

- : *Tentative Recommendations Relating to Agreements for Entry of Paternity and Support Judgments*, 1979
- : *Tentative Recommendations Relating to the Probate Homestead*, 1979
- : *Tentative Recommendations Relating to Enforcement of Claims and Judgments Against Public Entities*, 1979
- : *Staff Draft Relating to Enforcement of Obligations After Death*

## What's Going on in the L.R.C.s?

### Australian Law Reform Commission (ALRC)

- *Defamation*: Report with Standing Committee of Attorneys-General. Recent review by W.A.L.R.C. See p. 12.
- *Debt Recovery*: Work in hand. (WIH). The A.L.R.C. and the N.S.W. L.R.C are working jointly on a survey of debt recovery actions in N.S.W. Discussions with the Tas. L.R.C. are proceeding with a view to a joint project on debt recovery procedures in that State.
- *Insurance Contracts*: WIH. Consultants meeting has discussed draft report on regulation of insurance intermediaries. This report due early 1980 as stage I of Reference.
- *Class Actions and Standing*: Public hearings held throughout Australia in November 1979. (See p. 24).
- *Privacy*: Report on *Privacy and the Census* tabled in Parliament (ALRC 12). See p. 11. Discussion papers on general protection of privacy due February 1980.
- *Aboriginal Customary Laws*: WIH. Discussion Paper due by March 1980.
- *Lands Acquisition*: Report with printer. Will be tabled February or March 1980.
- *Sentencing*: WIH. Report on judicial survey being circulated to courts for final comments. It will be an annexure to the Interim Report due to be completed February 1980. See p. 20.
- *Child Welfare*: WIH. Time for report extended by the Attorney General until 30 June 1980.
- *Evidence*: No action pending new Commissioners. See p. 27.
- *Law Reform Digest*: WIH.

### N.S.W. Law Reform Commission: (NSWLRC)

- *Legal Profession Inquiry*: Comments on DPs 1 and 2 continue to be received (see p. 17). Drafting is proceeding on four further discussion papers.
- *Unincorporated Associations*: Recently published and distributed was an Outline Scheme for Incorporation by Registration.
- *Money Judgments*: WIH. Co-operation with the ALRC.

- *Evidence*: Redrafting of four working papers is now nearing completion.

### N.T. Law Review Committee (N.T.L.R.C.)

The committee completed the following matters:

- N.T.L.R.C.: 1: *The Order of Closing Speeches in Criminal Trials*  
*The Right of the Crown to Stand-by Jurors*

- N.T.L.R.C.: 2: *Attestation by Interested Witnesses of Wills*  
*Relaxation of strict requirements as to Attestation of Wills*

- N.T.L.R.C.: 3: *Examination of and recommendation to abolish by legislation the Rule in Lister v. Romford Ice & Cold Storage Co. Ltd.*

- N.T.L.R.C.: WPs *Working Papers have been produced relative to:*  
*Defendant's Costs in Summary Proceedings.*  
*Effect of Divorce and of Marriage on Wills*  
*Fitness to Plead*  
*Law Relating to Encroachments*  
*Consideration of the form of Statutory Declarations and Oaths*  
*Review of the Law and Practice Relating to Estreatment of Bail*

### N.Z. Property Law and Equity Reform Committee (NZPLERC)

- See [1979] Reform 22.

### N.Z. Public And Administrative Law Reform Committee (N.Z.P.A.L.R.)

- See [1979] Reform 22.

### Papua New Guinea Law Reform Commission (P.N.G.L.R.C.)

- See [1979] Reform 44.

### Queensland Law Reform Commission (Q.L.R.C.)

- Report No. 22: *Law relating to Succession received approval by the Governor in Council. Was tabled in Parliament on 9th October 1979.*

### Tasmanian Law Reform Commission (Tas L.R.C.)

- *Exclusion clauses and implied obligations in contracts relating to the supply of goods and services*. W.P. has been completely submitted [by John Livermore], he has now been requested to write a D.P. with draft Bills attached. It is proposed that this will be ready by March 31st 1980.
- *Wills*: D.P. is proposed by June 1980.
- *Conveyancing Reference*: In Committee
- *Ejectment, Common Law Procedure Act 1854, and Supreme Court Orders and Rules*: Draft Committee report has been prepared and submitted to the Commission. The Commission's report is expected next month.

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- *Insanity and diminished responsibility*: In Committee.
- *The Rule in Hollington v. Hewthorn*: In Committee at Launceston.
- *Stock straying on the highway*: committee report is in the final stages. The Commission report should be available in the near future.

### South Australian Law Reform Committee (S.A.L.R.C.)

- See [1979] Reform 93.

### Criminal Law Reform Committee of South Australia (S.A.C.L.R.C.)

- *Mentally Ill offenders: Review of existing legislation in relation to these offenders*.
- *Inquiry into Corporate Criminal responsibility*.

### Victorian Chief Justices Law Reform Committee (V.C.J.C.)

Committee has decided to set up sub-committees for each of the following purposes:

- To review the matter of limitation of actions for personal injuries.
- To review the procedure for proving prior convictions at the end of a criminal trial.
- To finalise the draft bill relating to Occupiers' Liability.

### Victorian Law Reform Commissioner (V.L.R.C.)

- Crime: *Duress, Coercion and Necessity*: WIH
- Crime: *Corporate Crime*: WIH
- *Delivery of Deeds*: WIH
- *Provocation as a defence to Murder*: W.P. circulating W.I.H. on final report. See p. 15.
- *Unsworn Statements from the Dock*: Initial research being undertaken.

### Victorian Statute Law Revision Committee (V.S.L.R.C.)

- *Local Government (Pecuniary Interests of Councillors)*: The Committee has commenced hearing evidence in relation to this inquiry.
- *Privacy*: Submissions have been received but no evidence has been taken.
- *Protection of Animals Act 1966 and related provisions*: There are still eight terms of reference to be examined in relation to this enquiry.
- *Imperial Acts Application Bill*: Committee has almost completed this inquiry and a report on this subject should be presented to Parliament in this current session.

### Western Australia Law Reform Commission (W.A.L.R.C.)

Commission expects to submit reports shortly on:

- *Privilege for Journalists* (Project No.53)
- *Liability of Highway Authorities* (Project No. 62)
- *Compensation for Persons Detained in Custody* (Project No.43)

- *Admissibility in Court Proceedings of Computer Generated Records and Other Documents* (Project No. 27)
- *Unclaimed Money* (Project No. 51)
- *Defamation*. See p. 12.

A Bill has been introduced which, if enacted, would substantially implement recommendations made in Project No. 14 — Offices of Profit under the Crown.

## New References

The following new references were received by L.R.C.s or notified since October 1979:

N.T.L.R.C.: *Suitors Fund*: Reference relating to the establishment of a Suitor's Fund and Appeal Costs Fund.

Tas.L.R.C.: *Debt recovery and debt counselling*: Preliminary discussions have taken place with Consumer Affairs and others. Now awaiting consultation with the A.L.R.C.

: *Rape Reference*: Submissions awaited from womens organisations, D.P. is being prepared prior to public hearing.

V.L.R.C.: To investigate and report on the right of an accused person on trial to make an unsworn statement and to further investigate and report should the Commissioner consider that that right be retained, upon reform of the law relating to the limitations of the right to comment on the fact that the accused has made an unsworn statement.

W.A.L.R.C.: *Animal Liability*: To reconsider a Report on Project No. 11 — liability for stock straying on to the highway in the light of conflicting court decisions in Australia on this topic and legislation passed in other jurisdictions since the Commission reported in 1970.

## Obituary

### The Hon Mr. Justice C.I. Menhennitt

The death of Mr. Justice Clifford Menhennitt has deprived the Bench of the Supreme Court of Victoria of one of its most experienced judges and law reformers. After winning a scholarship to Scotch College and Melbourne University, C.I. Menhennitt became Master of Laws in 1934. During the War years he was Assistant Commonwealth Director of Transport. Admitted to the Bar of Victoria in 1946 he was soon engaged in a number of leading constitutional cases and appeared before the Privy Council several times. He took silk in 1957 and was appointed to the bench in 1966. For many years he was a leading member of the Chief Justices Law Reform Committee. He attended each of the five Law Reform Conferences held to secure greater co-operation between the Australian law reform agencies. A practical, resolute and forward looking man, he leaves the law reform scene in Australia sadly depleted by his passing.