

currently specified in the Marriage Act 1961 (Cth) — 14 for girls and 16 for boys — should apply.

□ *minimum sentences.* The Premier of NSW, Mr Unsworth, announced a Cabinet review of criminal sentencing procedures saying public confidence in law and order needed reinforcement.

A Cabinet sub-committee headed by Mr Unsworth will consider changes to minimum sentences and the system of parole and remissions with a view to passing legislation.

The move was criticised by the Law Society of NSW which said it could find nothing in any prison research, literature or practice to support a system of minimum sentences, although it welcomed discussion arising at finding ways to improve the prison and parole system.

The Society said:

Minimum prison sentences have been spectacularly unsuccessful in other countries, including Papua New Guinea and various States of the USA. It must be recognised that only by careful judicial consideration of the facts of each individual case can an appropriate sentence for an individual offender be ascertained. No parliament can judge in advance every single example of an offence which will come before the courts, it said.

□ *new admiralty legislation.* The government has decided to implement the ALRC's recommendations in its Report on Civil Admiralty Jurisdiction.

Australia is to get new legislation that will repeal the operation of outdated Imperial admiralty legislation in Australia and replace it by national legislation that provides for admiralty jurisdiction for Australia that is certain,

accessible and relevant to Australian interests.

Adoption of the recommendations will involve the passage of an Admiralty Act by federal parliament, as well as consequential amendments to certain existing legislation. The government hopes to introduce the legislation as soon as the legislative program allows.

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personalia

The Hon Xavier Connor AO, QC

The Hon Xavier Connor was President of the Australian Law Reform Commission from 6 May 1985 to 11 December 1987. Fifteen of the Commission's 41 reports were tabled in Parliament during this period — a most impressive record. Mr Connor, who turned 70 years of age on the day his appointment expired, was appointed a Judge of the Supreme Court of the Australian Capital Territory in 1972 after a notable career at the Victorian Bar. He was Chairman of the Victorian Bar Council from 1967 to 1969 after serving a lengthy period as Chairman of the Law Reform Sub-Committee of the Council. He was President of the Medico-Legal Society of Victoria in 1976 to 1977. In 1977 Mr Connor was appointed a Judge of the Federal Court of Australia. He retired from both Commissions in 1982. He has been President of the Courts-Martial Appeal Tribunal since 1979. Between 1978 and 1985 Mr Connor was Chairman of the Parole Board of the Australian Capital Territory. In 1982 Mr Connor was Head of the Board of Enquiry into Casinos in Victoria. He also chaired the Committee of Review of the Special Broadcasting Service which reported to the Gov-

ernment in 1984. Mr Connor retires with the best wishes of the members and staff at the ALRC, many of whom are wondering what his next appointment will be.

The Hon Justice Elizabeth A Evatt, AO

Justice Evatt, Chief Judge of the Family Court from 1976 to 1987 and the first Chief Judge of the Family Court, has been appointed President of the Australian Law Reform Commission from 5 January 1988 to 10 November 1993. The daughter of the Hon Clive Evatt, a Minister in the NSW Labor Government between 1941 to 1954, Justice Evatt graduated from the University of Sydney Law School in 1955. She was the first woman to win the University Medal in Law. After practising at the Bar in NSW for a short period she was granted a scholarship to Harvard University where she graduated Master of Laws. Justice Evatt was admitted to the London Bar in 1958 where she practised as a barrister for some years and was later an editor of the *International and Comparative Law Quarterly*. In 1968 she worked at the English Law Commission where she specialised in the reform of family law. Justice Evatt was appointed a Deputy President of the Australian Conciliation and Arbitration Commission in 1973 and, in 1974, she headed the Royal Commission on Human Relationships. In 1984 Justice Evatt was elected, on Australia's nomination, as a member of the United Nations Committee on the Elimination of all Forms of Discrimination Against Women. She has also served in various capacities on a large number of boards and committees. Justice Evatt was made a member of the Order of Australia in 1982.

Mr JB (Bruce) Piggott, CBE

Mr Bruce Piggott retired as Chairman of the Tasmanian Law Reform Commission on 31 December 1987. He had been associated with the Tasmanian Commission as member or chairman since its creation in 1974. He was Chairman of the Commission since 1979. Mr Piggott has had a very distinguished legal career having practised for over 50 years in his firm of Piggott, Wood and Baker in Hobart. His dedication to law reform and his particular interest in uniform law reform throughout Australia has earned him the greatest respect of his colleagues. When the former President of the ALRC, the Hon Xavier Connor, thanked Mr Piggott for his services to law reform during an address at the 1987 Australian Law Reform Agencies Conference in Perth he said: '[Mr Piggott] possessed an unusual combination of qualities; a likeable person who is held in great affection by us all. He has always displayed a judicious mixture of down-to-earth wisdom and yet combined that with a very high vision for law reform'. Former Chairman of the ALRC and now President of the New South Wales Court of Appeal, Justice MD Kirby recently testified to Mr Piggott's important achievement in law reform, not only in Tasmania, but in Australia and beyond. Justice Kirby said: 'He was a most distinguished practitioner and a one time President of the Law Council of Australia. He brought his considerable professionalism and years of experience to the service of law reform. Yet despite those years, he never lost the cutting-edge of sensitivity to the needs of reform. Nor did he adopt a parochial, isolated approach to uniform law reform, where that was

appropriate. He worked tirelessly in the Australian Law Reform Agencies Conference and by personal efforts outside that conference to promote co-operation between the Australian Law Reform bodies. He also exhibited his international approach to the law and to law reform. He has taken a leading part in a number of international organisations of the legal profession, notably the Union Internationale des Avocats and World Peace through Law. He is an urbane, sophisticated and highly intelligent lawyer whose service to the profession and to law reform has brought great credit upon himself, the profession and the Australian community'.

The Hon Justice Alistair Nicholson

Justice Alistair Nicholson, a Judge of the Supreme Court of Victoria will be sworn in as Chief Judge of the Family Court of Australia on 1 February 1988. Justice Nicholson has been a judge of the Supreme Court of Victoria since 1982. He holds the degree of Bachelor of Laws from the University of Melbourne. He was admitted to practice as a barrister and solicitor of the Supreme Court of Victoria in 1961 and signed the Role of Counsel in 1963. He had a wide practise at the Bar and was appointed a Queen's Counsel in 1979. He was appointed Judge Advocate General of the RAAF in 1984 and to the new office of Judge Advocate General of the Defence Force on 11 December 1987. Mr Justice Nicholson has a strong interest in court administration. He has been closely involved with a major project for the computerisation of the Victorian courts. Justice Nicholson will also be appointed a Judge of the Federal Court of Australia and will be the first judge to hold a dual commission on both the Federal Court and the

Family Court. Legislation now before the federal Parliament will empower the Federal Court to transfer proceedings in various kinds of matters from that court to the Family Court. By holding the dual appointment, Mr Justice Nicholson will be able to sit as a member of the Full Court of the Federal Court in hearing appeals from the Family Court in transferred matters. This will assist in the co-operation and liaison between both courts.

The Hon Mr Justice Bernard Teague

Mr Bernard Teague, a well known Melbourne lawyer, has been appointed a Judge of the Supreme Court of Victoria. He is a former president of the Law Institute of Victoria and a member of the Executive of the Law Council of Australia at the time of his elevation to the Bench. He was chairman of the Planning Committee for the 23rd Australian Legal Convention.

Mr John Greenwell

Mr John Greenwell has been appointed the first Deputy President of the Australian Law Reform Commission. His appointment is from 29 October 1987 to 28 October 1992. When the Deputy Prime Minister and Attorney-General, Mr Lionel Bowen announced the appointment of Mr Greenwell as Full-time Member and Deputy President, he said: 'Mr Greenwell, 55 years, is a senior public servant with the Attorney-General's Department. He has an unusual combination of experience as a legal practitioner and a senior officer of the Australian Public Service . . . Mr Greenwell's experience is relevant to a range of law reform matters. His appointment as Deputy President will enable him to make a particular contribution to the management of the Commission.' John Greenwell practised at

the Victorian Bar chiefly in the commercial field for 16 years before becoming a Government lawyer. He was head of the Government & Legal Affairs Division in the Department of Territories. That Division was responsible for the devolution of constitutional authority to Papua New Guinea. Subsequently he was head of the Papua New Guinea office which was responsible at the Commonwealth end for the movement of Papua New Guinea to independence. He joined the Attorney-General's Department in 1975 and has since worked in the Business Law Association as head of the Business Affairs Division. More recently, he was Principal Adviser, Revenue. He will head the Commission's reference on Customs law.

Professor JL (Jack) Goldring

Professor Jack Goldring was appointed a Member of the Australian Law Reform Commission from 21 December 1987 to 20 December 1990. Professor Goldring is Professor of Law at Macquarie University. He graduated in law from Sydney University in 1967 and graduated a Master of Law from the University of Columbia in 1969. From 1964 to 1968 he was employed by Sly and Russell, a Sydney Law firm. From 1968 to 1969 he was the Australian-American Educational Foundation Fellow, Columbia University School of Law, New York. From 1969 to 1970 he practised as an attorney in New York. From 1970 to 1972 he was Senior Lecturer in Law at the University of Papua New Guinea. From 1972 to 1973 he was Lecturer in Law at the Australian National University and from 1973 to 1979 he was a Senior Lecturer at that University. In 1977 Professor Goldring was Visiting Fellow, International Institute for the Unification of Private Law (UNIDROIT). In

1977 he was Visiting Fellow, School of Law, University of Warwick. In 1977 he was a Fellow, University of Oslo; in 1980, Reader in Law, Australian National University. From 1978 to 1980 he was College Fellow in Law, Canberra College of Advanced Education. In 1984 he was Visiting Professor, Faculty of Law, University of New South Wales. In 1986, Association of Commonwealth Universities, Senior Travelling Fellow. In 1987 Visiting Fellow, Faculty of Law, University of New South Wales and in 1988 Senior Fellow, The Commonwealth Foundation. Professor Goldring will head the Commission's reference on product liability.

Mr G Zdenkowski

Mr G Zdenkowski, full-time member of the ALRC from July 1984 to December 1987 and head of the reference on sentencing of federal offenders was recently reappointed a part-time member of the Commission. Mr Zdenkowski is a senior lecturer in the Faculty of Law at the University of New South Wales where he lectures in Criminal Law and Penology. He recently conducted public hearings on Sentencing in capital cities throughout Australia. The Sentencing Division will report to federal Parliament within the next few months.

ALRC

The past few months have seen a considerable number of changes in the membership of the ALRC [see also 1987 *Reform* 213]. The term of the former President, The Hon Xavier Connor AO, QC expired in December 1987 (see above). The Hon Justice Elizabeth Evatt, AO has been appointed President to November 1993, (see above). The Commission's first Deputy President, Mr John Greenwell, (see above) was appointed from October 1987 to

October 1992. Professor Jack Goldring (see above) has been appointed a full time member until December 1990. Mr George Zdenkowski, (see above), a full-time member from July 1984 to December 1987, has been appointed a part-time member until the end of March 1988. Two members of Judge Evatt's personal staff transferred to the Commission from the Family Court. They are Angela Nanson, the Judge's Associate and Sue Myers, the Judge's personal secretary. Rebecca Hume is the Commission's new Registry Officer. Two staff members left the Commission in January. They are Ann Riseley, a senior law reform officer and Anne Slattery, formerly personal secretary to Mr Connor.

NSWLRC

Professor Brent Fisse, of the University of Sydney Law School, has been appointed a part-time Member of the Commission until October 1988. Professor Fisse, who has wide experience as a member or consultant to a number of law reform agencies, will assist in the work of the Criminal Procedure reference. Mr Michael Bersten, who had been working on the Contempt of Court project within the Criminal Procedure Reference, has left the Commission to take up an appointment with the Constitutional Commission. Mr Ian Collie has been appointed a Legal Research Consultant to work on the Artificial Conception Reference. Mr Collie is returning to the Commission after a period of overseas travel and the completion of his law degree. Mr Andrew Frazer has been appointed a Legal Research Consultant to assist with projects within the Community Law Reform Program. Mr Frazer's research experience includes a period as Research Assistant at the History of Ideas Unit, Research School of Social Sci-

ences, Australian National University. Ms Leanne O'Shannessy has been appointed Senior Legal Officer. In addition to her responsibilities within the Community Law Reform Program, Ms O'Shannessy is assisting in the preparation of the Commission's forthcoming Report on In Vitro Fertilization. Miss Judy Reeve, a solicitor with experience in the areas of property, litigation and commercial law, has taken up an appointment as Legal Officer. Miss Reeve is now working on the Commission's Evidence reference. Mr Kalinga Wijeyewardene has left the Commission to join the research staff of the Corporate Affairs Commission. During his time with the Commission, Mr Wijeyewardene contributed to a number of projects, and had particular responsibility for the research for the Sale of Goods reference. Ms Meredith Wilkie resigned her position as Senior Legal Officer to join the Human Rights and Equal Opportunity Commission. Ms Wilkie had most recently been working on the Commission's Evidence Reference.

TasLRC

The terms of appointment of the Chairman Mr Bruce Piggott, CBE, (see above) and three Members of the Commission expired on 31 December 1987. The term of the Research Director continues until August 1989, subject to the enactment of the Law Reform Commissioner Bill 1987. That Bill seeks to abolish the Law Reform Commission and to replace it with a single Commissioner. The other retiring members of the Commission are: Mr D G Gunson, Mr John Kable and Mrs Kate Warner. Mr DG Gunson has been the Law Society of Tasmania's representative since August 1980. He is a barrister and solicitor with the Hobart law firm of Gunson, Pickard and Hann. Mr Kable

has been the Tasmanian Bar Association's representative on the Commission since August 1984. He is a barrister and solicitor with the Launceston firm of Zeeman, Kable & Page. Mrs Warner was appointed as the University of Tasmania Law School representative on the Commission in August 1987, replacing Mr Don Chalmers. Mr Wayne Briscoe's position as Research Director will continue until the new law reform body is established.

VLRC

Two secondees to the VLRC have recently returned to their organisations. They are the Commission's Secretary, Robyn Jackson and Peggy Booth who was working on the Commission's extensive Land Law Reference. Ms Jackson has returned to the Commonwealth and the Commission's executive committee is currently reviewing the organisation of the administration. Peggy Booth has returned to the Office of the Public Trustee on promotion. The VLRC reports that both made significant contributions to the Commission's work program.

Administrative Appeals Tribunal

Mr Gary Peter Nicholls, a former part-time member of the AAT has been appointed a full time senior member. Mr Nicholls, a Sydney barrister, has been a part-time lecturer and tutor at the University of Sydney and has been a part-time member of the Student Assistance Review Tribunal. He was also a member of the National Executive of the Administrative and Clerical Officers Association during his employment in the Department of Social Security. From 1983 to 1986 he was director and chairman of the Marrickville District Hospital and is currently director of the Royal Prince Alfred Hospital and Area Health Service and chairman

of the Health Services Medical Ethics Advisory Committee. The Hon John Robert Gibson has been appointed a part-time senior member of the Administrative Appeals Tribunal. Mr Gibson was admitted to practice as a barrister of the Supreme Court of New South Wales in 1951. Between 1957 and 1978 he was engaged in private practice at the New South Wales Bar and undertook a good deal of tax work on behalf of the Commonwealth. In 1978 he was appointed a judge of the Family Court of Australia. Following his retirement from the Court in 1985, he assisted the Australian Law Reform Commission with its Matrimonial Property reference.

Victorian Bar Council

Mr Charles Francis, QC is the new chairman of the Victorian Bar Council. He succeeds Mr Philip Cummins, QC. Mr Francis is a former member of the Victorian Legislative Assembly.

Companies and Securities Consultative Group

The Deputy Prime Minister and Attorney-General, Mr Lionel Bowen, recently announced details of a Companies and Securities Consultative Group to assist in the development of the proposed National Companies and Securities legislation. The Consultative Group represents a cross-section of Australian business, professional and other relevant interests. The Consultative Group, to be chaired by Mr Mark Burrows, a principal in Baring Brothers Halkerston, will enhance and build upon the work of the smaller Steering Committee of senior business people. The Steering Committee comprises Mr Burrows, Mr Tim Besley, Mr David Gonski, Mr John Gough, Mr Leigh Hall, Mr Wayne Lonergan, Mr John McIntosh and Mr Aleco

Vrisakis. The planned Australian Securities Commission will be a successor to the present National Companies and Securities Commission. There will be regional offices in each State serving the needs of the local business communities in the same way as the State Corporate Affairs Commissions have operated. Under the proposed legislation the Australian Securities Commission will have more autonomy in the performance of its functions than the NCSC.

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publications

Australia ALRC

- Report on Service and Execution of Process, 1987, No 40.
- Discussion Paper on Community Law Reform for the ACT: Enduring Powers of Attorney, 1987, DP 33.

NSWLRC

- Community Law Reform Program Eleventh Report: Restitution of Benefits conferred under mistake of Law, 1987, LRC 53.
- Annual Report 1987, 1987.

NTLRC

- Report on Statutory Interpretation, 1986, No 12.

Tas LRC

- Discussion Paper on Child Witnesses in Sexual Assault, 1987, DP 1.
- Working Paper on the Law Relating to Powers of Attorney in Tasmania, 1983.

VLCC

- Report upon Support Services for Victims of Crime, 1987.
- Tenth Report on Subordinate Legislation concerning the issue of Premier's Certificates.

VLRC

- Report on Obsolete Legislation, 1987, No 10.
- Annual Report 1986/87, 1987, No 11.
- Report on the Torrens Register Book, 1987, No 12.
- Discussion Paper on Informed Consent to Medical Treatment (DP 7) issued in conjunction with ALRC and VLRC.

WALRC

- Annual Report 1986/87, 1987.

Canada Alberta ILRR

- Issues Paper: Towards a New Arbitration Act for Alberta, 1987, IP No 1.

BCLRC

- Report on the Buyer's Lien: A New Consumer Remedy, 1987, No 93.
- Working Paper on Deeds and Seals, 1987, WP 56.
- Working Paper on Testamentary Intent and Unexpected Circumstances, 1987, WP 57.