice of the Supreme Court of Victoria.

An audience of 135 gathered to hear the Chief Justice speak on "Young People in Detention: impacts, progress and alternatives".



Although the Chief Justice chose the topic as far back as last May, the later much publicised media coverage of the situation at the Don Dale Detention Centre gave added poignancy to the selection of the topic.

Moreover, 11 October was the first of three days of hearings by the Royal Commission into those circumstances, and the Commissioners, The Hon Margaret Wilson AO, QC and Mr Mick Gooda, attended the Oration.

The occasion can be ranked an outstanding success.



This is in no small part due to the work of Academy Fellow, Professor Les McCrimmon, who always begins organising the event very early. Our thanks are due to Les for his efforts this year as in past years.

Annual essay Prize



The winners of the Academy's Annual Essay Prize for 2016 have recently been announced: I use the word "winners" because there were joint winners this year. They were Associate Professor Lyria Bennett Moses of UNSW and Mr Robert Size, a Graduate Lawyer at Hall & Wilcox Lawyers.

The Judging Panel also highly commended the essay submitted by Elliott Cook, a Graduate Lawyer at Ashurst Australia.

The topic this year was:

"What effect have the advances in technology (including artificial intelligence) had upon the discipline of law in academia, the practising profession and the courts, and how may that effect change over the next ten years?"

"What steps should be taken now to harness the benefits and limit the detriments of those advances?"

Academy Fellow Justice Francois Kunc, the General Editor of the *Australian Law Journal*, has expressed interest in publishing the winning essays submitted for the Annual Essay Prize. In fact last year's winning essay written by Ailsa McKeon, was published at (2016) 90 *ALJ* 355.

Both last year's and this year's winning essays are also available on the Academy's website.

The Judging Panel for this year's Prize comprised Professor the Hon William Gummow AC QC, Professor Rosalind Croucher AM (not Professor Bee Chen Goh, as stated in the last Newsletter), and Mr Michael Murray. The Academy is thankful to them for their work in examining the nine essays that were submitted.

The Annual Essay Prize Organising Committee comprises Professor Bee Chen Goh (Chair), Justice Alan Robertson and me.

Annual General Meeting of the Academy

The Annual General Meeting of the Academy was held on Tuesday 18 October just prior to the Patron's Address.

The following Fellows were elected as directors for the ensuing year:

President: The Hon Kevin Lindgren AM QC
Vice-President: The Hon Justice Alan Robertson
Treasurer: The Hon Justice John Digby
Hon Secretary and Public Officer: Emeritus Professor David Barker AM

Other Board Members:

The Hon John Mansfield AM
Professor Rosalind Croucher AM
Professor Paul Fairall
Professor Michael Adams
Professor Bee Chen Goh
Emeritus Professor Adrian Bradbrook
Professor Michael Coper
Mr Russell Miller AM
The Hon Emeritus Professor Ralph Simmonds
Professor Brian Opeskin
Professor Les McCrimmon

The Academy's Constitution was amended to remove the requirement that the Academy have a "Council" in addition to the Board of Directors.

The meeting recorded its appreciation of the work of Professor Rosemary Owens as a director (Rosemary nominated Adrian Bradbrook in her place).

Patron's Address



The Patron's Address for 2016 was delivered by the Solicitor-General for the Commonwealth of Australia, Mr Justin Gleeson SC in the Banco Court of the Supreme Court of New South Wales on Tuesday 18 October 2016 to an audience of just over 100.

The title of Mr Gleeson's address was: *"The Increasing Internationalisation of Australian Law"*.

The President welcomed everyone to the event and Acting Chief Justice Beazley introduced the speaker.

Following Mr Gleeson's Address, Deputy President Alan Robertson moved a vote of thanks.



Opportunity was taken of the Patron's Address event to present the Annual Essay Prize to the joint winners, Lyria Bennett Moses and Robert Size. The Prize was presented by the Chair of the Academy's Prizes Committee, Professor Bee Chen Goh.

The Academy is indebted to Professor Rosalind Croucher, the Chair of its Projects Committee, the Secretariat, Claire Hammerton, her team of Caitlin Stone, Lorenzo Aventi and Lehana De Silva, and the photographer, Ms Madeleine Bridgett, who took the photographs free of charge to the Academy.

National Conference on Legal Education 11-13 August 2017

Work proceeds apace on planning for the National Conference on Legal Education to be held from the evening on Friday 11 August to lunch time on Sunday 13 August 2017.

The venue will be the Federal Court's floors in the Law Courts Building in Sydney.

The Conference will be sponsored by the Academy and the *Australian Law Journal* with the support of the Law Council of Australia.

Attached is an invitation that is currently being issued for those interested to offer to present a paper at the Conference. The invitation is being widely distributed. In addition, invitations will issue to speakers who have particular expertise, experience or knowledge on the subject matter of the various sessions.

As previously advised, the keynote speaker will be Professor Martha C Nussbaum, Ernst Freund Distinguished Professor of Law and Ethics, University of Chicago Law School (see <http://www.law.uchicago.edu/faculty/nussbaum>).

An ad hoc committee comprising the following individuals will be planning the Conference: Kevin Lindgren; Francois Kunc; Alan Robertson; Rosalind Croucher; Michael Coper; David Barker; Brian Opeskin; Michael Adams; Nuncio D'Angelo; Stuart Clarke; Fiona McLeod; Simone Degeling and Natalie Klein, with the invaluable support of the Secretariat, Claire Hammerton.

This may seem an unwieldy number, but not all members will be able to attend all meetings.

If Fellows have particular ideas that they would like to see explored at the Conference, please notify any of the Committee members mentioned above.

Remaining State and Territory events for 2016

Queensland

The Academy event in Queensland is to be held tonight, Monday 24 October in the Banco Court, Level 3, Queen Elizabeth Courts of Law, 415 George Street, Brisbane.

The speaker will be The Hon Justice Margaret McMurdo AC, President of the Queensland Court of Appeal, whose topic will be: *"The Court of Appeal: the first 25 years"*.

The flyer for the event has, of course, been distributed previously, but it is again **attached** and contains RSVP details.

Victoria

The Victorian event will take the form of a Symposium and will be held in the Banco Court of the Supreme Court of Victoria on the afternoon of Thursday 10 November 2016 commencing at 4.30 pm.

The speakers and their respective topics are:

Professor Dan Hunter, Foundation Dean, Swinburne Law School: "The Death of the Law Firm?";

Jake Goldenfein, Lecturer, Swinburne Law School, "Measuring the "lawfulness" of legal technologies: from speedbumps to smart contracts"; and

Ari Dyball, Legal Technologist, Swinburne Law School, "Uncodified code: a primer on smart

contracting".

The **attached** flyer gives details of the event and the RSVP details.

South Australia

As previously noted, the annual event in South Australia will be held on Thursday 24 November, when the speaker will be The Hon Marcia Neave AO.

The topic will be "Where to from here on family violence-law and social policy solutions".

The venue will be Law Lecture Theatre 2, Adelaide Law School, Ligertwood Building, University of Adelaide, and the starting time, 5.30 pm.

A flyer for the event is **attached**. It contains RSVP details.

Committees

The composition of the ad hoc committee that is organising the National Conference on Legal Education to be held in August 2017 was noted above.

The standing committees of the Academy are as follows:

Membership Committee

Justice Alan Robertson (Chair)
The President
Professor Paul Fairall
Mr Glenn Ferguson
Emeritus Professor David Barker
Emeritus Professor Adrian Bradbrook
Professor Michael Coper

Projects Committee

Professor Rosalind Croucher (Chair)
Professor Natalie Klein
Dr Nuncio D'Angelo
Mr Michael Murray

Prizes and Scholarships Committee

Professor Bee Chen Goh (Chair)
The President
Justice Alan Robertson

Website and Publications Committee

Professor Michael Adams (Chair)
Justice Alan Robertson
Emeritus Professor David Barker

Professor Rosalind Croucher

New Members

On behalf of the Academy and its members, I am pleased to extend a warm welcome to the following lawyer who, at the Board's invitation, has become a member of the Academy since the last Newsletter:

The Hon Justice Julie Dodds-Streeton

A handwritten signature in black ink that reads "Kevin Lindgren". The signature is written in a cursive style with a large 'K' and 'L'.

Kevin Lindgren
President
kevlindgren@gmail.com

0414 914 827

CONFERENCE

THE FUTURE OF AUSTRALIAN LEGAL EDUCATION

11-13 AUGUST 2017, SYDNEY | HOLD THE DATE AND CALL FOR PAPERS

The Future of Australian Legal Education

CALL FOR PAPERS

To mark the 10th anniversary of the **Australian Academy of Law (AAL)**, the 90th anniversary of the **Australian Law Journal (ALJ)**, and the 30th anniversary of the *Pearce Report* on Australian Law Schools, the AAL and ALJ are presenting a national conference on the future of Australian legal education. The conference is sponsored by the **AAL** and ALJ publisher **Thomson Reuters**, and is supported by the **Law Council of Australia**.

The conference will provide a forum for an informed, national discussion on the future of legal study and practice in Australia, covering practitioners, academics, judges and, of course, students.

Based on the presentations and discussion at the conference, the AAL will produce a national discussion paper on this important topic. The ALJ will also publish a number of the conference papers and the organisers are investigating subsequent publication of the papers.

Conference keynote speaker

Bringing an international perspective, the keynote address will be delivered by **Professor Martha C. Nussbaum**, the Ernst Freund Distinguished Service Professor of Law and Ethics, appointed to the Law School and Philosophy Department, University of Chicago. Read more about [Professor Nussbaum](#).

Conference dates

- Opening evening reception **Friday 11 August 2017**
- Celebratory dinner **Saturday 12 August 2017**
- Concludes at lunchtime on **Sunday 13 August 2017**

Preparing your abstract

The organisers invite short (not more than 300 words) abstracts of proposed papers. Please send to the Secretariat of the AAL, Ms Claire Hammerton, at Admin@academyoflaw.org.au by **Friday 16 December 2016**. Please also email your details to this address if you wish to be placed on the conference mailing list.

Kevin Lindgren
President
Australian Academy of Law

AAL
Australian Academy of Law
Patron The Hon Robert French, Chief Justice of Australia

Priestley 11 plus more

There will be a session devoted specifically to the ongoing suitability of “the Priestley 11”.

Other relevant topics could include:

- Pearce 30 years on — what’s worked, what hasn’t?
- What will legal education look like in the future?
- Curriculum — mandatory and elective subjects. What areas should be required for the right to practise? Is the Priestley 11 still fit for purpose?
- Pedagogy — how to teach law
- Technology and the law
- A law degree for those who do not intend to practise?
- Where’s the dividing line between academic preparation and practical training?
- Diversity — access to legal education for first Australians and others
- Structure of the practising profession: a truly national profession

François Kunc
General Editor
Australian Law Journal

 **THOMSON REUTERS®**

THE COURT OF APPEAL: THE FIRST 25 YEARS



JUSTICE MARGARET McMURDO AC

President, Queensland Court of Appeal
Fellow of the Australian Academy of Law

CHAIR	Justice James Douglas Judge, Supreme Court of Queensland
WELCOME	The Hon Dr Kevin Lindgren AM QC President, Australian Academy of Law
VOTE OF THANKS	Professor Bee Chen Goh Southern Cross University
WHEN	5.15pm for 5.30pm Monday 24 October 2016
WHERE	Banco Court Level 3, Queen Elizabeth II Courts of Law 415 George Street, Brisbane

Refreshments will be served after the lecture

REGISTRATION DETAILS

Please allow plenty of time to pass through security.
BAQ and QLS attendees are eligible to claim 1 CPD point.

This public lecture is free to attend but attendees must register and numbers are limited.

RSVP	Monday 3 October 2016
EMAIL	kerry.harkins@justice.qld.gov.au
PHONE	07 3247 9170
FAX	07 3229 4364

The Australian Academy of Law (www.academyoflaw.org.au) is a broadly-based body comprising individuals of exceptional distinction in the discipline of law who are committed to the advancement of that discipline and to justice according to law in Australia. A distinctive feature of the Academy is that its Fellows, and therefore the Academy itself, provide a "bridge" that links, indeed unites, the judiciary, academia and the practising profession through shared values and objectives.

2016 Symposium

Where: Banco Court, Supreme Court of Victoria
210 William Street, Melbourne

When: Thursday, 10 November 2016 at 4.30pm
Followed by refreshments in the Supreme Court Library from 5.45pm to 7.00pm

PROGRAM:

Convener: The Hon Justice John Digby, Judge of the Supreme Court of Victoria

WELCOME

The Hon Justice Marilyn Warren AC, Chief Justice, Supreme Court of Victoria

The Hon Kevin Lindgren AM, QC, President of the Australian Academy of Law

SPEAKERS

"The Death of the Law Firm", Professor Dan Hunter, Foundation Dean, Swinburne Law School

"Measuring the 'lawfulness' of legal technologies: from speedbumps to smart contracts", Mr. Jake Goldenfein, Lecturer, Swinburne Law School

"Uncodified code: a primer on smart-contracting", Mr Ari Dyball, Legal Technologist, Swinburne Law School

RSVP by Friday, 4 November 2016

AAL Secretariat

E: admin@academyoflaw.org.au

T: 02 9230 8253

This event is free of charge.

ABOUT THE SPEAKERS

Professor Dan Hunter

Professor Dan Hunter is the Foundation Dean of Swinburne Law School. He is an international expert in intellectual property and internet law, and regularly publishes on the theory of intellectual property and on the intersection of computers and law. He is the author of the Oxford Introduction to U.S. Law: Intellectual Property, the co-author of books on gamification and intelligent legal systems, and the author of numerous articles on intellectual property and internet law. His main research involves cultural histories of intellectual property in the postwar period, including work on Lego bricks, Barbie dolls, recipes, and luxury handbags.

Jake Goldenfein

Jake Goldenfein joined Swinburne Law School as a lecturer in 2016. His research addresses the intersection of law and technology, focusing on questions of privacy, surveillance, automated decision making, automated legal action (smart contracts), distributed ledger technologies, media law, the history and theory of communications technologies, as well as copyright and other questions in intellectual property. Jake's recent publications have explored the history of law enforcement intelligence databases, the relationship of privacy to police photography, and computer surveillance in remote indigenous communities. These publications have earned several prizes including the 2013 Australian Privacy Foundation Sir Zelman Cowan Privacy Essay Competition.

Ari Dyball

Ari Dyball is a lawyer and legal technologist, and works at Swinburne Law School. Ari completed his degree in Art History from the University of Melbourne and then worked in contemporary art spaces in London. While there he shifted to publishing and worked on the first retail-based print-on-demand service in Europe, and then returned to start one in Melbourne. He then undertook a JD, while studying law, and against all sane advice, he taught himself how to write code. Ari now works in the space between technology and law at Swinburne Law School, and at law tech startup.

'Where to from here on family violence - law and social policy solutions'

Thursday 24th November, 2016 5.30-6.30pm

The lecture will be followed by refreshments in the Level 5 Suite, Adelaide Law School

The Hon. Marcia Neave AO

Law Lecture Theatre 2, Adelaide Law School, Ligertwood Building,
The University of Adelaide

Program

- Welcome - The Hon Kevin Lindgren AM QC, President of the Australian Academy of Law
- Professor Margaret Davies, Flinders University, introduces The Hon. Marcia Neave, AO
- The Hon Marcia Neave AO, delivers her lecture
- The Hon Justice Kevin Nicholson, delivers the vote of thanks



The Honourable Marcia Neave AO was appointed Chair of the Royal Commission into Family Violence in February 2015 and delivered her report to the Victorian Government in March 2016. Prior to her appointment as Royal Commissioner, she was a judge of the Victorian Court of Appeal.

The Hon M Neave has been a professor at three Australian universities, including a term as Dean of Law at Adelaide Law School, and she is currently Judge in Residence at Melbourne Law School. She has always had an interest in the way the law responds to the needs of women.

Registration is essential for catering purposes.

RSVP by Wednesday 16th November:

T 08 8313 3357
E rhiannon.kinsey@adelaide.edu.au

