

- : Tentative Recommendation Relating to Effect of Quiet Title and Partition Judgment, 1983
- : Revised Tentative Recommendation Relating to Dormant Mineral Rights, 1983

new references

NSWLRC : Magistrates: Procedures and Criteria for Selection of Magistrates and Operation of Local Courts Act 1982.

TasLRC : Fines

- : Jurisdiction and Procedure of the Courts of Requests and General Sessions
- : The Law Relating to Succession Rights on Intestacy
- : The Law Relating to Computer Misuse Which Attracts Criminal Sanctions
- : The Law Relating to the Payment of Interest on Judgment Debts
- : The Law Relating to Suretyship and Guarantee
- : The Law Relating to the Variation of Private Trusts
- : The Law Relating to Occupiers' Liability
- : The Law Relating to Contracts and the Disposition of Property by Infants
- : The Law Relating to Private Rights of Access to Neighbouring Land
- : The Law Relating to Powers of Attorney

- *Aboriginal Customary Laws*. WIH. Professor James Crawford attending Conference on Folk Law in Canada and holding discussions with Canadian and US authorities. See [1983] Reform 109.
- *Standing and Class Actions*. WIH. Draft report on standing still being reviewed. Work on class actions in suspension, but likely to revive late 1983.
- *Debt Recovery*. Project revived under Professor D St L Kelly. Mr W J Tearle, Senior Researcher, attending conference and consultations in England.
- *Admiralty Jurisdiction and Law*. WIH. Dr D Cremean has commenced duties. Professor Crawford holding discussions in England and United States concerning admiralty reforms.
- *Foreign State Immunity*. Initial consultants' meeting held August 1983. Final research paper expected end of 1983. Professor Crawford holding discussions in Canada, United States and England.
- *Service and Execution of Process*. Project commenced under Dr Michael Pryles, new Commissioner. See above p.139.
- *Contempt Law*. WIH. Work proceeding under Professor Michael Chesterman. See [1983] Reform 94.
- *Matrimonial Property Law*. New reference. Work proceeding under Professor David Hambly. See above p.139.
- *Community Law Reform*. New program being initiated, particularly in the ACT. See above p.140.

New South Wales Law Reform Commission (NSWLRC)

- *Criminal Procedure*. Submissions in response to Issues Paper No 1 are being received and dealt with. The program is being reconsidered and it is expected that at least one more publication will be released in 1983.
- *Legal Profession Inquiry*. It is expected that the third, and final, Report on the Legal Profession Inquiry will be published in 1983. The report will cover solicitors' trust accounts, the solicitors' fidelity fund, and professional indemnity insurance for all legal practitioners.
- *Accident Compensation*. Conference held on 4 August 1983 in Sydney. There was a large number of lawyers present and there was considerable antagonism shown towards LRC's proposals. The opposition centred on the abolition of the common law. There has been much consultation since the WP's release, with interested parties such as trade unions and disabled people's groups, and also some preliminary discussions with the Federal Government. Members of the Commission

what's going on in the LRCs?

Australian Law Reform Commission (ALRC)

- *Law Reform Digest*. The Digest of reports of law reform agencies in Australia, New Zealand and Papua New Guinea 1910-1980 is now available. See above p.143.
- *Sentencing*. Work in suspension. Hoped to be revived at the end of 1983.
- *Privacy*. Report with printer. Expected to be tabled in Australian Parliament, October/November 1983.
- *Evidence*. Work in hand (WIH). Further meetings with consultants held. Draft interim report being prepared. Discussion in Washington with Federal Judges concerning United States Federal Evidence Rules 1975. ALRC, under Mr T H Smith, working on interim report, due early 1984.

have also been busy visiting and speaking to various organisations and groups. The latest publications from this topic are two case study documents; the Lump Sum Survey conducted by the Law Foundation and the Commission. The other document released was a compilation of individual cases from the Commission's Case Study Program.

- *Community Law Reform Program:*
 - *Insurance Contracts : Non-Disclosure and Misrepresentation and Interest on Certain Debts* — both reports published and approved by NSW Cabinet for legislative implementation. Legislation expected in current sitting of Parliament.
 - *Service of Civil Process on Sunday* — report completed and handed to the Attorney-General. Not yet tabled in Parliament.
 - *Recording of the Proceedings of Courts and Royal Commissions by Representatives of the Media*. Preliminary draft of report completed.

The fifth and sixth references in this program have been received. *The Execution and Revocation of Wills* and *Passing of Risk in Contracts for the Sale of Land*.

New Zealand Law Reform Committees

- See [1982] *Reform* 150 and [1983] *Reform* 89 and 132.

Northern Territory Law Reform Committee (NTLRC)

- *Practice & Procedure*. Revision of Supreme Court Rules especially re cases settled shortly prior to hearing. WIH.
- *Courts*. Report on the Local Courts Act has been finalised.
- *Evidence*. Revision of Oaths Act relating to Oaths and Affirmations.

Queensland Law Reform Commission (QLRC)

- *Partnerships: Limited Liability*. WIH.
- *Property Law Act*. WIH
- *Admiralty Jurisdiction*. WIH.

South Australian Law Reform Committee (SALRC)

- *Set Off*. Report being circulated for signature.
- *Survivorship*. WIH.
- *Locus Standi: Environmental Law*. WIH.
- *Simplified Form of Mortgage*. WIH.
- *Perpetuities*. WIH
- *Deeds: Delivery*. WIH.

Tasmanian Law Reform Commission (TasLRC)

- see New References.
- The Commission was given these new references by the Attorney-General pursuant to s.7(2) of the Law Reform Commission Act on 27 July 1983.

Victorian Chief Justice's Committee (VCJC)

- see [1983] *Reform* 133.

Victorian Law Reform Commissioner (VLRC)

- *In Vitro Fertilisation*. The Victorian IVF Committee has published a report on Donor Gametes in IVF. It is at present being studied by the Victorian Government.
- *Corporate Crime*. WIH. A discussion paper is being prepared.
- *Intoxication and Criminal Responsibility*. Research is continuing into the relationship between alcohol, drugs and crime : the event to which intoxication is a factor in criminal activity, the frequency with which it is argued to negative criminal intent and whether such arguments, if accepted, result in acquittal. An issues paper is being prepared, describing the preliminary results of this research and seeking a response from the legal profession and others, both to the law as it is found to operate in practice and to the various proposals for reform that have been made in Australia and elsewhere. To be published late 1983.
- *Law of Homicide*. A working paper on the law of murder is being prepared, to be released late 1983.

Victorian Legal and Constitutional Committee (VLCC)

- *Acts Interpretation Act*. Work on redrafting this Act is under way and includes the question of the standing of subordinate legislation and the use of extrinsic materials by the judiciary in the interpretation of legislation. Report to Parliament expected October 1983.
- *Delays in Hearing of Cases in Courts*. Committee initially investigating delays from alleged commission of offence until trial in criminal cases. Interim report expected October 1983.

Western Australian Law Reform Commission (WALRC)

- *Local Courts*. Working Paper recently issued.
- *Judicial Review of Administrative Decisions*. Comments on Working Paper being considered, and preparation of report commencing.
- *Resealing of Grants of Probate and Letters of Administration (Uniformity)*. Report expect to be issued early in 1984.

- *Trustees' Powers of Investment*. Report being drafted and expected to be issued by the end of 1983.
- *Limitation of Actions*. Preliminary research being carried out.
- *Justices Act*. Working Paper drafted and expected to be issued by the end of 1983.
- *Privacy*. Undertaken in co-operation with ALRC. Report will be issued as soon as possible after ALRC Report.
- *Joint Tenancies*. Research being carried out towards the production of a working paper.
- *Companies Code: Prescribed Interests*. Research being carried out towards the production of a working paper.
- *Expunction of Criminal Records*. Working paper being drafted and expected to be issued by the end of 1983.

obituary

Mr Noel Sexton

Many participants in law reform in Australia were saddened by the news at the end of August 1983 of the death, suddenly in Sri Lanka, of Mr Noel Sexton. Mr Sexton has been the first Director of the Australian Legislative Drafting Institute. He was in Sri Lanka on a six-month assignment in Colombo at the request of the Commonwealth Secretariat to conduct a legislative drafting course there. Mr Sexton's association with the Australian Law Reform Commission commenced in 1976. Whilst heading the Legislative Drafting Institute, which he had established, he was engaged as an ALRC consultant and assisted in the drafting of legislation attached to the initial reports of the ALRC. A number of the Bills drawn by Mr Sexton for the ALRC were passed into law, including the notably successful Bill attached to the report on *Human Tissue Transplants*. This has been adopted as a model in all States of Australia except Tasmania. Mr Sexton commenced a long career in the Federal Public Service in the traditional way – in the Postmaster General's Department, in 1936. In 1940 he joined the Deputy Crown Solicitor's Office. After the War, he worked with Sir William Webb on the War Crimes Commission, returning to Canberra in 1949 to join the Parliamentary Drafting Division of the Attorney-General's Department. In a long career in legislative drafting, he led the task force which brought together the last consolidation of the Australian statutes in 1973. It was in that year that he became Head of the Legislative Drafting Division. The following year he set up the Legislative Drafting Institute. The draftsmen trained in that Institute, sent to the four corners of the English-speaking world, will bear continuing tribute to his influence on the development of the law in Australia and beyond. He is survived by a widow, Mrs Marie Sexton, and three children.

personalia

Right Hon Sir Zelman Cowen AK GCMG

GCVO KStJ QC

The former Governor-General of Australia and one-time Commissioner (part-time) of the ALRC has been appointed Chairman of the British Press Council. Sir Zelman Cowen is presently the Provost of Oriel College, Oxford, and adds the latest appointment to his life of public service. Coinciding with Sir Zelman's appointment has been a great deal of criticism of the British Press Council, including in the *Economist*. A recent book, *'People Against the Press'*, edited by Sydney-trained lawyer Geoffrey Robertson, urges the appointment of an independent Press Ombudsman by Parliament, having the stature of a High Court judge. As reported in the Australian press, Sir Zelman was not commenting on the Press Council at this stage 'but listening to everything that was being put forward'. Meantime, he continues a busy round of speaking engagements. He attended the centenary celebrations of Auckland University earlier in the year. He has also spoken in the United States, at the recent meeting of the universities of the Commonwealth of Nations in Birmingham and at the Commonwealth Law Conference in Hong Kong.

The Hon Justice M D Kirby CMG

The Federal Minister for Science and Technology (Mr Barry Jones) has announced the appointment of the ALRC Chairman as a part-time member of the Executive of the Commonwealth Scientific and Industrial Research Organization (CSIRO). This body, established in 1926, is the premier scientific policy agency of the Australian Government. In October 1983, Justice Kirby will attend a conference at the Federal Judicial Center in Washington where US Federal Judges will gather to discuss the Federal Evidence Rules of the United States. Later that month, he will deliver the MacDermott Lecture at the Queen's University, Belfast, Northern Ireland. The ALRC Chairman has also been appointed to the Australian Delegation to the General Conference of UNESCO which gathers in Paris in November 1983. The Delegation will be led successively by Senator Susan Ryan and Mr E G Whitlam. In November 1983 Justice Kirby delivers the 1983 Boyer Lectures for the Australian Broadcasting Corporation on 'The Judges'.

Canada LRC Changes

The last quarter has seen a number of changes in the Law Reform Commission of Canada. The former President, Mr Frank Muldoon QC, has been appointed a judge of the Federal Court of Canada, resident in Ottawa. Justice Muldoon had served as President of the Canada LRC for six years of a seven year term. According to reports, his first case will test his judicial skills to the full. He is considering claims involving the licensing of a satellite receiving station training on a 'stationary' United States satellite 'parked' in geostationary orbit over the Equator. Shades of judicial things to come. Earlier note on the new