

### ACT Academy event on Wednesday 25 March 2015 at 5.30 pm

This ACT Academy event has been publicised previously in the Newsletter and elsewhere. The topic is "The Whaling Case in the International Court of Justice" and the speakers will be Professor Hilary Charlesworth and Henry Burmester AO QC, who were respectively a Judge ad hoc and Australian counsel in the Whaling Case.

The event was to be held in the ACT Supreme Court but the number of registrations was so high that it was clear that the number would not be able to be accommodated there. Accordingly, the venue has been changed to the Australian Centre on China in the World, Building 188, Fellows Lane, The Australian National University, Canberra.

All registrants and Canberra Fellows have been advised of the change which is reflected in the enclosed amended flyer.

In view of the much larger capacity of the new venue, it is still possible to accommodate registrations, which can be effected as indicated on the flyer.

### Patron's Address for 2015 to be held on Monday 18 May 2015 at 5.30 pm

Advance notice of this event was given in the last two Newsletters. The flyer has now been prepared and is attached.

It is expected that there will be a large attendance at the Patron's Address and therefore Fellows are encouraged to register

their intention to attend as indicated in the flyer.

In view of the availability of the flyer, I will not repeat what was said in the earlier Newsletters concerning Professor Brand or his topic. Suffice it to say that it seems most appropriate that the Academy makes its own contribution to the celebration of this 800th anniversary year of the sealing of Magna Carta, with a lecture by such an eminent English medieval legal historian as Professor Brand.

### Vale Professor Peter Johnston

It is sad to note the passing of Professor Peter Johnston of Curtin Law School.

It was only in recent times that Peter was invited to become a Fellow of the Academy and accepted the invitation. His death came as a shock to his many friends and admirers within the Academy and further afield.

Professor Paul Fairall, Dean of Curtin Law School, has written a brief note about Peter which can be read on the Member Forum (see the next item in this Newsletter).

### Member Forum

In the last Newsletter, I drew attention again to the "Member Forum" section of the Academy website.

Our first President, the Hon Bob Nicholson AO, has sent in some information which is posted on the Member Forum.

To read more of Bob's doings and of those of other Fellows, please follow these steps:

- (1) Hover above "Fellows" in the bar at the top of the screen and click onto "Member Login";
- (2) On the screen that will then open up, type in your email address as you have supplied it to the AAL Secretariat;
- (3) On the same screen type in your "Password";
- (4) You will then see a link to the Member Forum;
- (5) Once in the Forum, click on "Doings, Comings and Goings" and you will be able to read the postings that have been made to date.

## Change in arrangements at the AAL Secretariat

I have to inform members that Ms Sarah Hull, who had filled the role of Secretariat of the Academy for some years, has taken a redundancy package at the ANU College of Law as from 27 February 2015 and therefore is no longer performing that role.

I would like to record my appreciation of the work that she has done for the Academy, and, in particular, in assisting me as President.

On behalf of all Fellows, and for myself, I have conveyed thanks to her.

For a trial period, the duties of the Secretariat are being performed by Ms Bea Hogan, the EA to the Dean and Fellow of the Academy, Professor Stephen Bottomley.

On behalf of all Fellows, I am pleased to welcome Bea to this role.

## New Fellows

Since the last Newsletter, the following individual has become a Fellow of the Academy:

Professor Dale Pinto

I am sure that all Fellows join me in extending a warm welcome to this new member.



Kevin Lindgren

President

[kevlindgren@gmail.com](mailto:kevlindgren@gmail.com)

Tel (02) 9422 2085

0414 914 827

12 March 2015

## The whaling case in the International Court of Justice: perspectives from the bench and bar table

Wednesday 25 March 2015 5.30–7 pm (followed by refreshments)

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Professor Hilary Charlesworth The Australian National University  
Henry Burmester AO QC

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Chair Kevin Lindgren AM QC, Academy President

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Australian Centre on China in the World, Building 188, Fellows Lane,  
The Australian National University, Canberra (address and parking details below)



Hilary Charlesworth is an Australian Research Council Laureate Fellow, Professor in RegNet and Director of the Centre for International Governance and Justice, ANU. She also holds an appointment as Professor of International Law and Human Rights in the ANU College of Law. Her research interests are in international law and human rights law. In 2011, she was appointed as Judge ad hoc of the International Court of Justice in the Whaling in the Antarctic Case.

Hilary will discuss her experience as ad hoc judge in the case.



Henry Burmester AO QC has been involved in all of the contentious cases in which Australia has appeared before the International Court. He is a former Head of the Office of International Law in the Attorney-General's Department, and former Chief General Counsel in the Australian Government Solicitor.

Henry will discuss the case from his perspective as one of the Australian counsel.

RSVP online by Friday 20 March:

W [academyoflaw.org.au/events?id=33](http://academyoflaw.org.au/events?id=33)

E [aal@anu.edu.au](mailto:aal@anu.edu.au)

T: 02 6125 3487 or 02 6125 2906





Launched on 17 July 2007 by Her Excellency, Ms Quentin Bryce AC CVO, in her then capacity as Governor of Queensland and a Foundation Fellow of the Australian Academy of Law (AAL), the AAL is the fifth learned Academy in Australia and is the culmination of a process begun with the Australian Law Reform Commission's landmark report, *Managing Justice: a review of the federal civil justice system* (ALRC 89, 2000). The Foundation Patron of the AAL was The Hon Murray Gleeson AC (former Chief Justice of Australia).

The AAL is a broadly-based and permanent body, comprising individuals of exceptional distinction from all parts of the legal community—elected from the judiciary, legal practitioners and legal academics—united in a common goal of advancement of the discipline of law and the justice system. A distinctive feature of the AAL is that its Fellows and therefore the AAL itself, provide a 'bridge' linking, indeed uniting, the judiciary, academia and the legal profession in Australia. Information about the AAL may be found on its website: [www.academyoflaw.org.au](http://www.academyoflaw.org.au).

*Managing Justice* traced the rapid growth, diversification and fragmentation of the Australian legal profession, and the serious challenges these present to the maintenance of a coherent professional identity and traditional collegiate approaches. Without positive action the single 'legal profession' could become a multiplicity of 'legal occupations', none of which sees itself as part of a larger whole.

The objects of the Academy, set out in the AAL Constitution, include:

- > To establish and advance funds to provide scholarships and research grants which advance legal education and the discipline of law and promote ethical conduct and professional responsibility.
- > To promote the highest standards of legal scholarship, legal research, legal education, legal practice, and the administration of justice.
- > To promote the continuous improvement of the law and of the operation of the legal system.
- > To promote the highest standards of ethical conduct and professional responsibility amongst all members of the legal community, including the use of legal skills not merely for material personal reward but also in the service of society.
- > To enhance understanding and observance of the rule of law, and community understanding of the role and function of law, lawyers, the legal profession, and the judiciary.
- > To provide a forum for cooperation, collaboration, constructive debate and the effective interchange of views amongst all branches of the legal community on all matters relating to the achievement of these objects.

Under Cl 11 of the Academy of Law's Constitution, the Directors may appoint by invitation the Chief Justice of the High Court of Australia to be Patron of the Academy. The Foundation Patron of the Academy was the Hon Chief Justice Murray Gleeson AC, whose term expired on his retirement on 29 August 2008. The Hon Chief Justice Robert French AC also accepted the invitation to be the Patron of the Academy.



## VENUE

**AUSTRALIAN ACADEMY OF LAW PUBLIC LECTURE: 5:30pm 25 March 2015**

### **Australian Centre on China in the World**

Building 188, Fellows Lane

The Australian National University

Canberra ACT 0200 Australia

T: +61 2 6125 4124

[bea.hogan@anu.edu.au](mailto:bea.hogan@anu.edu.au)



## Academy of Law's Patron's Address

### Magna Carta and the Development of the Common Law

**Monday 18 May 2015** 5.30pm

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**Federal Court of Australia** Level 21, Law Courts Building, Queen's Square, Sydney

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**Professor Paul Brand** FBA, Emeritus Fellow, All Souls College, Oxford



The Australian Academy of Law (AAL) will be holding the fourth of its annual Patron's Addresses on Monday 18 May 2015, to be delivered by Professor Paul Brand, FBA, Emeritus Fellow, All Souls College, Oxford.

The title of Emeritus Professor Brand's address is '*Magna Carta and the Development of the Common Law*'. With expertise in English medieval Common Law, his main focus will be on what Magna Carta has to tell us about the development of the Common Law prior to 1215 and what contribution it then made in the short and medium term to the subsequent medieval development of the Common Law. Professor Brand will then consider how, over the

longer term, Magna Carta came to be seen throughout the Common Law world as a foundational document of the Common Law as a family of legal systems.

Paul Brand is Professor of English Legal History at the University of Oxford and a Senior Research Fellow of All Souls College, Oxford. He works on English medieval legal history and has written monographs on *The origins of the English legal profession* (1992) and on *Kings, Barons and Justices: The Making and Enforcement of Legislation in Thirteenth-Century England* (2003) as well as editing the four volumes of *The Earliest English Law Reports* and the two earliest volumes of *The Parliament Rolls of Medieval England*.

The inaugural Patron's Address was delivered in 2012 by the Patron of the AAL, The Hon Chief Justice Robert French AC. The second Patron's Address was delivered in 2013 by The Hon James Spigelman AC QC; and the third in 2014 by the Hon Chief Justice Sundaresh Menon, Chief Justice, Supreme Court of Singapore. For the fourth address the Academy acknowledges the support of the Rule of Law Institute of Australia and also the University of Melbourne for funding Professor Brand's visit as a Miegunyah Distinguished Visiting Fellow.

*This event may count as MCLE/CPD.*

**RSVP online by Thursday 14 May:**

W [academyoflaw.org.au/events?id=35](http://academyoflaw.org.au/events?id=35)

E [aal@anu.edu.au](mailto:aal@anu.edu.au)

T: 02 6125 2906