

Canberra Law Review

FOREWORD

Welcome to the 2014 edition of the Canberra Law Review. First I should acknowledge the efforts of the student editors, Belinda Chapman and Catherine van der Winden, who assisted in the publication of this edition. Both have contributed commentaries to this edition, Belinda on the new information privacy legislation in the Australian Capital Territory and Catherine on potential future directions for sexual harassment legislation reform.

When we began planning of this edition in late 2013, the ACT government has just proposed its same sex marriage legislation. At that time we invited comments on the legislation and the legal issues associated with its implementation. Dr Scott Guy and Dr Peter McManus both responded promptly. Sadly (at least for the editors), the Federal Government and the High Court responded quicker than the editorial cycle could handle. It is now a matter of record that the High Court declared the *Marriage Equality (Same Sex) Act 2013* invalid on constitutional grounds in a 6-0 joint judgement*. The ACT government's failure has not deterred further potential bills, with both the Australian Labor Party and the Liberal Democrat senator David Leyonhjelm seeking to introduce private member bills into the federal parliament. The two papers in this edition were developed prior to the decision, however they address issues in relation to Federal/State legislation primacy and provide analysis on how future bills could be drafted and what practical issues such bills will need to address.

The Canberra Law Review is pleased to publish the results of Dr Bede Harris' survey into the Australian public's perceptions on constitutional reform. Covering a wide range of topics the survey explores what Dr Harris refers to as the Australian peoples' 'well-founded disillusionment with the political system and their ill-founded fear of constitutional change'.

Andrew Corney has submitted a case review on the use of social media in unfair dismissals. A matter of particular relevance in Canberra, where it seems that not a week went by in 2014 without a public servant or a professional rugby league player be dismissed on the basis of their social media comments. Additionally, Dr John Gilchrist completes his trilogy of papers on the prerogative rights of the Commonwealth under the Copyright Act 1968 and Dr Tony Meacham has commented on traditional constitutions and contemporary migration issues.

Finally we close with two book reviews. Bruce Arnold draws our attention to a fascinating period of Australian history in 'Superfluous People' and Dr Wendy Bonython reviews Richards and Louise's *Medical Law and Ethics* in 'Guiding the Gods in White Coats'.

Rob MacLean
Editor

* <http://www.austlii.edu.au/au/cases/cth/HCA/2013/55.html>