

- *Proof of Prior Convictions*. Report submitted to committee, awaiting consideration.
- *Wills for Mentally Disordered Persons*. WIH.

#### Victorian Law Reform Commissioner (VLRC)

- *Corporate Crime*. WIH.
- *Crime : Provocation*. Preparation of a report on this subject has been postponed pending completion of work on diminished responsibility.
- *Crime : Diminished Responsibility*. WP in course of preparation.
- *Criminal Procedure*. Unsworn statements of accused persons. Report with printer.

#### Victorian Statute Law Revision Commission (VSLRC)

- *Local Government (Pecuniary Interests of Municipal Councillors)*. Report presented to Parliament on 5 May 1981.
- *Statute Law Revision Bill*. Report presented to Parliament 5 May 1981.
- *Privacy*. Submissions received, no evidence taken. Meeting with ALRC in May 1981, further meeting planned in September 1981.
- *The Constitution Act 1975*. Committee is taking evidence in relation to Role of Upper House.
- *Protection of Animals Act 1966 & Related Provisions*. Six terms of reference still to be examined in relation to this inquiry.

#### Western Australia Law Reform Commission (WALRC)

- *Liability for Stock for Straying on to the Highway*. Report available soon.
- *Liability of Highway Authorities for Non-Feasance*. Report available soon.
- *Compensation for Persons Detained in Custody who are Ultimately Acquitted or Pardoned*. Report available in near future.
- *Amendment to Local Court Act & Rules*. WP available in near future.
- *Review of Administrative Decision - Supervisory Jurisdiction of the Supreme Court*. WP available in near future.

## obituary

#### The Hon. Mr. Justice J.B. Sweeney AO

The death has occurred in Perth of Mr. Justice John Sweeney, a judge of the Federal Court of Australia. He was in Perth to preside at sittings of the Federal Court in that city. Educated at Fort Street and Sydney University, he became a leader of the Sydney Bar, taking silk in 1962.

He was appointed first to the Arbitration Commission and then to the Industrial Court in 1973. When the Federal Court was established in 1977, he became a judge of that court. In 1981 he was made an Officer of the Order of Australia in recognition of his services to the law. His contributions to law reform in the area of industrial law were many. Most notable was his report following *Moore v. Doyle* (1969) 15 FLR 59 in which he proposed legislative solutions to the severe complexities of Federal and State industrial law in Australia concerning the registration of unions and union rules. Tributes were paid to him by Sir Nigel Bowen, Chief Judge, at a Memorial Sitting of the Federal Court on 14 May. On 16 May, at a gathering of his friends, Mr. Justice McClelland and the Premier of New South Wales (Mr. N.K. Wran QC) led tributes to a reformer who sought 'a better and more humane society'.

#### Mr. W.A.B. Forbes QC

Bill Forbes, one of the Commissioners of the Law Commission of England and Wales, died suddenly on 4 May 1981, aged 54. He began his career in Scots law, graduating from the University of St. Andrews with first class honours in Modern History and Economics. At Oxford he became a pupil of Professor Rupert Cross and Dr. John Morris, taking a first class honours degree in Jurisprudence. Called to the Bar by Gray's Inn in 1953, he went on to professional success, taking silk in 1972 and becoming a Recorder in 1974. In 1977 he was appointed to the Law Commission. In 1978 he received a commission as a member of the Royal Commission on Criminal Procedure. In the Law Commission he led efforts to reform the law of criminal attempts. Sir Michael Kerr has written that he was 'devoted to the cause of law reform and in particular to the ideal of the comprehensive codification of the whole of our criminal law'. In 1979 he visited Australia for the Royal Commission and made many friends in legal and law reform circles.

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#### The Hon. Lord Maxwell

The Chairman of the Scottish Law Commission, Lord Hunter, is to retire from the chairmanship of that Commission at the end of September, when his second term of office expires. He will then have served ten years as Chairman. He will return to judicial duties and be succeeded by the Honourable Lord Maxwell. Peter Maxwell was appointed to the Bench in 1973. Before that, he was a part-time Sheriff Principal for some years. He was educated at Balliol College, Oxford. After the War, he joined the Civil Service for a time but was then called to the Scottish Bar and took silk in 1961. He was a leading member of the Scottish Royal Commission on Legal Services which reported in 1980 after four years of deliberation.

### **Law Council Business Law Section**

The President of the Law Council of Australia, Peter Cranswick, has announced the formation of a Business Law Section. Members of the first committee are Graeme Samuel (Vic) (Chairman), W. Beerworth (NSW) (Deputy Chairman). Other members include Reg Barrett (NSW), A. Brown (Vic), S. Girlach (SA), D. Gonski (NSW), Russell Miller (ACT), R.D. Nicholson (WA) and Elizabeth Nosworthy (Qld). Mr. Nicholson was formerly the Secretary-General of the Law Council of Australia. It is intended that the section will provide continuous advice to the Law Council on national commercial matters and be a forum through which Australian lawyers can contribute to the development of national business legislation and law reform.

### **Northern Territory LRC**

A number of changes have occurred in the positions of the Law Officers of the Northern Territory and membership of the Northern Territory Law Review Committee. The former Solicitor-General, Mr. Ian Barker QC, retired in July 1980. In January 1981 he was replaced by Mr. Brian Martin, formerly of Alice Springs, who is now Solicitor-General. Mr. A.S.G. Hook, formerly of Tasmania, holds the positions of Deputy Secretary and Deputy Departmental Head of the Law Department and the statutory post of Crown Solicitor of N.T. The alternate Chairmen of the NTLRC are Mr. Justice Toohey, Mr. Justice Muirhead and Mr. Justice Gallop, of the NT Supreme Court. The Chief Magistrate, Mr. Gerry Galvin SM, has replaced his former nominee, Mr. Tom Pauling SM, upon the latter's return to private practice. Mr. Peter Howard, a legal practitioner of Alice Springs, has retired and has been replaced by Mr. John Reeves, an Alice Springs lawyer. The Law Draftsman (Mr. Jim Dorling) remains a member of the committee. Mr. Alan Oakley, of the Department of Law, is the Solicitor-General's nominee. Private practitioner members nominated by the Attorney-General and Chief Minister (Mr. Everingham) are Messrs. Dean Mildren, Terry Coulehan and Trevor Riley. There is one unfilled private practitioner vacancy on the committee at present. Mr. Bob Miller continues as a member of the committee and its Executive Officer and Secretary. The new address of the NTLRC is Box 1535, GPO, Darwin, 5794.

### **PNGLRC Staff Changes**

Dr. Richard Scaglion, a legal anthropologist in charge of

the Customary Law Development Project has returned to Port Moresby for three months to produce a preliminary report. Dr. Scaglion is Assistant Professor of Anthropology at the University of Pittsburgh and is also a sometime resident at Neligum Village in the East Sepik Province. Both Mr. Edward Graziano, a US lawyer in charge of the Economic Law Reference and Mr. Michael Mosoro, the Commission's Legislative Draftsman have left the PNGLRC in order to take up positions in the office of the Leader of the Opposition. Mr. Sampson Kaipu has resigned as Secretary to the Commission in order to take up a position in the Department of Justice and Mr. Ross De Vere has been appointed Acting Secretary.

### **Mr. George Masterman QC**

An experienced Sydney silk, Mr. George Masterman QC, has been appointed as New South Wales Ombudsman, to succeed Mr. Ken Smithers CBE, who retired in June 1981. Announcing the appointment, the Premier of NSW, Mr. Wran, described Mr. Masterman as 'a distinguished barrister with an extensive knowledge of the law and experience in community activities'. He has been an expert in trade practices law and co-authored a text on this subject. For some time he taught law as a Visiting Professor in the Faculty of Law in the University of New South Wales. For many years he has been a director of the Australian Institute of Political Science and was Chairman for two years. Mr. Masterman was educated at the King's School, Sydney, Oxford and Sydney Universities.

### **VLRC Staff Changes**

Mr. George Ryan, B.Com., LL.B. (Hons) was appointed in May 1980 as legal assistance to the Victorian Law Reform Commissioner, Sir John Minogue QC. Mr. Ryan came to the VLRC from private practice as a solicitor. He has been working on the corporate crime project and on the VLRC inquiry into unsworn statements from the dock. His predecessor, John Dixon, has returned to the VLRC office as a temporary consultant before commencing to practise at the Victorian Bar. He is at present working on an issues paper concerning economic crime.

### **Mrs. Joan Troy**

Mrs. Joan Troy, a legal officer with the NSWLRC for more than 8 years, has moved to a position with the NSW Department of Environment and Planning.

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Sydney

1 July 1981

Views expressed are not necessarily those of the Attorney-General, his Department or the Commission. Correspondence, information and views should be addressed to G.P.O. Box 3708, Sydney, N.S.W., 2001, Australia.

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