

within six months of the tabling of any Parliamentary Committee Report to ensure that the responsible Minister will make a statement in the Parliament outlining the action which the Government proposes to take in relation to the Report. This healthy self-imposed duty accepted by the Government (which the Senate Committee recommended be extended to committee reports on A.L.R.C. proposals) will require, within six months, a statement of reaction to the Committee's proposals. All law reform commissions in Australia will be watching for this response. Report: Parliament of the Commonwealth of Australia, *Reforming the Law* (a report of the Senate Standing Committee on Constitutional and Legal Affairs on the Processing of Law Reform Proposals in Australia), A.G.P.S., Canberra, 1979.

Reformers Meet

"What is a committee? A group of the unwilling, picked from the unfit, to do the unnecessary."

Richard Harkness,
New York Herald Tribune, 1950.

It is often said that a conference is a place to keep minutes and lose hours. One can be sure that the fifth meeting of the Australian Law Reform Agencies will escape such an epitaph.

The host for the meeting is Mr. David Malcolm, current Chairman of the Law Reform Commission of Western Australia. Previous Australian Law Reform Agencies Conference (A.L.R.A.C.) meetings have taken place in 1973, 1975, 1976 and 1977. The first meeting was gathered together on the initiative of the then Chairman of the N.S.W.L.R.C., Mr. Justice Meares. Later meetings have been called by the N.S.W.L.R.C. and the A.L.R.C. The Conference has now become a regular get-together of all those involved in law reform in Australia. Participants from New Zealand, Papua New Guinea and other Commonwealth countries also take part.

The fifth conference will be opened in Perth on 29 June 1979 by the Chief Justice of Western Australia, Sir Francis Burt. After this address lies a busy program of papers, commentaries, and speeches.

Among the papers to be read will be:

- Mr. Justice Zelling (S.A.L.R.C.), "Law Reform in Retrospect — The Achievements"
- Mr. Justice Wootten (N.S.W.L.R.C.), "Law Reform in Prospect — The Possibilities"
- Mr. Justice Kirby (A.L.R.C.), "International Co-operation in Law Reform"
- Mr. K. T. Fuad (Commonwealth Secretariat), "Law Reform Digests and Indices"
- Mr. B. Debelle and Professor D. Chappell (A.L.R.C.), "New Methods of Consultation in Law Reform".

In their paper, A.L.R.C. Commissioners Debelle and Chappell will outline the possible future means by which L.R.C.s will consult the community upon tentative proposals for law reform. Under the spotlight will be a number of recent A.L.R.C. experiments:

- short discussion papers to complement the more detailed working paper
- pamphlet summaries of proposals, in simple language
- use of the media, including talkback programs
- public hearings in different centres of the country.

Professor Chappell, armed with recent experience in the A.L.R.C. Sentencing Reference, looks at still more radical means of securing opinion

- survey questionnaires of relevant groups and experts
- properly sampled public opinion polls, conducted with the support of media and other interests.

It is expected that the N.S.W.L.R.C. Commissioners will call to attention the new procedures adopted by them in securing information on community complaints about lawyers. Their experiments with "open house" sessions in metropolitan and country districts have attracted a great deal of attention. Their suggestion of a Community Committee on Legal Services, which could generate informed comment on law reform proposals, has already been noted (above, p. 51).

Potentially the most important address at the Conference will be that by the Chairman,

Mr. David Malcolm. He will speak on the theme "Institutional Arrangements for Law Reform in Australia". This will provide participants with another opportunity to pick up the suggestions that have been made in previous meetings of A.L.R.A.C. for greater pooling of law reform effort throughout Australia. At the second Conference in 1975 resolutions were unanimously passed by the law reformers urging on the Standing Committee of Attorneys-General in Australia a new method of using to best national advantage the Federal and State law reform bodies working together.

It was proposed that the A.L.R.A.C. meetings could identify subjects appropriate for uniform law and suggest ways in which law reform agencies could work together on a co-operative basis to formulate proposals. A number of specific topics were identified. In 1976, the Standing Committee of Attorneys-General did not appear to favour the arrangements proposed. At the third Conference, Mr. Malcolm presented a paper "The Pathway to Uniform Law Reform: Co-operation with the Commonwealth". The Perth Conference will provide another opportunity for law reformers in Australia to review progress towards uniform law "whether by joint action or otherwise". The recent report of the Australian Senate Committee will be a new catalyst in this debate.

One of the most interesting features of the Conference is the collection of overseas law reformers who have already indicated an intention to join with their Australian colleagues. Among the overseas representatives are expected to be Law Reform Commissioners from Fiji, India, Papua New Guinea, Nova Scotia, Sri Lanka, and Zambia.

One of the distinguished guests at the Australian Legal Convention, Dr. Michel Olivier, a Conseiller in the Cour de Cassation in Paris, has agreed to begin his Australian journey with a paper for the Law Reform Conference. He will speak on the theme "A European View of Law Reform". His participation will ensure that the Common Law delegates are exposed to the quite different methodologies of law reform adopted in Civil Law countries. After delivering his Paper to the Perth Conference, Dr. Olivier will pro-

ceed to Adelaide for the Australian Legal Convention.

Another distinguished guest at the Law Reform Agencies Conference will be the Chairman of the Nova Scotia Law Reform Advisory Commission, Mrs. Liliias Toward, Q.C. Mrs. Toward, who served as a Judge of a regional Assessment Court in Nova Scotia for ten years before her appointment as Chairman in 1977, was the first woman to be appointed to the Commission.

That Convention (1-6 July 1979) also promises to be relevant and interesting for law reformers. The opening paper on the theme "Judging the Judges" is to be delivered by Mr. A. M. Gleeson, Q.C., of the Sydney Bar. Amongst his comments is a plea for greater attention to judicial criticisms of the law and judicial suggestions for law reform. Mr. Gleeson's comments reflect those made by the A.L.R.C. in its last *Annual Report*. The A.L.R.C. has suggested that a national clearing house of law reform suggestions, by judges, academics and others, should be established promptly, a proposal now picked up by the Senate Standing Committee on Constitutional and Legal Affairs.

Other papers at the Australian Legal Convention of interest to Law Reform Commissions include several on the future conduct and organisation of the profession and the paper by the A.L.R.C. Chairman on "Criminal Investigation and the Rule of Law". This Paper compares and contrasts the numerous law reform reports on the subject of criminal investigation and describes the area as a "graveyard of reform".

A review of the important developments at the Law Reform Agencies Conference and at the Australian Legal Convention will be contained in the next issue of *Reform*.

Sentencing—National Judicial Survey

"The first prison I ever saw had inscribed on it 'Cease to do evil: learn to do well'; but as the inscription was on the outside, the prisoners could not read it."

G. B. Shaw, circa 1921.

The A.L.R.C. continues to make progress in its major Reference on sentencing of Federal