

United Kingdom

Law	127	: Transfer of Land: The Law of Positive and Restrictive Covenants, 1984.
Com		
	: 135	: Statute Law Revision: Eleventh Report: Obsolete Provisions in the Companies Act 1948, 1984.
Crim	16	: Prostitution in the Street, 1984
Law		
Revision		
Committee		

United States

Cal	:	: Annual Report 1983.
LRC		
	:	: Recommendation relating to Statutory Forms for Durable Powers of Attorney, 1983.

new references

NTLRC	:	: Administrative Appeals
Tas LRC	:	: Insanity and Related Matters.

what's going on in the LRCs

Australian Law Reform Commission (ALRC)

- *Standing*: Draft report awaiting completion. Expected late 1984.
- *Class actions*: Project to be revived under Professor Michael Chesterman, late 1984. Report due late 1985.
- *Community law reform in the Australian Capital Territory*. Program under the direction of Professor David Hambly proceeding with the active participation of Mr Nicholas Seddon. Consultative documents published on Fatal Accidents and Loss of Consortium.
- *Domestic Violence in the Australian Capital Territory*. New reference under Professor David Hambly with the active participation of Mr Nicholas Seddon. (See above p 160).
- *Insolvency*. New reference received by the Commission on which work has commenced with Mr Ronald Hamer, a full-time Commissioner leading the project. (See p 135). A consultative paper will be published later this year.
- *Admiralty jurisdiction law*. WIH under Professor James Crawford.
- *Service and execution of process*. Final research paper in preparation. Meeting held in August of Commissioners and consultants who discussed proposals made to date; further, consultations to be conducted prior to release of discussion paper which is due late 1984.

- *Foreign state immunity*. Draft report and accompanying draft legislation in press, due late 1984.
- *Privacy/sentencing: expungement of criminal records*. A residual aspect of the privacy reference dealing with expungement of spent Federal criminal records has been revived under Professor Hayes.
- *Debt recovery*. Project revived following re-appointment of Professor David Kelly. Draft Chapters of report being prepared. Report expected at end of 1984.
- *Aboriginal customary laws*. WIH. Final research papers and consultation being directed by Professor James Crawford. Final report expected late 1984.
- *Evidence*: WIH. Draft legislation and Interim Report now in final stages. Interim Report expected late 1984 under Mr TH Smith, a part-time Commissioner.
- *Contempt of Court*. WIH. RP program progressing and questionnaires which were sent to judges and magistrates are now being processed. Report late 1985.
- *Sentencing*. This reference has been revived following the appointment of Mr George Zdenkowski a new full-time Commissioner to lead the project. (See p 136).
- *Matrimonial property law*. WIH in Canberra under Professor David Hambly. Close consultation with Family Court of Australia, Institute of Families Studies and Family Law Council. Series of surveys being conducted. DP expected October 1984.

New South Wales Law Reform Commission (NSW LRC)

- *accident compensation*. Work is proceeding on the preparation of the Report on a Transport Accidents Scheme.
- *criminal procedure*. Mr Paul Byrne has been appointed a Commissioner to lead the criminal procedure team. Plans are being made in regard to the future conduct of the reference.
- *artificial conception*. The Discussion Paper on Artificial Insemination by Donor is close to completion.
- *community law reform program*
 - *Jury Service*. Modifications are being made to a draft report.
 - *Execution, Attestation and Revocation of Wills*. Draft report is being considered by consultants.
 - *Garnishment of Building Society and Credit Union Accounts*. Draft report under consideration.
 - *Limitation of Actions*. Work is proceeding on this reference.
 - *Recording and Televising of Proceedings of*

Courts and Commissions. An Issues Paper was released by the Commission on 30 June 1984. The Paper discusses a number of matters not addressed in the Commission's Report (See [1984] *Reform* 108) including whether the broadcasting of sound recordings of or the televising of proceedings of courts should be permitted.

New Zealand Law Reform Committee's (NZLRC)

- *See* [1984] *Reform* 42.
- *Northern Territory Law Reform Committee (NTLRC)*
- *Wills.* The Legislative Assembly has passed the Wills (Amendment) Act to give effect to the Committee's Report recommending that a document purporting to embody the testamentary intentions of the deceased, but which has not been executed with the formalities required by the Wills Act, be admitted to probate by the direction of the Supreme Court where the Court is satisfied beyond contention that the deceased intended the document to constitute his will.
- *Local Courts Act.* Report on the local Courts Act is being considered by the Attorney General.
- *Oaths.* The report on the Oaths Act submitted to the Attorney-General.
- *De Facto Relationships.* Publication of discussion paper; submissions, received and being considered.
- *Supreme Court Rules.* Draft review referred to interested parties for comment.

Papua New Guinea Law Reform Commission (PNGLRC)

- *See* [1983] *Reform* 88.

Queensland Law Reform Commission (QLRC)

- *Juries in Criminal Trials* — to review the role of juries. WIH.
- *Real Property Acts.* WIH.
- *Property Law Act.* WIH.
- *Computer Technology* — proposed amendment to Evidence Act. WIH.

South Australian Law Reform Commission (SALRC)

- *Inherited Imperial Law 1702–1750.* Report is with the Attorney-General.
- *Survivorship.* WIH.
- *Locus Standi.* Environmental law. WIH.
- *Delivery of deeds.* WIH.
- *Supreme Court rules.* Draft circulated to judges.
- *Settled Estates Act.* WIH.
- *Limitation of actions — prescription.* WIH.
- *Limitation of actions — radiation-induced illness.* WIH.
- *Administrative appeals.* Report is with the Attorney-General.
- *Demise of the Crown* — Report is with the

Attorney-General.

- *Civil actions for perjury committed in civil process and in the tort of malicious prosecution.* Report is with the Attorney-General.
- *Mistake of law and mistake of fact.* Report is with the Attorney-General.
- *Owner or occupier of land and trespass of that land.* Report is with the Attorney-General.
- *Charities.* WIH.
- *Unfair Contract Terms.* Report circulating for signature.

Tasmanian Law Reform Commission (Tas LRC)

- *Variation of charitable trust.* Report ready for distribution.
- *15 Conveyancing matters.* Report ready for distribution.
- *Wills.* Report tabled.
- *Powers of attorney.* WP ready for distribution.
- *Boundary fences.* Report tabled.
- *Fines.* WP ready for distribution.
- *Jurisdiction and procedure of the courts of request and general sessions.* Working paper ready for distribution.
- *Law relating to succession rights on intestacy.* Working paper ready for distribution.
- *Computer misuse attracting criminal sanctions.* WP ready for distribution. A seminar was held on the 20–21 August in relation to this reference with representatives from LRC's and Attorney-General's departments throughout Australia attending. The speakers include Prof Colin Tapper from Oxford, Mr George Ryan and Mr G Briscoe.
- *Payment of interest on judgment debts.* Working Paper being considered in committee.
- *Suretyship and guarantee.* Working paper prepared but not yet circulated.
- *Variation of private trusts.* Working paper ready for distribution.
- *Occupiers' liability.* Working paper ready for distribution.
- *Contacts and the disposition of property by infants.* Working paper ready for distribution.
- *Private right of access to neighbouring land.* Working paper is distributed.

Victorian Chief Justice's Law Reform Committee (VCJC)

- *See* [1984] *Reform* 126.

Victorian Law Reform Commissioner (VLRC)

- *Intoxication and criminal responsibility.* WIH.
- *Law of homicide.* WIH.
- *Corporate crime.* WIH. A separate study of the use of injuries in commercial fraud trials has been created.

Victorian Legal and Constitutional Committee

- *Delays – Report on Overseas Delays Experience* – Report to be tabled in September 1984. The report will deal with the U.S.A. and England as well as some material from Canada and the Continent.
- *Subordinate Legislation (Deregulation Bill 1983)*. Report to be tabled in September 1984.
- *Burden of Proof*. WIH. Anticipated date of completion – December 1984.
- *Proposal for a Statute Law (Miscellaneous Provisions) Bill*. Work is in hand on this inquiry and a report will be presented to Parliament by November 1984.
- *Constitutional Convention*. The Committee has been given the reference to study reports and inquiries of the conventions and work is progressing on this inquiry.

Western Australian Law Reform Commission (WALRC)

- *Local courts*. Comments on working paper concerning jurisdiction, procedure and administration being considered.
- *Administrative decisions: judicial review*. Report being prepared.
- *Resealing of grants of probate and of letters of administration (uniformity)*. Report being finalised.
- *Limitation of actions*. Draft of DP due shortly.
- *Alteration of ground levels*. Discussion paper to be issued.
- *Justices Act*. DP on Courts of Petty Sessions has been issued.
- *Privacy*. Report in preparation.
- *Wills (substantial compliance)*. Research in progress, DP being drafted.
- *Expunction of criminal records*. Discussion paper and issues paper issued, and comments being considered.

Personalia

Mr G Zdenkowski

Mr George Zdenkowski, a senior lecturer in law at the University of New South Wales, has been appointed a full-time member of the Australian Law Reform Commission for three years from 23 July 1984. Mr Zdenkowski will be the Commissioner in Charge of the Reference on Sentencing of Federal and Australian Capital Territory Offenders. Mr Zdenkowski, who is the co-author of *The Prison Struggle: Changing Australia's Penal System* and the co-editor of *The Criminal Injustice System*, has had ten years teaching experience at the University of New South Wales in criminal law and related subjects. His primary research interests have been in the field of criminal law, civil rights, criminology, penology and clinical, legal education. In the early 1970's he was one of a volunteer group which assisted in the formation of the Aboriginal Legal Service. He has been actively involved with the Council for Civil Liberties for many years, has appeared in court to assist persons referred by the Council and the Redfern Legal Centre, and

was until recently a director of Glebe House Ltd, which runs a half-way house for prisoners in Sydney.

Mr RW Harmer

Mr Ronald Harmer, a Perth lawyer, was appointed a full-time Member of the Australian Law Reform Commission for two years commencing on 16 July 1984. Mr Harmer replaces Mr TH Smith whose appointment expired in December 1983. Mr Harmer, a partner in the Perth legal firm of McCusker & Harmer, has had extensive practice in bankruptcy law and in company liquidations and receiverships. He has been a lecturer in bankruptcy and commercial law at the Western Australian Institute of Technology. During 1983–84 Mr Harmer was a member of the Western Australian Law Society Council and was until his appointment, Chairman of the Society's Ethics Committee. He is immediate past Chairman of the Commercial and Revenue Law Committee of the Law Council of Australia. He has been appointed Commissioner in charge of the Commission's Reference on Insolvency.

The Hon Justice John Spencer Purdy

John Spencer Purdy was appointed a Judge of the Family Court of Australia on the 24 August 1984. Justice Purdy was an experienced family law practitioner at the Sydney Bar, was admitted to practice in December 1973 and spent four years to November 1983 as Chief Executive Officer and Secretary of the Law Society of New South Wales. He is well regarded in the legal profession as a person of understanding and balanced judgment with a great deal of humanity and professional expertise. These qualities fit him well for the sensitive and demanding task in the Family Court. The appointment of Justice Purdy, who is a Chess Master and former Australian chess champion, brings the number of Judges of the Court to 44.

The Hon Justice Geoffrey EJ Spender

On 17 May 1984 Mr Geoffrey Spender QC was sworn in as a judge of the Federal Court of Australia. He is the second Queensland judge on the Federal Court. His background is not typical of lawyers generally, as he chose law after completing a Bachelor of Science with Honours in Mathematics from the University of Queensland in 1964. By 1966 he had completed the Queensland Bar Board Examinations and in 1968 he graduated again from the University of Queensland as a Bachelor of Arts and Bachelor of Law. His education did not finish here as he went on to complete a Master of Laws from the University of London in 1972. Justice Spender has practiced as a barrister of the Supreme Court of Queensland since 1966 and as a Queen's Counsel from 1983. On his appointment to the bench and in reply to a question on his reasons for giving up the financial rewards of the bar he joked, 'I wanted to massage my ego and write judgements that I think are brilliant'.

The Hon Peter Gray

Justice Peter Gray 38, was educated at Carey Baptist Grammar School Victoria. He graduated a Bachelor of Law with first class Honours from the University of Melbourne in 1968. In 1972 he graduated Bachelor of Civil Law from Oxford University and in 1971 he was called to the Bar at