

Forthcoming events

Professor Eleanor Fox event held on Monday 8 August 2016

On 8 August in Sydney, an audience of 40-50 heard Professor Eleanor Fox speak on the subject "Through the competition window—reflections on globalisation".

The event was sponsored jointly by the Academy and the Business Law Section of the Law Council of Australia.

Professor Fox is the Walter J Derenberg Professor of Trade Regulation at New York School of Law. Details of the event (then forthcoming) were contained in the last Newsletter.

The event was not one of our public events and was for Fellows and others (academics, practitioners and members of the judiciary) who had a special interest in Competition Law.

Professor Fox also took questions from the audience and engaged in discussion with many present over the refreshments that followed her lecture. The Academy is grateful to Norton Rose Fulbright for hosting the event at the firm's offices.

Other visitors – an opportunity for the Academy

Professor Fox was already to visit Australia for other purposes and Russell Miller raised the possibility of the Academy's holding an event at which she might speak. The Academy did so jointly with the Law Council of Australia.

Could I encourage members to note that the Academy can, jointly with another institution, sponsor an event featuring a notable visitor to Australia. In particular, our members in academia are well placed to be aware of such opportunities as they arise from time to time.

Forthcoming State and Territory events for 2016

New South Wales

As was noted in the last Newsletter, the Patron's Address for 2016 will be delivered by the Solicitor-General for the Commonwealth, Mr Justin Gleeson SC, in the Banco Court of the Supreme Court of New South Wales on Tuesday 18 October 2016.

Mr Gleeson's topic will be "The Increasing Internationalisation of Australian Law".

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

May I encourage as many Fellows as can do so to attend this public event and to bring along others with them.

The RSVP details are on the flyer.

Queensland

As noted in the last Newsletter, the Academy event for Queensland will be held on Monday 24 October in the Banco Court, Level 3, Queen Elizabeth Courts of Law, 415 George Street, Brisbane, when the President of the Queensland Court of Appeal will speak on "The Court of Appeal: the First Twenty Five Years"

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

Again, I would encourage Fellows to attend and to bring along others with them. The RSVP details are on the flyer.

Northern Territory

As was noted in the last Newsletter, the Sixth Annual Austin Asche Oration in Law and Governance will be held in Darwin on Tuesday 11 October 2016.

As in previous years this event will be sponsored

jointly by Charles Darwin University and the Academy and will be held in the Nitmiluk Lounge, Level 4, Parliament House, Darwin.

The speaker will be the Hon Marilyn Warren AC, Chief Justice of Victoria.

In view of recent events in the Northern Territory, her Honour's topic should prove to be of particular interest and to attract a sizeable audience. It is "*Young People in detention: impacts, progress and alternatives*".

Perhaps it should be noted that the topic was chosen long before the recent events referred to.

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

Victoria

The Academy's event in Victoria will be a symposium to be held in late October or early November. The topic will be "*The Impact of Scientific Development and Design on the Future Practice and Development of the Law*".

The symposium will be held at the Supreme Court of Victoria.

Western Australia

The Western Australian event will be held on Wednesday 7 September at the Federal Court, 1 Victoria Avenue, Perth at 5.15 pm for a 5.30 pm start.

The speaker will be Professor Lawrence Watters, who has taught at several universities and who is currently a visiting member of the Faculty of Law at the University of Western Australia.

Professor Watters's topic will be "*Preliminary reflections on dynamic developments in international law in (1) climate change, and (2) the South China Sea*".

A flyer for the Western Australian event is **attached** and contains RSVP details.

South Australia

As noted in the last Newsletter, the South Australian event will be held on Thursday 24 November and the speaker will be the Hon Marcia Neave AO.

It is expected that a flyer will be enclosed with the next Newsletter.

Meeting of Fellows in Cambridge, England

Deputy President Justice Alan Robertson has well in hand this first meeting of Fellows to be held outside Australia.

Fellows will recall from reading previous Newsletters that the meeting is to be held in Cambridge at 6.30 pm for 7.00 pm on Sunday 11 September 2016. The biennial Public Law Conference is to be held in Cambridge over the following days.

The meeting will take the form of a reception and dinner at the Hotel du Vin Cambridge, 15-19 Trumpington Street, Cambridge. The academy's patron, Chief Justice French, who will be speaking at the Conference, will be attending our informal meeting.

Overseas Fellow Desmond Browne QC of the London Bar, will speak at the dinner.

Partners of Fellows are also most welcome to attend.

If you would like to attend please advise Alan Robertson within the next week:

Justice.Robertson@fedcourt.gov.au.

New email address for the Academy

Would Fellows please note that in connection with the relocation of the Secretariat to the Federal Court of Australia, reported in the last Newsletter, the new email address for the Academy is:

admin@academyoflaw.org.au

Payment of subscriptions by EFT

It is important when a subscription is paid by EFT for the identity of the Fellow on whose behalf it is paid to

appear. For example, recently a payment of the annual subscription of \$400.00 was transferred into the Academy's bank account by "S Burnett" but we do not have a member of that name and do not know to which member it should be credited. Could someone assist please.

New members

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

Professor Ian Ramsay
Mr Richard Niall QC



Kevin Lindgren
President
kevlindgren@gmail.com

0414 914 827



The Australian Academy of Law's Patron's Address — 'The Increasing Internationalisation of Australian Law'

**5.30 pm, Tuesday, 18 October 2016
Banco Court, Supreme Court of NSW
Level 13, Law Courts Building
Queen's Square, Sydney**

The fifth annual Patron's Address of the Australian Academy of Law will be delivered by Justin Gleeson SC, Solicitor-General for the Commonwealth of Australia



The title of the address is 'The Increasing Internationalisation of Australian Law'.

The Solicitor-General will consider the most recent wave of the internationalisation of Australian Law and some of the separate drivers or actors of that wave. He will examine the implications of this internationalisation, including the requirement that Australian Courts engage more frequently with treaties, foreign awards and foreign judgments and the possibility that the decisions of Australian courts on the validity of domestic legislation or action may no longer necessarily be the final say on a matter.

Justin Gleeson SC is the Solicitor-General of the Commonwealth of Australia. He was formerly a barrister practising at the NSW Bar and founding head of Banco Chambers in Sydney. He graduated from Sydney University with a Bachelor of Arts (BA) in 1981 and a Bachelor of Laws (LLB) with Honours and the University Medal in 1983, and subsequently from the University of Oxford with a Bachelor of Civil Law (BCL) in 1985. He was called to the Bar in 1989 and took Silk in 2000.

As Solicitor-General, he appears as counsel for the Commonwealth and related entities, particularly in international courts and tribunals and in the High Court of Australia, and provides opinions on questions of law on referral from the Attorney-General. He is an Australian member of the Permanent Court of Arbitration (PCA) in The Hague.

RSVP by Thursday 13 October to admin@academyoflaw.org.au. This event may count as MCLE/CPD.

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.

Sixth Austin Asche Oration in Law and Governance

Young people in detention: impacts, progress and alternatives

Tuesday 11 October 2016 5 – 7 pm

Nitmiluk Lounge Level 4, Parliament House, Darwin

The Honourable Marilyn Warren AC Chief Justice of the Supreme Court of Victoria



Around 20 years ago, the Australian Law Reform Commission and the Human Rights and Equal Opportunity Commission were tasked by the then federal Attorney General Michael Lavarch with investigating the experience of children and juvenile offenders in the Australian justice system. Amongst the findings in the Commissions' 1997 report was the comment that due to their 'heightened vulnerability to physical and emotional harm and different perceptions of time' detention could result in harm to children, creating 'serious social and developmental consequences'.

At that time the report noted that a number of Australian jurisdictions, including Queensland, Western Australia and the Northern Territory, had enacted legislation adopting a punitive rather than rehabilitative approach to juvenile sentencing. By way of example, it pointed to the Northern Territory's system of mandatory imprisonment for young offenders who had committed more than one property offence. The report noted the Commissions considered such mandatory detention arrangements violated significant international and common law norms and recommended the systems be repealed. Four years later, the provisions were repealed by the Northern Territory government. Unfortunately, other jurisdictions took longer.

There has been a real development of our national awareness of the issues at stake in the detention of children. Yet despite the improvements, currently on an average day 883 young people will be in juvenile detention across Australia, an increase on the figures at the time of the Commissions' report. To continue our progress, the time is ripe to delve back into the research into the effects of detention on children, Australia's response to those issues, and the wisdom we can seek from other jurisdictions.

Chief Justice Marilyn Warren was appointed as Chief Justice of the Supreme Court of Victoria in November 2003, having been first appointed as a judge of the Court in 1998. She is the longest-serving of all current Australian Chief Justices. The Chief Justice is a graduate of Monash University. She is also the Lieutenant-Governor of Victoria.

RSVP by Friday 7 October 2016:

E CDUEvents@cdu.edu.au
T 08 8946 6554

This event may count as MCLE/CPD points.



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

**‘Preliminary Reflections on
Dynamic Developments in
International Law in (1) Climate
Change, and (2) The South
China Sea’**

**The lecture will be delivered by Lawrence Watters,
Visiting Faculty Member at the Faculty of Law,
University of Western Australia**

**5.15 pm (for a 5.30pm start) Wednesday, 7 September 2016
Federal Court of Australia, 1 Victoria Avenue, Perth**

The Paris Agreement on Climate Change in December 2015 and the new decision regarding the Philippines and China *In the Matter of the South China Sea Arbitration* in the Permanent Court of Arbitration in July 2016 are dynamic developments in international law. Both have far-reaching potential to shape the entire field with direct impacts on many states. These developments also provide a timely opportunity to consider a special challenge: how are we teaching these topics to ensure law students are prepared for practice as international law increasingly intersects with national law in diverse ways.



Lawrence Watters is a visiting faculty member this term in the Faculty of Law at the University of Western Australia teaching International Environmental Law, International Law of the Sea (co-teaching) and Indigenous Peoples, The Environment And Law. He has previously taught at the University of Auckland, the University of Copenhagen, the University of Hannover, the University of Lausanne, the University of Oslo, where he was a Fulbright Scholar, and this past term, in the Czech Republic. His reader *Indigenous Peoples, The Environment And Law* is used at various universities. His publications are in the environmental law journals of Berkeley, Columbia, Georgetown, UCLA, Oslo and Oxford among others.

RSVP to ea.barkerj@fedcourt.gov.au by Tuesday 6 September 2016. This event may count as MCLE/CPD.