

### Victorian Law Reform Commissioner (VLRC)

- Corporate Crime. WIH.
- Crime : Diminished Responsibility as a Defence to Murder. Report with printer.

### Victorian Statute Law Revision Committee (VSLRC)

- *Privacy*. This inquiry is not being considered currently. The VSLRC has been informed by the ALRC on the development of that Commission's inquiry into privacy.
- *Constitution Act 1975*. The committee has completed hearing evidence on the role of the Upper House and anticipates reporting to the Victorian Parliament early in 1982.
- *Protection of Animals Act 1966*. The committee will shortly commence consideration of submissions relating to vivisection. Report due 1982.

### Western Australian Law Reform Commission (WALRC)

- *Privacy : Intrusions*. The WALRC has recently released a working paper and survey on privacy and statutory powers of intrusion.
- *Absconding Debtors Act*. The WALRC expects to submit its report on Project No. 63, Absconding Debtors Act, in the near future.
- *Trustees*. The WALRC expects to issue a working paper on Project No. 34, Part V, Trustees Powers of Investment, soon.
- *Privacy generally*. The WALRC is collaborating with the ALRC.

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### The Hon. Mr. Justice M. D. Kirby

It was announced in Canberra on 11 December 1981 that the Chairman of the Australian Law Reform Commission, Mr. Justice Kirby, had been reappointed for a further period of three years following the completion of his first term of seven years on 4 February 1982. Announcing the reappointment of Mr. Justice Kirby, the Federal Attorney-General, Senator Durack, said that the further period would enable Mr. Justice Kirby to see to completion a number of tasks which are presently before the ALRC. Mr. Justice Kirby holds a number of other statutory appointments, Commonwealth and State. Most recently, he has been appointed by the Federal Government to be a member of the Australian National Commission for UNESCO and of the newly established Australian Institute of Multicultural Affairs. The latter body was inaugurated in Melbourne in November 1981, with an address by the Prime Minister, Mr. Fraser.

### The Hon. Mr. Justice G. E. Fitzgerald

In November 1981 it was announced that Mr. G. E. Fitzgerald QC, a Brisbane barrister and part-time Member of the ALRC, had been appointed a Judge of the Federal Court of

Australia. A note on Mr. Fitzgerald's career appears in [1981] *Reform* 140. The new judge, at the age of 39, is the youngest member of the Federal Court and the first resident Federal Court judge in Brisbane. Mr. Justice Fitzgerald re-establishes the link of the ALRC to the Federal Court of Australia which last existed when Mr. Justice Brennan, now of the High Court of Australia, was appointed to the Federal Bench. Like Mr. Justice Fitzgerald, Mr. Justice Brennan was a Brisbane silk before his elevation. Mr. Justice Fitzgerald is a member of the ALRC Divisions on Evidence and Aboriginal Customary Laws.

### Dr. James Crawford

The new full-time Commissioner of the ALRC is Dr. James Richard Crawford, a Senior Lecturer in Law at the University of Adelaide. Dr. Crawford replaces Mr. Bruce DeBelle who, though he remains a part-time member of the ALRC, has returned to his legal practice in Adelaide. Dr. Crawford received his initial university education (BA, LL.B) at Adelaide University and then took a D.Phil. degree at Oxford. He returned to Adelaide University as a Senior Lecturer in Law in 1977. He is a recognised national authority on public law and is thus specially fitted to take charge of the Aboriginal Customary Laws reference. Dr. Crawford has been appointed to the Commission for a period of three years commencing 1 January 1982. He is the author of *The Creation of States in International Law* and is about to publish a major text, *Australian Courts of Law*.

### ALRC Part-time Members

The turn of the year has seen an important change in the composition of the ALRC. Two foundation part-time Commissioners, Professor Alex Castles (University of Adelaide) and Associate Professor Gordon Hawkins (University of Sydney) have retired, upon completion of seven years' service in the Commission. Professors Castles and Hawkins took a most active part in the early life of the Commission, from the first days in the anteroom to the Bankruptcy Court to the establishment of a modern office. They have seen the ALRC grow from an idea to an important national institution. Both professors took a keen and conscientious part in the early reports of the Commission, especially the reports on Complaints Against Police and Criminal Investigation, now translated or being translated into law (see above p. 14.). Federal Attorney-General Durack has paid tribute to the part taken by each of them in the early life of the Commission. The replacements for these members will be Mr. Theo Simos QC of the NSW Bar and Professor Alice Erh-Soon Tay of the Sydney Law School. Mr. Simos was educated at Sydney University where he secured the University Medal in Law in 1956. He proceeded to Oxford University which conferred on him the degree of M.Lit. and Harvard University, where he was awarded the degree of Master of Laws. Between 1967 and 1974 he lectured in equity at the Sydney Law School. He was appointed Queen's Counsel in 1974. He is President of the Harvard Club of Australia and a member of the Commercial Law Association of Australia. His practice has been principally in the areas of commercial law and equity. Professor Tay is Professor of Jurisprudence in the University of

Sydney Law School. She was educated in Singapore and Britain and has held teaching appointments in numerous universities, including Columbia, Hawaii and Moscow. Together with her husband, Professor Eugene Kamenka, she has published and edited a series of monographs on the law in Australia. She is a member of the Australian National Commission for UNESCO, Australian Co-ordinator for the International Academy of Comparative Law and associated with the International Association for the Philosophy of Law. She is the first woman to be appointed a Commissioner of the ALRC. Senator Durack announced that both appointments would be for five years.

### **Mr. George Brouwer**

Mr. George Brouwer, the first Secretary & Director of Research of the Australian Law Reform Commission, left the Commission in September 1981, to become Secretary to the Defence Review Committee. Mr. Brouwer joined the Commission in 1976 and made a unique and outstanding contribution to the ALRC. A major achievement of his term of office was as Chairman of the Ethnic Liaison Officer Scheme Working Group on migrants and the law, which produced a challenging report on that topic. Mr. Brouwer holds the degrees of BA, LL.B. within the University of Melbourne, and a Master of Laws degree within the ANU. Before joining the ALRC Mr. Brouwer was a senior officer of the Department of Prime Minister and Cabinet.

### **Mr. Ian Cunliffe**

The new Secretary & Director of Research is Mr. Ian Cunliffe. Mr. Cunliffe also joined the ALRC from the Department of Prime Minister and Cabinet. He holds degrees in Arts and Law within the Australian National University and was formally appointed Secretary & Director of Research on 1 November 1981.

### **Human Rights Commission : First Members**

The establishment of the Australian Human Rights Commission is noted above (see p. 21.). The first Chairman of the Commission is the Honourable Justice Roma Mitchell CBE, a judge of the Supreme Court of South Australia and, until recently, Chairman of the South Australian Criminal Law Reform Committee. The Deputy Chairman is Mr. Peter Bailey OBE, a senior Commonwealth administrator. Mr. Bailey will serve as the full-time member of the Commission. Part-time members are Associate Professor Manuel Aroney, Associate Professor of Inorganic Chemistry at the University of Sydney; Professor Peter Boyce, Professor of Politics at the University of Western Australia; Mrs. Norma Ford, a solicitor from Victoria; Mrs. Eva Geia, Director of the Aboriginal Housing Service in Townsville; Mr. Christopher Gilbert, Senior Lecturer in Law at the University of Queensland, and Mrs. Elizabeth Hastings, a Student Counsellor at La Trobe University, Melbourne.

### **Administrative Review Council Changes**

Following the death of Professor R. N. Spann and the retirement of Mr. Michael Codd, two new members have

been appointed to the Administrative Review Council in Canberra. The members serve part-time. They are Professor Gordon Reid, Pro Vice Chancellor of the University of Western Australia and Dr. Cheryl Saunders, of the Law School of Melbourne University. Professor Reid was educated at Melbourne University and in the University of London where he was awarded the Ph.D. degree. He was an officer of the Federal Parliament from 1946 to 1958, retiring as Sergeant at Arms. He then turned to academic life in public administration and since then has published numerous works commenting on the Australian political and institutional scene. Dr. Saunders took degrees in Arts and Laws and the Ph.D. degree from Melbourne University, the last-mentioned being awarded in 1976. She was appointed to the staff of the Melbourne Law School in 1975 and has taken an interest in constitutional and administrative law. She is the first woman to be appointed to the Administrative Review Council.

### **NSWLRC Changes**

The NSW Attorney-General (Mr. Frank Walker QC) has announced a number of changes in the constitution of the NSWLRC. Judge Trevor Martin QC served as a full-time Commissioner until his full-time appointment expired on 31 July 1981. He has been reappointed as a part-time Commissioner for a term of nine months expiring 30 April 1982. This is for the purpose of enabling him to participate in the completion of the Legal Profession reference. He is also a member of the Division dealing with Unincorporated Associations. Judge Martin has been appointed by the Federal Attorney-General, with the approval of State authorities, to be a consultant to the ALRC in its project on Evidence law reform. Mr. Walker has also announced the appointment of three judges to be part-time members of the NSWLRC. They are Mr. Justice P. E. Nygh of the Family Court of Australia, Mr. Justice Andrew Rogers of the Supreme Court of New South Wales and Mr. Justice Adrian Roden also of the Supreme Court of New South Wales. Mr. Justice Nygh is the first Federal judge to be appointed to a State law reform body. He also serves as a consultant to the ALRC in its project on Evidence law reform. He will be concerned with the reference before the NSWLRC on de facto relationships. His term is until 21 October 1982. In the case of Justices Rogers and Roden, each has been appointed a part-time member for two years from 25 November 1981. Each judge has, in statements from the Bench and in conferences and seminars, spoken out concerning the need for reform, particularly of court procedures. Further announcements concerning the NSWLRC composition are imminent. A Deputy Chairman is expected to be appointed shortly to replace Mr. R. D. Conacher upon his retirement. A number of full-time Commissioners are also expected to be appointed soon, to assume responsibility for the expanding work docket of the NSWLRC.

### **The Hon. Sir John Minogue**

The Victorian Law Reform Commissioner, Sir John Minogue, retired on 31 December 1981. He was originally appointed for three years which expired in June 1980. This

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was subsequently extended to June and later December 1981. Sir John is the second Victorian Law Reform Commissioner. During his period in the post he has completed a report on Provocation and Diminished Responsibility and a project on Corporate Crime is well advanced. Prior to his appointment as VLRC, Sir John was Chief Justice of Papua New Guinea. A note on his career appears in [1977] *Reform* 76.

### **Professor Louis Waller**

The Victorian Attorney-General has announced that the new Victorian Law Reform Commissioner will be Professor Louis Waller, the Sir Leo Cussen Professor of Law at Monash University. Professor Waller holds an LL.B. degree from Melbourne University and the BCL from Oxford. He is a barrister and solicitor of the Supreme Court of Victoria and was appointed to his Chair in 1969. He is specially well fitted to take up the reins of the VLRC. He has written texts on criminal law and he teaches criminal law, evidence and jurisprudence. He was Bicentennial Fellow in Criminal Law in Administration at Pennsylvania University 1964-5. Professor Waller, between 1974 and 1975, was a consultant to the Law Reform Commission of Canada and thus has distinctly useful experience in institutional law reform. He has been teaching, with Professor Enid Campbell, an Honours course in Law Reform. He is the first law teacher to be appointed as VLRC.

### **Mr. John Ramsay**

The Acting Executive Director of the Law Reform Commission of Tasmania, Mr. John Ramsay, took over his post upon the retirement of the Honourable W. H. Goudie, whose career was noted in the last issue of *Reform*. Mr. Ramsay was born and educated in Tasmania. He graduated LL.B. from the University of Tasmania in 1973. Between 1973 and 1975 he undertook legal research work with the Solicitor-General's Department and at the University of Tasmania. In January 1975 he commenced an 18-month period as Clerk to the Tasmania Solicitor-General, Mr. Roger Jennings QC. Mr. Ramsay was appointed Crown Counsel in 1977, a position he

held until November 1980 when he was appointed Assistant Secretary (Legal) in the Tasmanian Attorney-General's Department. He continues to hold this position in conjunction with his acting appointment as Executive Director of the TasLRC.

### **PNGLRC Staff Changes**

Mr. Alasdair Finnie, the PNGLRC's Acting Principal Legal Officer for the past six months, returned to Wellington in November 1981 after two years in Papua New Guinea. Mr. Finnie had been responsible for the PNGLRC's work on its economic and commercial law reference during most of 1981. Ms. Susan Toft has been appointed to join the staff of the PNGLRC from 1 January 1982 as Principal Project Officer. She will be in charge of the customary law reference. Ms. Toft has had considerable experience as a teacher, administrator and social anthropologist in developing countries. She has been teaching in Papua New Guinea for the past six years. The Acting Chairman of the PNGLRC, Mr. J. F. Aisa attended the Commonwealth Magistrates' Association Council Meeting in Halifax, Nova Scotia, in October 1981. On his way to the meeting, Mr. Aisa, who is also the Chief Magistrate of Papua New Guinea, visited the Law Reform Commission of Canada in Ottawa and spent two days with that Commission. He also attended the Canadian Conference on the Administration of Justice.

### **Mr. Bruce Slane**

The new President of the New Zealand Law Society is Mr. Bruce Houlton Slane. Mr. Slane is Chairman of the New Zealand Broadcasting Tribunal and a partner in a large Auckland law firm. He will succeed Mr. Tom Eichelbaum QC as President of the Society at the March 1982 Annual Meeting of the NZLS Council. Mr. Slane is a well known commentator in New Zealand, including on legal affairs. His flair for communication should assist the NZLS in bridging the 'communication barrier' which is said often to exist between lawyers and the community.

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Sydney

20 January 1982

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