

Appointment

Many Fellows will have read of the recent appointment of Academy Fellow, Mark Moshinsky QC, as a Judge of the Federal Court of Australia in the Victorian Registry of the Court.

I am sure that members of the Academy join me in congratulating Mark on his appointment and wish him well in judicial life.

ACT Event on Thursday 19 November 2015

A second ACT event for 2015 was held at the Supreme Court of the Australian Capital Territory on Thursday 19 November 2015.

The title of the presentations was “Balancing on a Tightrope: Law and Life in Legal Practice”.

Professor Richard Collier from Newcastle University, UK, and Professor Margaret Thornton from the ANU Law School addressed contemporary approaches to work/life balance in UK and Australian law firms in the light of restructurings and increased competitiveness.

Professor Thornton argued that while flexible working arrangements were seen to provide a way of securing equality for women, they may actually increase the hours of work because of the technological convenience of “always being connected”.

Professor Collier concentrated on male lawyers, arguing that because the long hours culture was “testosterone- fuelled”, it would not change until men changed.

The contemporary discourse of wellbeing arising from the high rate of lawyer-depression attested to the need for such change.

An audience of about 25 heard the speakers.

Professor Michael Coper reports: “Their presentations were excellent and stimulated a good deal of discussion, both at the event and at the drinks afterwards. It is a challenging topic, which transcends the legal profession, and in which there are no easy answers, but of course it has a special relevance to the legal profession. Moreover, it was an ideal topic in the context of tackling issues of common interest between the various branches of the profession.”

Nomination of individuals for membership of the Academy

Attached is a “Nomination Guide” that the Membership Committee prepared some time ago which was distributed to Fellows.

The Membership Committee and the Board of Directors would encourage all members of the Academy to consider nominating suitable individuals to be invited by the Board to become Fellows.

It would be helpful to the Secretariat if Fellows could, when nominating a person, check that person’s correct name, current office or position held, contact details (especially telephone number) and form of address (eg Professor, The Hon, The Hon Justice, Dr, Mr, Ms, etc) are supplied.

State and Territory Events for 2016

I would encourage local committees to begin planning for their local State or Territory event now or at least early in the New Year. It is all too easy for time to pass and for these events to be held in a cluster in the second half of the year, and even late in that second half.

This timing of an event is probably not a problem in itself, provided the planning for it is done early enough.

Doing Business Across Asia: Legal Convergence in an Asian Century

The Academy is one of the organisations supporting the Singapore Academy of Law's international conference to be held in Singapore on 21 and 22 January 2016.

The title of the conference is "Doing Business Across Asia: Legal convergence in an Asian Century". The speakers will address the need for increased convergence of cross-border business laws, improved legal infrastructure and the harmonisation of regulatory standards across Asia.

Member of the AAL will enjoy the Singapore Academy of Law's members rate and **save as much as 15%** when registering online using the discount code: **LCAAL**.

For registration and information, please visit <http://www.legalconvergenceasia.com> and also see the attached flyer for more information.

Christmas closure

The office of the Secretariat will be closed between Thursday 24 December and Friday 1 January for the Christmas holiday season.

I take this opportunity to wish all members of the Academy a safe and enjoyable festive season.

New Members

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

Mr Philip Selth OAM Professor Gino Dal Pont
Professor Margaret Otlowski Professor Jeffrey Mann
AM The Hon John McKechnie QC

Overseas Fellows

Professor Lucia Zedner



Kevin Lindgren President kevlindgren@gmail.com

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10 December 2015

Guide to the process for the nomination of individuals to be invited to become Fellows of the Australian Academy of Law

The Membership Committee of the Academy has decided to distribute this note for the assistance of Fellows who may be contemplating nominating an individual to be invited to become a Fellow of the Academy.

It is the Board of Directors which decides whether an individual is to be invited to become a Fellow, but it does so on the recommendation of the Membership Committee.

Before recommending to the board that a person be invited to join the Academy, the Membership Committee considers the nomination in the light of the eligibility criteria that are laid down in the Academy's Constitution.

The Constitution provides in clause 6.3(a) for the category of "Fellows" who are described as: "*persons of exceptional distinction in the discipline of law who are demonstrably committed to the objects of the Academy*"

Clause 4 of the Constitution sets out the objects for which the Academy is established in the following terms:

(a) Advancement of the discipline of law

To establish a broadly-based and permanent body, comprising individuals of exceptional distinction from all parts of the legal community, including academia, the practising profession (including private and public sector lawyers), and the judiciary, to work together for the advancement of the discipline of law, in the ways set out in the succeeding objects.

(b) Scholarships and research grants

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.

(c) Promotion of excellence

To promote the highest standards of legal scholarship, legal research, legal education, legal practice, and the administration of justice.

(d) Law reform

To promote the continuous improvement of the law and of the operation of the legal system.

(e) Ethical conduct and professional responsibility

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.

(f) Rule of law

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.

(g) Forum

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.

Any individual Fellow may be the nominator. Of course a nomination may be made by more than one Fellow but this is not required. The Committee is no

longer implementing the system of “pairs” under which pairs of Fellows were expected to nominate a small number of individuals for membership.

The nominator should not let the nominee know of the proposal that he or she be nominated since this would open up the possibility of acute embarrassment if the recommendation of the Membership Committee or the decision of the Board were not favourable.

The inability to let the nominee know of the nomination can give rise to a problem for the nominator. How does the nominator get sufficient information relevant to support the nomination if the best source of such information is out of bounds? Websites of one kind or another as well as *Who's Who* are helpful sources of biographical information and, of course, discussion with other Fellows may fill in any gaps.

There is no form of nomination and the letter of nomination might contain the nominee's CV or it might attach it.

In considering whether the nominee satisfies the eligibility criteria of the Constitution, the Membership Committee looks for evidence that the nominee has done more than just discharge the duties of his or her employment. The nature of the additional activity does not lend itself to easy definition and may vary according to whether a nominee comes from the judiciary, the practising profession or academia.

Examples of additional activities that the Committee has found significant are published books or articles, the presentation of conference papers, the giving of lectures, the holding of office in legal professional organisations, active membership of specialist legal interest groups, the conducting of inquiries and writing of reports and so on, considered against the background of the nominee's duties.

The Membership Committee considers that it can usefully say no more in this regard than to refer to clause 6.3(a) of the Constitution set out above.

DOING BUSINESS ACROSS ASIA: LEGAL CONVERGENCE IN AN ASIAN CENTURY

INTERNATIONAL CONFERENCE

▲ 21 & 22 JANUARY 2016

▲ RAFFLES CITY CONVENTION CENTRE, SINGAPORE



Organiser



SINGAPORE
ACADEMY OF LAW

Conference Partner



About the Conference:

The Singapore Academy of Law is organising an international Conference on 21 and 22 January 2016 in Singapore. Titled "Doing Business Across Asia: Legal Convergence in an Asian Century", the stellar cast of speakers will address the need for increased convergence of cross-border business laws, improved legal infrastructure and harmonisation of regulatory standards across Asia. The Conference will witness the launch of the Asian Business Law Institute, an institute that will initiate and facilitate research and produce authoritative texts towards promoting convergence of Asian business laws.

The conference offers a unique opportunity for members of the judiciary, lawyers, corporate counsel, c-suite executives, policy makers, regulators and academics in the region and beyond to engage and be part of the dialogue to shape the future.

For registration and information, please visit <http://www.legalconvergenceasia.com>.

Enjoy SAL member's rate*
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Keynote Speakers



The Honourable the
Chief Justice
Sundaresh Menon
Singapore



The Honourable
Mr Arun Jaitley
Minister of Finance
India



The Honourable
Chief Justice
Robert French
Australia

Other speakers include:

- Mr Henri de Castries, Chairman & Chief Executive Officer, AXA
- Mr Simon Israel, Chairman, Singapore Telecommunications Limited (SingTel)
- Mr K Shanmugam SC, Minister for Law and Foreign Affairs, Singapore
- The Honourable Chief Justice Geoffrey Ma GBM, Court of Final Appeal, Hong Kong SAR
- The Honourable Mr Justice A K Sikri, Supreme Court, India
- Mr Simon Davies, Firmwide Managing Partner, Linklaters
- Mr Stephen Brogan, Managing Partner, Jones Day
- Mr Joao Ribeiro, Head, UNCITRAL Regional Centre for Asia and the Pacific
- Prof Tommy Koh, Ambassador-At-Large, Ministry of Foreign Affairs, Singapore
- Prof Joseph Weiler, President, European University Institute
- Mr Bharat Vasani, Group General Counsel, Tata Group
- Ms Pek Siok Lan, General Counsel, Temasek Holdings (Private) Limited

Supporting Organisations:



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