

'minding' was explored by the ALRC Chairman in an address to the A.C.T. Institute of Education in Canberra on 5 August 1982. Pointing to the expanding duty in negligence and to the fact that the primary social obligation of teaching is to teach — not simply look after children during school hours — Mr Justice Kirby questioned whether legal actions could occasionally provide a useful stimulus to what he termed the 'juggernaut' of the educational bureaucracy. Needless to say the idea provoked an outcry from teacher unions — amongst others.

new reports

Australia

- ALRC : ✓ *DP 18* : Aboriginal Customary Law — Marriage, Children and the Distribution of Property, 1982. See above p. 126
- ✓ *Evid* : Hearsay Law Reform — Which Approach? 1982
- RP 9* : *Evid* : The Judge — Adducing Evidence and Judicial Notice, 1982
- RP 10* : *Evid* : Character and Conduct, 1982 (Odlgers)
- ✓ *RP 11*

- NSWLRC : 30 : Report on Incorporation of Associations, 1982
- : 33 : Report on the Legal Profession: Vol. 3 — Advertising and Specialisation, 1982. See above p. 128
- QLRC : *WP 25* : Writs of Execution, Bills of Mortgage/Bills of Encumbrance Distinction, and Caveats, 1982
- SALRC : 67 : Report relating to Non-party Interventions, 1982
- : 70 : Report relating to Prisoners' Rights, 1982
- TasLRC : 28 : Report and Recommendations Relating to Consumer Claims and Small Debts, 1982
- Tasmania : : Report of the Royal Commission into the Constitution Act, 1934, 1982

Canada

- CLRC : 16 : Report on the Jury, 1982
- : *WP 28* : Euthanasia, Aiding Suicide and Cessation of Treatment, 1982
- Alberta
- ILRR : : Annual Report 1981-82, 1982
- BCLRC : *WP 34* : Interspousal Immunity in Tort 1982
- Manitoba
- LRC : : Eleventh Annual Report, 1982
- Ontario
- LRC : : Fifteenth Annual Report 1981-82, 1982
- : : Report on Class Actions, 3 vols 1982
- Saskatchewan
- LRC : : Proposals for an Equality of Status of Married Persons Act, 1982
- Canada : : The Criminal Law in Canadian Society (and 'Highlights'). See above p. 143

New Zealand

- NZ
- PALRC : 16 : Appeals on Questions of Law from Administrative Tribunals, 1982

United Kingdom

- Law Com : 114 : Classification of Limitation in Private International Law, 1982
- : *WP 81* : Minors' Contractors, 1982
- : *WP 82* : Offences Against Public Order, 1982

■ action on reports. During the last quarter two pieces of legislation have enacted parts of ALRC reports. In August 1982 the Child Welfare (Amendment) Ordinance 1982 came into operation changing the law governing the use of a place for child-care in the A.C.T., to comply with recommendations made in the ALRC report *Child Welfare* (ALRC 18, 1981). In the meantime, the ALRC Chairman and the former Commissioner in charge of the reference (Dr John Seymour) have had discussions with the Minister for the Capital Territory (Mr Michael Hodgman) and Mr Jim Wall of his department concerning the implementation of a general child welfare reform package. A useful article analysing the ALRC proposals on children in need of care is offered by Father Brian Lucas in (1982) 6 *Crim LJ* 119. Father Lucas, describing the Commission's report as a 'valuable document', expresses the hope that adequate resources will be provided for the services that are needed to make the clearer and more modern legislation operate effectively. The Crimes Amendment Act 1982 (Cwlth) dealing with a number of reforms proposed in the ALRC report *Sentencing of Federal Offenders* (ALRC 15, 1980) has passed Federal Parliament. The Act imposes restrictions on the imposition of sentences of imprisonment, controls the enforcement and recovery of fines, provides for the availability of State alternatives to imprisonment and in other important ways implements the ALRC report. In the meantime, it seems the earlier announced decision to proceed with a Sentencing Council, as proposed by the ALRC, is not now intended by the Government.

Scot Law

- Com : 70 : Sixteenth Annual Report 1980-81, 1981
- : *Memo*: Some Obsolete and Discriminatory Rules in the Law of Husband and Wife, 1982
- : : Discussion Document on Breach of Confidence, 1982

- *Standing and Class Actions*. WIH. Draft report on Standing is being reviewed. Expected publication early 1983.
- *Debt Recovery*. Project to be reviewed late 1982.

new references

- NSWLRC *Community Law Reform*: Commission may now consider all proposals from community at large and indicate to Attorney-General those which warrant further consideration. Attorney-General will then determine whether a specific reference should be given to NSWLRC to allow full investigation of proposal with a view to recommendations. See above p. 132.
- PNGLRC *Domestic Violence*: Legal and other reforms necessary to protect women from domestic violence and to bring the problem to public notice.
- SALRC *Limitation of Actions*: Late developing injuries.
Limitation of Actions: Prescription.
Statutory Bonds and Undertakings.
- VLRC *Criminal Responsibility and Intoxication*: Consideration of the law following *R. v. O'Connor* (1980) 29 ALR 449. *Criminal Law: Homicide*: Review and consider proposals for reform of the law of murder and manslaughter. See above p. 143.

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

- *De Facto Relationships*. Drafting of final report under way, anticipated availability for presentation to Parliament by Attorney-General, Autumn Session 1983.
- *Accident Compensation*. Examination of case studies progressing, submissions from interested individuals and groups being received. Commission-sponsored conference held on 29 September for migrant welfare workers and a pamphlet 'Accidents Can Happen' has been widely distributed to stimulate awareness amongst those affected by present compensation systems.
- *Criminal Procedure*. Heavy consultative program has been undertaken and good progress made. Drafting of first issues paper substantially completed and publication anticipated early in 1983.
- *Legal Profession Inquiry*. Fourth Report dealing with professional indemnity insurance, solicitors' trust accounts and the solicitors' fidelity fund, remains to be completed and published.
- *Evidence*. Work proceeding in co-operation with the ALRC.

what's going on in the LRC's?

Australian Law Reform Commission (ALRC)

- *Insurance Contracts*. Draft report still with printer.
- *Law Reform Digest*. Manuscript with printer. Publication expected before end of 1982.
- *Sentencing*. Work in suspension. Comment on need for appointments and staff by Senate Standing Committee on Constitutional and Legal Affairs. see above p. 122.
- *Privacy*. Work in Hand (WIH). Draft report expected for consideration by Commission November 1982. Publication early 1983. Discussions with State colleagues led by Professor Hayes.
- *Evidence*. WIH. Three more consultative documents circulating. Further meeting with consultants summoned October 1982 by Mr T.H. Smith.
- *Aboriginal Customary Laws*. WIH. See above p. 125.

New Zealand Contracts and Commercial Law Reform Committee (NZCCLRC)

- *Warranties in the Sale of Consumer Goods*. Working paper distributed July 1977. Final report near completion. Awaiting the preparation of a draft Bill.
- *Insurance Law*. Discussion paper distributed October 1979. Final report near completion. The covers the following following topics: insurable interests, protection of life policies against creditors, insuring children's lives, particular average clauses in non-marine policies, payment of interest after maturity of life policies, and insurance cover on sold property.
- *Chattels Securities (Secured Transactions)*. NZCCLRC is preparing a discussion paper examining the possibility of a comprehensive chattels security registration system or an indemnity insurance scheme.
- *Set-Off*. A preliminary working paper has been prepared for the NZCCLRC. This will be released in the form of a discussion paper early in 1983.
- *Frustration*. A preliminary working paper has been prepared for the NZCCLRC. A draft report is in preparation.
- *Arbitration Act 1908*. No significant progress has yet been made towards reviewing this Act.