

- *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

judge's career is in [1978] *Reform* 58. The new President of the Canada LRC is Justice Allen Linden. The former Vice-President of the Commission, R F Paul was recently appointed to the Superior Court of Quebec and at the time of writing the Vice-Presidency remained vacant. Under the Statute establishing the Canada LRC, it will be necessary to appoint a Quebecois(e).

Mr Hal Jackson

Mr H H Jackson has been appointed Chairman of the Law Reform Commission of Western Australia. His appointment which dates for one year, commenced on 17 August 1983 in succession to Mr Charles Ogilvie, whose term of office came to an end on 16 August 1983. Mr Jackson has been a full-time member of the WALRC since 1980. A note on his career appears in [1980] *Reform* 31. Mr Charles Ogilvie has also been a full-time member of the Commission since 1980. A note on his earlier career appears in [1980] *Reform* 31. Mr Ogilvie continues as a full-time member of the Commission.

Hon Justice Barry Rowland

The appointment of Mr Barry Rowland QC as a Justice of the Supreme Court of Western Australia has been announced by the WA Attorney-General, Mr Berinson. Justice Rowland was sworn in at a ceremonial sitting of the Full Court of Western Australia on 11 July 1983. As pointed out by Justice Wallace, the new judge was the first Chairman of the Law Reform Committee of Western Australia. Later he was the first Chairman of the present Law Reform Commission of Western Australia. In addition he has served on a number of public bodies including as a member of the Council of the University of WA, a member of the Medical Board of WA and as a member of the Universities Council of the Commonwealth Tertiary Education Commission. The new judge was born in Hobart and educated at the Hutchins School. He then completed his education in Perth. He joined the independent Bar in 1973 and took silk in 1975, since which time he has been a leader in all fields of work. Speaking at the welcome, Mr David Malcolm QC, also a past Chairman of the WALRC, referred to Rowland J's important work in setting in train the process of institutional law reform in Western Australia. Mr Malcolm claimed that a 'very disarming piece of misleading and deceptive conduct' had entrapped him into the field of law reform for which he had now forgiven the new judge. He paid tribute to the 'very substantial' contribution to law reform made by Rowland J.

Sydney

17 October 1983

Views expressed are not necessarily those of the Attorney-General, his Department or the Commission. Correspondence, information and views should be addressed to G.P.O. Box 3708, Sydney, N.S.W., 2001, Australia.

Telephone (02) 231-1733

Subscription: \$7 per calendar year (\$4 for students). Four issues including post.

Recommended price: \$1.75 per issue.

The Hon James Kennan MLC

On 9 September 1983 the Victorian Premier, Mr John Cain, relinquished the post of Attorney-General. Mr J Kennan, a Melbourne barrister, was appointed as First Law Officer of the State. Mr Kennan was a barrister for 11 years before entering Parliament in 1981. He told the *Age* (9 September 1983) that he would like to 'carry on the same sort of pace in law reform that Mr Cain has established'. Specifically, he mentioned delays in courts, the introduction of a Victorian Bill of Rights, reform of the legal profession and simplification of laws. Mr Kennan is a member and past Chairman of the Civil Rights and Law Reform Policy Committee of the Victorian Labor Party. He was a foundation member of the Labor Lawyers' bodies and of the Fitzroy Legal Service. At the Bar, he had a varied practice. Commenting on the retirement of the Premier as Attorney-General, the *Age* said 'with his deep interest in law reform, Mr Cain has been a highly respected and effective Attorney-General and has made significant improvements to the administration of the Law Department'.

Professor David St L Kelly

One of the past full-time members of the Australian Law Reform Commission, Professor David St L Kelly, has resigned his Chair at the University of Adelaide in order to accept appointment as Secretary of the Department of Law in Victoria. Shortly before this appointment, Professor Kelly was appointed a part-time Commissioner of the ALRC. He had previously been one of the foundation full-time Commissioners (1976-79) and thereafter a part-time Commissioner (1979-81). The revival of his appointment as a part-time Commissioner was with a view to his completion of the project on consumer insolvency which he commenced. See *Insolvency: The Regular Payment of Debts* (ALRC 6, 1976). Professor Kelly led the ALRC projects on insurance contracts. He was one of the most vigorous and notable of the ALRC Commissioners, making many friends and admirers throughout the fields of endeavour with which he had contact. In August 1983 the Premier of Victoria, Mr John Cain, announced his appointment as Head of the Law Department. Professor Kelly becomes the second ALRC alumnus to head a Victorian Department of State, the other being Mr George Brouwer (Head, Premier and Cabinet). Mr Brouwer was ALRC Secretary and Director of Research from 1976-81. With the permission of the Federal Attorney-General, Senator Evans and the Premier, Mr Cain (both also ALRC alumni) Professor Kelly is to remain a part-time member of the ALRC. Earlier notes on his career appear in [1976] *Reform* 59 and [1980] *Reform* 63.