

In addition to various comments on planning law, building codes and the like, the S.A.L.R.C. calls attention to the need for better funding of research and development of solar energy in Australia. It is stressed that the present expenditure by the Commonwealth Government for solar energy research and development is low when compared with expenditure overseas. The need for government incentives and for co-ordination between Federal and State efforts within Australia to encourage solar energy and energy conservation is declared to be "essential".

Commenting on United States sun laws, the Committee concludes

"The intense American interest in legislation to facilitate the use of solar energy, which has excited a similar interest here, may be misleading. Much of the legislation in the United States is in the nature of appropriation or funding bills, or in the form of general statements of intention, which would be expressed administratively, rather than in legislation in this country. The New Mexico Act dealing with sun rights, . . . would for instance be regarded as too vague for legislative implementation here. This is not to say that American actions have no relevance to Australia, and for this reason, they are still examined by the Committee even if they are precedents for actions [rather] than legislation here."

This Discussion Paper is a striking first for the S.A.L.R.C. and an indication of the new fields which law reform in Australia is pioneering. The old days of purely technical, policy-free law reform seem to have gone. The impact of technology, with its multiple policy implications, requires much more of law reform today. Copies of the S.A.L.R.C. paper are available from the Secretary, Law and Solar Energy Committee, Law Department, 33 Franklin Street, Adelaide, S.A., 5000.

Annual Report Time

"The year is going, let him go;
Ring out the false, ring in the true."

Lord Tennyson,
In Memoriam A.H.H. (1850).

About this time every year, hundreds of public authorities have delivered themselves of their annual reports, tabled in Parliament and available for public scrutiny. This annual reckoning affords L.R.C.'s the opportunity of

public scrutiny and self-diagnosis. The A.L.R.C. *Fourth Annual Report*, 1978 (A.L.R.C.10) addresses itself to the problem of "getting the best value out of law reform". Important Federal initiatives in the reforms of administrative law, family law and the law of trade practices and consumer protection are singled out. The establishment of various bodies to assist in law reform is described, e.g., the Administrative Review Council, the Family Law Council, the National Consumer Affairs Advisory Council and so on.

"The danger inherent in a multitude of counsellors is that proposals for reform will conflict, be made in ignorance of each other or so confuse the lawmaker that, in the end, nothing is done."

The A.L.R.C. Commissioners set out the steps that have been taken to reduce the risks of conflict, oversight and confusion. The A.L.R.C. work as a clearing-house for law reform proposals is outlined and suggestions for further co-ordination of law reform work in Australia are collected.

Other matters covered in the A.L.R.C. *Annual Report* include

- the "significant progress" towards uniform laws in Australia in certain areas;
- the efforts made to secure assistance from persons and bodies outside the law upon projects assigned to the A.L.R.C.;
- the international perspective which technological developments force upon law makers grappling with the same scientific developments in different countries;
- the scrutiny of reforms once enacted to ensure that they achieve their stated goals.

The A.L.R.C. Commissioners also relate a suggestion that there should be created State divisions of the A.L.R.C. for use, if desired, by State Governments.

"The participation of the States has been sought in the Human Rights Commission, and similar participation in this Commission may be no less important, if a new impetus is to be given to law reform in Australia and the scarce resources available marshalled to best advantage."

The *Annual Report* of the Tasmania L.R.C. to the year ended 31 December 1977 has now become available. A number of suggestions are made for improvement in liaison between law makers and the Commission.

"The Law Reform Commission considers that

its work might be of more use to the Government if the Commission were to receive indications from time to time of the Government's views on the reports submitted, what purpose they were seen to serve, and the role of the Law Reform Commission generally. Usually, the only indication we get that the Government has decided to legislate on our recommendations is from newspaper reports after a Bill has actually been introduced into Parliament. At one time we were supplied with Progress Reports on Bills by Parliamentary Counsel but this practice ceased last year . . . We are also concerned at some apparent lack of community interest in our activities which we try to publicise by information to the press and periodic advertisements. We feel that a few comments on our reports in Parliament might well encourage such interest."

The Commission also calls attention to the striking reduction in the number of references received during the year under review and early notification of the Government's intention with respect to the future of the Commission. Since that report was written, an Expert Committee of nine, chaired by a Commission member, has been named, and a request made to the Attorney-General for a formal reference covering fifteen matters of conveyancing law reform. A Committee including a Commission member has also been constituted under the Chairmanship of Mr. Justice Neasey to investigate and make recommendations to the Commission on insanity and diminished responsibility.

The W.A.L.R.C. *Annual Report* 1978 contains an interesting review of the Commission's current activities and programme. There is also a section on the restructuring of the Commission (see below). The report outlines the endeavours made to elicit public and expert comment on the projects under consideration. A list of suggestions made by community groups and members of the public is included and the close co-operation between the W.A.L.R.C. and the A.L.R.C. in their respective defamation and privacy projects is described and explained. Appendix 1 to the W.A.L.R.C. *Annual Report* contains a note on "the Commission's procedure". This outlines the steps taken from the commencement of a project on receipt of a reference, through the priority assigned to it, the research done on it, the publication of a Working Paper and the completion of a report. The Commission stresses the efforts made to secure an understanding of comparative law in other jurisdic-

tions. The Working Paper technique is described and its two objectives outlined:

- to inform the public of the issues involved;
- to stimulate interest and comment.

Reforming the West

"Out where the handclasp's a little stronger,
Out where the smile dwells a little longer,
That's where the West begins."

Arthur Chapman.

In 1851 in the *Indiana Express* J. B. Soule gave the following advice to America: "Go West, young man". But twenty years before, British settlement in Western Australia established the community which in 1979 celebrates its sesqui-centenary. The year will be marked by numerous meetings and conventions, one of them the Fifth Australian Law Reform Agencies Conference to be held in Perth, W.A., on 29-30 June 1979. It is hoped that many overseas law reformers, some of them coming to Australia for the Twentieth Legal Convention in Adelaide, will call in and savour the delights, including the intellectual delights, of Perth.

Major changes in the W.A.L.R.C. in 1979 are foreshadowed by the *Law Reform Commission Act Amendment Act* 1978. The Act was passed by the Western Australian Parliament late in 1978. It provides for the enlargement of the W.A.L.R.C. from three part-time members to five members, two of whom will be full-time.

The part-time members will continue to comprise

- a practitioner of not less than eight years' experience;
- a teacher of law;
- a practitioner within the Crown Law Department.

The new full-time members will be

- a barrister or solicitor of not less than eight years' standing; or
- a person who, in the opinion of the Governor, is suitable for appointment by reason of his legal qualifications and experience.