

Conference on the Future of Australian Legal Education, 11-13 August 2017

The Conference is now only a month away.

Registrations to date number 126.

I draw the attention of all Fellows who have not yet registered to the special rate for Fellows ---see the **attached** flyer, which includes the Conference Program.

The Organising Committee has been using its best efforts to ensure that the Conference is advertised widely, but please feel free to distribute the flyer as you see fit and to supply to the Secretariat details of any person or organisation you think should be notified.

Academy Event held in London on 3 July 2017

Readers of the Newsletter will recall that this event for Overseas Fellows, other Fellows attending the Australian Bar Association Conference in London (or who were otherwise in London) and partners was arranged by Deputy President Justice Alan Robertson and Overseas Fellow Desmond Browne QC.

The Deputy President has provided the following report on what was plainly a most successful event:

A second overseas event was held in London on the evening of 3 July 2017 at Brooks's Club in St James's. Through the generosity of Overseas Fellow Desmond Browne QC, the event was held in the Great Subscription Room. Seventeen Fellows (including partners) met for a reception and dinner and heard an address by Overseas Fellow Sir Ross Cranston QC, recently retired from the High Court. He spoke about enduring legal values in the context of Brexit. The evening enabled Overseas Fellows and Australia based Fellows to meet or to renew acquaintances. It was a great success. There is every

reason why such events should be held regularly, including in centres in Australia.



AAL London event on 3 July 2017

Annual Essay Prize for 2017

As at 30 June, the closing date for expressions of interest, 65 individuals had given notice of their intention to submit an essay.

While past experience suggests that only a proportion of these will ultimately submit an essay by the closing date of 31 August, the number will be an encouraging one.

The Academy is fortunate that Academy Fellow, Professor William Gummow AC QC, has again agreed to chair the Judging Panel.

We need a further two members of the Judging Panel and any Fellow who would be interested to assist the Academy in this way should advise me as soon as possible.

A copy of the Notice of the offering of the Prize is **attached**.

Event for Fellows in Perth Next Monday 17 July 2017

Next Monday evening, Academy Fellow, Professor

Erika J Techera, Director of the University of Western Australia Oceans Institute and Professor of Law of the University of Western Australia, will give a lecture on “Bringing science, technology and law together to solve the illegal fishing challenge”.

The event will be held at the Federal Court of Australia, 1 Victoria Avenue, Perth---5.15 pm for a 5.30 start.

The flyer for the lecture is **attached**.

Book Launch Sponsored Jointly by the Academy and the Castan Centre for Human Rights Law

On 8 August 2017, the Academy and Monash University’s Castan Centre for Human Rights Law will jointly host the launch of David Coltart’s book ‘The Struggle Continues – 50 Years of Tyranny in Zimbabwe’.

The event will take place at the Castan Centre, 55 Lonsdale Street, Melbourne from 7pm to 9.30pm.

A flyer for the book launch is **attached**.

Austin Asche Oration in Darwin on Tuesday 19 September 2017

The Austin Asche Oration in Law and Governance will be held this year on Tuesday 19 September.

This annual event is sponsored jointly by the Academy and Charles Darwin University.

We are fortunate in having as the speaker this year Mr Ed Santow, who began his five-year term as Human Rights Commissioner with the Australian Human Rights Commission in August 2016.

Mr Santow’s address will be entitled: *Making detention safe: can we grasp a once-in-a-generation opportunity?*

The focus of the address will be the decision by the Commonwealth Government to ratify the *Optional Protocol to the Convention Against Torture* by December 2017.

A flyer for the event is **attached**.

Patron’s Address on Monday 25 September 2017

As noted in the last Newsletter, the Patron’s Address for 2017 will be delivered by Overseas Fellow Professor James Crawford AC SC, a Judge of the International Court of Justice.

A flyer for the event is **attached**.

This year marks the tenth anniversary of the establishment of the Academy and this milestone will be marked on the occasion of the Patron’s Address (as it is by the holding of the Conference on Legal Education in August).

Queensland Annual Event to be held on Thursday 26 October 2017

As foreshadowed in the last Newsletter, there is **attached** to this Newsletter a flyer for this event.

South Australian Event to be held in Adelaide on 1 November 2017

The South Australian Academy event for 2017 will be held on Wednesday 1 November at the University of Adelaide Law School.

The speaker will be Emeritus Professor Gillian Triggs who, by then, will be former President of the Australian Human Rights Commission. Professor Triggs will reflect on her experience in the tenure of that office.

A flyer containing more details will be attached to the next Newsletter.

Thank You

The Academy is much indebted to Eva Ryan and Jessica Der Matossian of the Principal Registry of the Federal Court for helping out during the recent illness of our Secretariat, Claire Hammerton, who, I am more than happy to say, is now back on deck.

New Members

I am sure that all Fellows 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 since the last Newsletter:

The Hon Chief Justice Helen Murrell

A handwritten signature in black ink, reading "Kevin Lindgren". The signature is fluid and cursive, with the first name "Kevin" and last name "Lindgren" clearly distinguishable.

Kevin Lindgren President
kevlindgren@gmail.com
0414 914 827

CONFERENCE

THE FUTURE OF AUSTRALIAN LEGAL EDUCATION

11-13 AUGUST 2017, SYDNEY | REGISTER NOW

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.

Presented by Australia's leading legal education experts and high ranking judicial members, 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 students.

Sessions will explore and debate:

- Digital Technology and its impact on teaching, learning and legal practice
- What makes a 'good' lawyer
- Purposes and goals of legal education
- Pedagogy and outcomes
- New skills and essential knowledge for lawyers
- Enhancing access to, and indigenous engagement in, legal education
- Experiential learning
- Making connections: law interacting across disciplines and international borders
- And much more

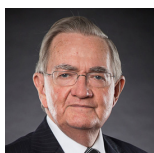
Program Details

Dates: 11-13th August 2017

Location: Federal Court of Australia
Law Courts Building
184 Phillip Street,
Queens Square, Sydney NSW 2000

View the detailed conference program on the next page.

Hosts



The Hon. Kevin Lindgren AM QC,
President AAL



The Hon. Justice François Kunc,
General Editor, *The Australian Law Journal*,
published by Thomson Reuters

International Keynote Address

Why Lawyers Need a Broad Social Education

When German Jewish immigrant Ernst Freund was asked by University of Chicago's President William Rainey Harper to design a law school for the university, in 1902, he proposed something highly unconventional. Freund was a lawyer who used his broad knowledge of American society and its flaws in his own legal work. He told Harper that lawyers would be tools of the status quo if they studied only law, as was the prevailing norm, under the influence of Harvard. Instead, they ought to study, in addition, political science, economics, sociology, and political philosophy -- not in order to become academics, but in order to be lawyers who could think critically about society and guide it productively. Professor Nussbaum's "lecture will support Freund's vision and examine its achievements, its limits, and the current challenges against it." Professor Nussbaum will "argue that in this era of threatening populism we need critical and socially aware lawyers more than ever."



Professor Martha C. Nussbaum

Ernst Freund Distinguished Service
Professor of Law and Ethics, appointed
to the Law School and Philosophy
Department, University of Chicago

Registration Details

\$450 Standard fee
\$350 Early bird registration (ends 1st June 2017)
\$250 AAL fellow registration
\$150 Full time students
\$150 per person for Celebration Gala Dinner

Attendance may count towards satisfaction of MCLE/CPD requirements.

Find out more and register today:
academyoflaw.org.au/Conference

CONFERENCE THE FUTURE OF AUSTRALIAN LEGAL EDUCATION

11-13 AUGUST 2017, SYDNEY | REGISTER NOW

Conference Program

Friday 11 August

6:00 pm	Official opening – social cocktail reception, Allens, Level 28, Deutsche Bank Place
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Saturday 12 August

From 8:15 am	Registration, tea/coffee
9:00 am	Welcome address The Hon Kevin Lindgren AM QC, President AAL, The Hon Justice François Kunc, General Editor ALJ, Gadigal Elder Uncle Chicka Madden to give 'Welcome to Country'
9:30 am	Plenary 1: Keynote address – Why Lawyers Need a Broad Social Education Chair: The Hon Chief Justice James Allsop AO Speaker: Professor Martha C. Nussbaum
10:30 am	Morning tea
11:00 am	Plenary 2: Current status of legal education – where we are now and how we got here Chair: Emeritus Professor Rosalind Croucher AM Speakers: Emeritus Professor Dennis Pearce AO, Emeritus Professor Sandford Clark AM, Emeritus Professor David Barker AM, The Hon Michael Black AC QC
12:30 pm	Lunch
1:30 pm	Concurrent 1A: Pedagogy and outcomes Chair: Professor Brian Opeskin Speakers: Associate Professor Lyria Bennett Moses, Christina Do, Nicole Wilson-Rogers, Dr Laura Griffin, Professor Alex Steel
1:30 pm	Concurrent 1B: Making connections Chair: Professor Joellen Riley Speakers: The Hon Nicholas Hasluck AM QC, Justin Gleeson SC
1:30 pm	Concurrent 1C: The 'good' lawyer Chair: Fiona McLeod SC Speakers: Andrew Henderson, Christian Duperouzel, Susan Carter, Alan Cameron AO
3:00 pm	Afternoon tea
3:30 pm	Concurrent 2A: Technology and teaching Chair: Stuart Clark AM Speakers: Dr Alexandra George, Dr Marina Nehme, Dr Philippa Ryan, Dr Sarah Hiller
3:30 pm	Concurrent 2B: Purposes and goals of legal education Chair: Emeritus Professor Michael Coper Speakers: Emeritus Professor John Farrar, Professor Patrick Keyzer, Professor Simon Rice, Terri Mottershead
6:00 pm	Pre-dinner drinks
7:00 pm	AAL & ALJ celebration dinner, Strangers' Dining Room, Parliament House NSW

Speaker: The Hon Justice Virginia Bell AC

Sunday 13 August

From 8:15 am	Registration, tea/coffee
9:00 am	Plenary 3: What every lawyer should know Chair: Dr Nuncio D'Angelo Speakers: Associate Professor Michael Legg, The Hon Justice John Basten, Kirsty McPhee
10:30 am	Morning tea
11:00 am	Concurrent 3A: Enhancing access to, and indigenous engagement in, legal education Chair: His Hon Judge Matthew Myers AM Speakers: Annette Gainsford, Associate Professor Alison Gerard, Associate Professor Bronwyn Olliffe, Angela Dwyer, Maxine Evers, Professor Jenny Buchan, Dr Leela Cejnar
11:00 am	Concurrent 3B: Experiential learning Chair: The Hon Justice Alan Robertson Speakers: Associate Professor Cathy Sherry, Neville Carter, Svetlana German and Robert Pelletier
11:00 am	Concurrent 3C: Preparing for the impact of technology on legal practice Chair: Professor Simone Degeling Speakers: Associate Professor Penny Crofts, Associate Professor Gabrielle Appleby, Associate Professor Sean Brennan, Professor Andrew Lynch, Professor Nick James, Associate Dean Tania Leiman
12:30 pm	Plenary 4: Looking to the future of legal education Chair: The Hon Michael Kirby AC CMG Speakers: The Hon Justice Alan Robertson, Deputy President, AAL Fiona McLeod SC, President, Law Council of Australia Professor William MacNeil, Chair, Council of Australian Law Deans Dan Trevanion, President, Australian Law Students' Association Professor Martha C. Nussbaum
1:30 pm	Closing by The Hon Kevin Lindgren AM QC and The Hon Justice François Kunc
1:45 pm	Lunch

Find out more and register today at academyoflaw.org.au/Conference

AUSTRALIAN ACADEMY OF LAW

NOTICE OF ANNUAL ESSAY PRIZE 2017

The Australian Academy of Law is pleased to announce the offering of its *Annual Essay Prize* for 2017.

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 essay topic for the Prize in 2017 is as follows:

How well do Australian legal institutions respond to climate change? How could that response be improved?

Note: *“Australian legal institutions” includes legislatures, courts, public administration, universities and other legal teaching and research institutions.*

The deadline for the submission of an essay is 31 August 2017 and persons intending to submit an essay must notify the Academy of that intention in writing via the Academy’s website to be received by 30 June 2017. Both of these time limits are strictly observed, as the Rules Governing the Annual Essay Prize make clear.

Those Rules can be accessed on the Academy’s website: www.academyoflaw.org.au

Refer to the Academy’s website also for further information about notification of intention to enter and about the actual submission of an entry.



**AUSTRALIAN ACADEMY OF LAW
WESTERN AUSTRALIAN LECTURE:**

**‘Bringing science, technology and
law together to solve the illegal
fishing challenge’**

**The lecture will be delivered by Professor Erika J
Techera, FAAL, Director, UWA Oceans Institute and
Professor of the University of Western Australia Law
School**

**5.15 pm (for a 5.30pm start) Monday 17 July 2017
Federal Court of Australia, 1 Victoria Avenue, Perth**

**To be followed by dinner for Fellows at Post Restaurant,
Como Treasury Hotel.**



Erika Techera is a Professor of Law in the UWA Law School and Director of the UWA Oceans Institute at The University of Western Australia. As Director, Erika provides strategic leadership and management of the flagship, multi-disciplinary research and teaching institute focusing on solutions to real world challenges facing our oceans. Before taking up this role, Erika was Dean of the UWA Law

School. Erika’s area of research interest is international and comparative environmental law with a particular emphasis on marine environmental governance and cultural heritage law and policy relating to the oceans. Her research explores legal approaches to Indo-Pacific maritime issues such as marine protected area governance, marine spatial planning and marine pollution, as well as international law for the conservation and management of sharks and other wild species. Her most recent projects are multi-disciplinary: the intersection of transnational crime and illegal fishing; and decommissioning offshore infrastructure and its conversion to artificial reefs. She is the author of over 60 books, chapters and papers, predominantly in the field of environmental law. Prior to joining UWA Erika was Director of the Centre for International Environmental Law and Co-Director for the Centre for Climate Futures at Macquarie University, and practised as a barrister in Sydney for over 7 years. She is a Fellow of the Australian Academy of Law, and in 2016 was awarded the Australian Lawyers’ Weekly Academic of the Year.

Please register for this event at <http://www.academyoflaw.org.au/events> by Tuesday 11 July 2017. If you are an AAL Fellow and would like to attend the post-lecture dinner please RSVP to ea.barkerj@fedcourt.gov.au by the same date.

Book launch

'THE STRUGGLE CONTINUES 50 YEARS OF TYRANNY IN ZIMBABWE'

Tuesday 8 August 2017 7:00 – 9:30 pm

The Castan Centre, 555 Lonsdale St, Melbourne.



Join author and former MDC minister of Education, Sport, Arts and Culture, **David Coltart** in his Melbourne book launch of: The struggle continues 50 years of tyranny in Zimbabwe.'

'David's determination to fight for the rights of all Zimbabweans, regardless of skin colour or ethnicity, alongside his colleagues in the human rights movement and later the MDC, is ultimately an uplifting story. If, as the book's title suggests, Zimbabwe may still realise its potential it will be due in no small measure to the efforts of the many unsung heroes who emerge from the pages of this book' – Sir Brian Donnelly, British High Commissioner, later Ambassador, to Zimbabwe, 2001-2004.

'A masterful account of Zimbabwe's unfinished struggle for freedom' – Alec Russell, Head of News, The Financial Times.

David Coltart is a Zimbabwean human rights lawyer, resident in Bulawayo, Zimbabwe. He has served three terms in Parliament, ending in the Senate as minister of Education, Sport, Arts and Culture until 2013.

Seventh Austin Asche Oration in Law and Governance

Making detention safe and humane: can we grasp a once-in-a generation opportunity?

Tuesday 19 September 2017 5 – 7 pm

Nitmiluk Lounge Level 4, Parliament House, Darwin



Edward Santow Human Rights Commissioner

In February 2017, the federal Government made what could be the single most positive step in a generation towards protecting the human rights of detainees.

In announcing that it will ratify the Optional Protocol to the Convention Against Torture (OPCAT) by December, the Government has committed to establish a regime of independent inspections for all places of detention in Australia, including prisons, youth detention centres, mental health facilities and immigration detention centres.

Places of detention are often hidden from view. Evidence before the Royal Commission into the Protection and Detention of Children in the Northern Territory confirms, if further confirmation was needed, that terrible things can happen in such places. OPCAT presents a once-in-a-generation opportunity to shine a light in these dark places; to cease detention practices we know to be harmful; and to learn from best practice in Australia and around the world. Can we grasp this opportunity?

Edward Santow commenced his five-year term as Human Rights Commissioner at the Australian Human Rights Commission in August 2016.

Prior to joining the Commission, Ed was chief executive of the Public Interest Advocacy Centre, a leading non-profit organisation that promotes human rights through strategic litigation, policy development and education.

Ed was previously a Senior Lecturer at UNSW Law School and a research director at the Gilbert + Tobin Centre of Public Law. His areas of expertise include human rights, administrative and constitutional law, discrimination and freedom of information.

As Human Rights Commissioner, Ed leads the Commission's work on marriage equality and other human rights issues affecting LGBTI Australians. Ed also leads the Commission's work on the Optional Protocol to the Convention Against Torture (OPCAT) and he has primary responsibility for the Commission's work on freedom of expression, freedom of association and freedom of religion.

Ed is a Senior Visiting Fellow at the University of New South Wales (UNSW), and serves on a number of boards and committees, including the Australia Pro Bono Centre. In 2009, Ed was presented with an Australian Leadership Award, and in 2017, he was recognised as a Young Global Leader by the World Economic Forum.

RSVP by Friday 15 September 2017:

E CDUEvents@cdu.edu.au

T 08 8946 6554

This event may count as MCLE/CPD points.

PUBLIC
SEMINAR



The Australian Academy of Law's Patron's Address — 'The International Court of Justice as a Working Court'

**5.30 pm, Monday 25 September 2017
Banco Court, Supreme Court of NSW
Level 13, Law Courts Building
Queen's Square, Sydney**

**The sixth annual Patron's Address of the
Australian Academy of Law will be delivered by
His Excellency Judge James Crawford AC, SC, FBA,
Judge of the International Court of Justice**



Professor Crawford was elected a Judge of the International Court of Justice (ICJ) in 2014, taking up his post in February 2015. He will speak about his experiences as a member of the Court with particular reference to such issues as the jurisdiction of the Court, features that distinguish the ICJ's jurisdiction from that of domestic courts, procedural characteristics of the Court and how its procedures differ from those of domestic courts, enforcement of the ICJ's orders, and the relationship of the Court's jurisprudence to the common law and civil law traditions.

James Crawford AC, SC, FBA was born in Adelaide and studied law at Adelaide and Oxford Universities. He is a Judge of the International Court of Justice. From 1992 to 2015 he was Whewell Professor of International Law at the University of Cambridge; he also held chairs at Adelaide, Sydney and LaTrobe Universities. He was also a member of the Australian Law Reform Commission (1982-1990).

He was responsible for the ILC's work on the International Criminal Court (1994) and for the second reading of the ILC Articles on State Responsibility (2001). During his practicing career, he was involved as counsel, expert or arbitrator in some 100 cases before the International Court and other international tribunals.

Publications include *The Creation of States in International Law* (2nd edn, 2006); *Brownlie's Principles of Public International Law* (8th edn, 2012); *State Responsibility: The General Part* (2013), and *Chance, Order, Change: The Course of International Law* (2014).

Please register for this event at www.academyoflaw.org.au/event-2609119 by Friday 22 September 2017. This event may count as MCLE/CPD.

TRENDS IN LEGAL EDUCATION



PROFESSOR SARAH DERRINGTON

Academic Dean and Head of School
TC Beirne School of Law, University of Queensland
Fellow of the Australian Academy of Law

CHAIR	Professor Bee Chen Goh Southern Cross University
WELCOME	The Hon Dr Kevin Lindgren AM QC President, Australian Academy of Law
VOTE OF THANKS	Mr Glenn Ferguson AM Sajen Legal
WHEN	5.45pm for 6.00pm Thursday 26 October 2017
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.
This lecture is an activity that earns QLS and BAQ attendees 1 CPD point.

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

RSVP Thursday 20 October 2017
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.