

FULL CURRICULUM VITAE

PROFESSOR DAVID WEISBROT AM

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BIOGRAPHICAL DATA

Nationality: Australian and American (dual)
Marital Status: Married, two children

ACADEMIC QUALIFICATIONS

Bachelor of Arts (BA Hons) in Political Science and Communications, Queens College, City University of New York (CUNY), 5 June 1972. Degree awarded Magna Cum Laude, Phi Beta Kappa; and the A. Joseph Geist Fellowship (as the first-ranked 'pre-Law' graduate, equivalent to the University Medal).

Juris Doctor (JD), University of California, Los Angeles (UCLA) School of Law, 13 June 1975.

PROFESSIONAL QUALIFICATIONS, HONOURS and AWARDS

Attorney and Counsellor at Law, State Bar of California, admitted November 1975.

Barrister of the Supreme Court of New South Wales, admitted June 1984.

'The Most Outstanding Contribution to Health and Medical Research 2009-2010' awarded by the National Health and Medical Research Council (NHMRC) (3/2010).

Member of the Order of Australia (AM) (2006) 'for service to the law in the areas of law reform, education and access to legal services, and through contributions to research, analysis and policy development on a range of matters of public interest'.

Centenary Medal, awarded by the Australian Government in April 2003 for 'services to law reform'.

Foundation Fellow, Australian Academy of Law (from 2006); currently the Vice-President and a Director of the Academy.

Member, The Human Genome Organisation (HUGO) (elected 2002).

Emeritus Professor of Law, University of Sydney (conferred September 2004).

Associate Fellow, International Academy of Comparative Law (elected 1995).

PROFESSIONAL EXPERIENCE

Primary current positions

Member, Strategic Advisory Board, the Garvan Institute's Centre for Clinical Genomics (CCG), (2013–).

Commissioner (part-time), New South Wales Law Reform Commission (since 1 July 2011; current term runs to 30 June 2014).

Executive Consultant (0.4 FTE), Charles Sturt University (since 1 August 2013), designing a new Law program for the University.

Honorary Professorial Fellow in Medicine, University of Sydney (first appointed 2009; re-appointed through 2016).

Vice-President and Director of the Board of the Australian Academy of Law (2006–), and Member of the Membership Committee.

Director of the Board of the Public Interest Advocacy Centre (2010–), and Member of the Finance and Staffing Committee (2010–).

Member, Advisory Council, Voiceless: the animal protection institute (2009–)

Member, Advisory Council, National Pro Bono Resource Centre (2006–; Chair 2003–2005).

Other current positions

Member, Editorial Board, *Legal Education Review* (2008–).

Member of the Steering Committee and Chair of the Judging Panel, National Children's and Youth Law Awards (2009–)

Member, International Editorial Advisory Board, Genetics & Society Book Series, Routledge Taylor & Francis Group and the ESRC Centre for the Economic and Social Aspects of Genomics (Cesagen), Cardiff University (2011–)

Member, Sydney Forensic Medicine & Science Network (2009–)

Member, Board of Senior Advisers, *Chinese & East Asia Law Review* (2008–).

Previous positions (Selected)

President and CEO, Australian Law Reform Commission (ALRC) (7 June 1999 through 30 November 2009—the longest serving President in the history of the ALRC). I Chaired the Attorney-General's Task Force on Pro Bono Legal Services (see below) and presided over 14 other major inquiries, including:

- review of the federal civil justice system in Australia;
- review of the *Judiciary Act 1903* (Cth);
- review of the *Marine Insurance Act 1909* (Cth);
- the use of civil and administrative penalties in federal regulatory jurisdiction;
- the protection of human genetic information (genetic privacy, discrimination and ethical standards);
- intellectual property aspects of genetic materials and technologies (gene patenting and human health);
- the protection of classified and security sensitive information;
- review and harmonisation of the Uniform Evidence Acts;

- sentencing and administration of federal offenders;
- review of federal sedition laws;
- legal professional privilege and Commonwealth investigatory agencies;
- review of the *Privacy Act 1988* (Cth) and related laws and practices;
- Royal Commissions and other official inquiries; and
- review of federal secrecy laws.

Member, Human Genetics Advisory Committee of the National Health & Medical Research Council (NHMRC) (2006–2012).

Professor of Law and Governance, Macquarie Law School, Macquarie University, and Convenor of the Research Centre for Legal Governance (Jan 2010-Oct 2011)

Consultant to Shaldor & Associates, Tel Aviv, on the major review of the Israeli civil justice system commissioned by the Israeli Government (tender awarded in June 2011, project to be completed in December 2012).

Professor of Legal Policy, United States Studies Centre, the University of Sydney (0.2 part-time, commenced 1 January 2010).

Member, Administrative Review Council (ARC) (1999–2009).

President, Commonwealth Association of Law Reform Agencies (2007-2009); formerly Vice President (2004-2006).

Technical Adviser to the Republic of Botswana on the establishment of a Botswana Law Reform Agency, reporting to the Attorney General (2009–2010).

Member, Academic Advisory Council, the Rule of Law Institute of Australia (2009–2012).

Member, International Legal Cooperation Committee of the Attorney-General's International Legal Services Advisory Committee (ILSAC) (2006–2009).

Chair, National Task Force on Pro Bono Legal Services. The Task Force was established by the federal Attorney-General, the Hon Daryl Williams AM QC MP, who launched the final Report on 29 June 2001 (which led to the establishment of the National Pro Bono Resource Centre).

Pro-Vice-Chancellor and Head of the College of Humanities and Social Sciences, University of Sydney (1997–1999). The College comprised the Faculties of Arts, Economics & Commerce, Education and Law; the Graduate School of Business; the Sydney Conservatorium of Music; and the Sydney College of the Arts; as well as numerous Research Centres, Institutes and Foundations. The Deans/Directors of those seven units reported directly to me, and I was responsible for academic oversight, strategic planning, and budget, financial and capital management for the College, which then had about 1050 staff, 18,000 undergraduate and postgraduate students, and an annual budget of about \$110 million. The College administration itself had about 20 staff, and provided personnel, financial and commercial development services for the constituent faculties, centres and foundations. As Pro-Vice-Chancellor, I was a member of the six-person 'Senior Executive Group', headed by the Vice-Chancellor, which served as the executive management and policy development unit for the University.

Dean and Professor, University of Sydney Faculty of Law (1994–1997). Apart from the usual academic and management duties in a Faculty with about 70 academic and 30 administrative staff, 1300 LLB students and 800 postgraduate students, this included

membership on the Boards of four associated research centres. (Emeritus Professor status conferred by the University Senate on 6 September 2004.)

Honorary Professor, Institute for Molecular Bioscience, University of Queensland (2004–2007) (and supervised one PhD candidate).

Member, National Health & Medical Research Council's Research Integrity Working Group (2008–2009).

Member, Australian Institute of Sport Steering Group on the Ethical Use of Genetic Information in Sport (2003–2005).

Honorary Professor, TC Beirne School of Law, University of Queensland (2004–2009).

Honorary Visiting Professor, Faculty of Law, University of New South Wales (2004–2006).

Foundation Member of the Board, Sydney Peace Prize Foundation (1998–2003), established to award an annual international peace prize and support research in this area. Sydney Peace Prize recipients include Dr Muhammad Younis of Bangladesh, founder of the Grameen Bank (1998); Archbishop Desmond Tutu, of South Africa (1999); and President Xanana Gusmao, of East Timor (2000).

Acting Judge, District Court of New South Wales (1 July 1997–30 June 1998).

Commissioner, New South Wales Law Reform Commission (full-time 1990–1993; part-time 1994–1999). As the only full-time Commissioner, I was in charge of a wide range of references, including: Adoption and Adoption Information; Scrutiny of the Legal Profession; Criminal Procedure; Neighbour and Neighbour Relations; Blasphemy; Common Law Crime; Defamation; Partial Defences to Murder; Persons with an Intellectual Disability and the Criminal Justice System. I also served as a Member of the Commission's Divisions on Anti-Discrimination Law; Environmental Law; Sentencing of Aboriginal Offenders; Aural and Visual Surveillance Devices; Right to Silence; and Evidence and Procedure in Sexual Assault Proceedings.

Associate Professor, University of New South Wales (UNSW) Law School (1979–1990; Lecturer 1979–1982; Senior Lecturer 1982–1987)

Dean of the Faculty of Law (1978–79) and Lecturer in Law, University of Papua New Guinea (1976–1979).

Member, Access to Justice Advisory Committee (1993–1994). This ad hoc committee was established by the Commonwealth Attorney-General and the Minister for Justice to advise the Australian Government on reform of the justice system; the final report was launched in May 1994.

Member, New South Wales Legal Practitioners Admission Board (1996–1997, Alternate 1994–1995). This is the body with statutory responsibilities for setting and assessing qualifications to practice law in New South Wales.

Commissioner, Law Reform Commission of Fiji (part-time 1994–1995). I was responsible for initiating a review of Fijian criminal laws and procedures.

Member, Standards Australia Technical Committee OB-009 on Quality Management — Dispute Management Systems in Organizations (2003–2005), considering the adoption/adaptation of AS ISO 10002–2004 (which supersedes AS 4269 and 4608).

Member, Law Programs Advisory Committee, Southern Cross University (2002–2004).

Member, Editorial Board, *Current Issues in Criminal Justice* journal (1994-2004).

Member, Board of Management, Centre for Legal Education (1994–1997).

Member, Advisory Board, Justice Research Centre (1996–1997). (Now known as the NSW Law & Justice Centre.)

Foundation Member of the Board, Sydney Kings Foundation (1995–1999), an educational/charitable foundation established by the Sydney Kings and Flames basketball organisation.

Member, Gender Issues Implementation Committee (1996) established by the NSW Attorney General to monitor the implementation of the 1995 report *Women Working in the Legal Profession in NSW*. The Committee's own report was launched in late 1996.

Member, Standards Australia Technical Committee (1993–1996) on Complaints Handling, which developed the Standard AS 4269–1995: 'Complaints handling'.

Chair, Committee of Australian Law Dean's Sub-Committee on National Appraisal/Accreditation (1994–1996).

Foundation Member of Executive Committee, International Diplomacy Training Program, University of New South Wales (1990–1994). I was involved in both management and teaching in this program. The Foundation Chair of the Program, Professor Jose Ramos-Horta (now President of Timor L'Este) was awarded the Nobel Peace Prize in 1996.

Member, Working Group on Cross-Cultural Issues in the Practice of Law, NSW Ethnic Affairs Commission (1992–1993).

Honorary Consulting Editor, *The Laws of Australia – Criminal Law* (1991–1993).

National Reporter, International Sociological Association's Working Group on Comparative Legal Professions, Project on the Cultural History of Legal Professions (1992-1994).

Member, Justices Act Review Select Committee, NSW Department of Courts Administration (1991–1992).

Member, Aboriginal Justice Committee, Law Society of New South Wales (1992).

Member, Law Reform and Review Committee, Law Society of New South Wales (1991).

Consultant and Member of Working Party, Papua New Guinea Law Reform Commission (1990) on reform of the PNG Criminal Code and criminal procedure.

Consultant, Law Reform Commission of Victoria (1988–1990), on reform of the law of homicide, including sentencing of homicide offenders and defences to murder.

Consultant, Papua New Guinea Law Reform Commission (1977–1983). Assisted the Commission with its references on customary law and review of the Criminal Code; prepared submissions and draft reports; participated in working groups and seminars.

Consultant, Australian Law Reform Commission (1982–1985). Assisted the ALRC with its reference on Recognition of Aboriginal Customary Law. Involved in consultants' meetings and seminars; advised on custom recognition regimes in the Pacific Islands.

Foundation Director, the Aboriginal Law Centre (now the Indigenous Justice Centre), UNSW (1980–1985 and 1988–1990).

Foundation Member, South Pacific Studies Centre, UNSW (1987–1990).

Professorial Fellow, University of Wollongong, Faculty of Law (1992–1993).

Visiting Scholar, UCLA School of Law (Oct 1989–Feb 1990, while on sabbatical).

Visiting Professor of Law, University of Hawaii Richardson School of Law (Spring Semester 1986, while on sabbatical); conducted research presented seminars, and taught a one-unit course on Pacific Islands Law.

Visiting Fellow, University of Hawaii Pacific Islands Studies Program and the East-West Center Pacific Islands Development Program (July 1982–Feb 1983).

Teaching Assistant in the English Department, Queens College, CUNY (1971–1972), in Remedial English and English Composition.

PRIOR LEGAL PRACTICE

Consultant (and Expert Witness) (1989–1990) for Ebsworth & Ebsworth in the matter of *Bougainville Copper Ltd v Metals and Mineral Insurance and Others*, the litigation arising in the Supreme Court of Victoria out of the extended closure of the Bougainville Copper Mine in Papua New Guinea by rebel landowners.

Legal Adviser to Otsuka Industries and the Osaka law firm of Shiomu and Yamamoto (1981–1985). Provided professional legal advice on Otsuka's involvement in a multi-million dollar joint venture integrated timber resources project in New Ireland Province, Papua New Guinea. This involved matters of contract law, commercial law, company law, private international law, and international trade, finance and investment law. I also represented the joint venture in negotiations with the relevant Ministers and senior public servants.

Staff Lawyer/Intern, Office of the Legislative Counsel, the Congress of Micronesia, US Trust Territory of Pacific Islands (1974). Served as a legal adviser and legislative draftsman, with special responsibilities for the Congressional Committees on Resources and Development, and Health, Education and Welfare. Assisted in the preparation of the Micronesian position paper for the first United Nations Conference on the Law of the Sea, and in the preparations for the first Constitutional Convention.

Attorney at Law, Levinson, Rowen, Miller, Jacobs and Kabrins, Los Angeles (1975).

Research Officer, United States Department of Commerce, Office of Telecommunications (May–Sept 1973). Worked on the introduction and regulation of 'Pay TV', and prepared the Department's submission to the Federal Communications Commission on TV broadcast closed-captioning systems.

Legislative Assistant, to Assemblyman Arthur Cooperman of the New York State Legislative Assembly (part-time, 1971–1972).

PUBLIC COMMENTARY and COMMUNITY SERVICE

I have been a regular commentator in the mass media on matters relating to health and medical law, US law and politics, law reform, the legal profession, the Pacific Islands, criminal law and practice, public law, and educational issues. Over the past ten years, I have been involved in well over 1000 media interviews (press, radio and television), seminar and conference presentations, and public addresses.

RESEARCH AND PUBLICATIONS

Books

1. D Weisbrot, *So You Want to be a Lawyer?*, ACER Press, August 2013.
2. BR Opeskin and D Weisbrot, (eds), *The Promise of Law Reform*, The Federation Press, 2005.
3. DRC Chalmers, D Weisbrot, S Injia, and W Andrew, *Criminal Law and Practice of Papua New Guinea*, Third Edition, Thomson Legal and Regulatory, 2001.
4. D Brown, D Farrier, and D Weisbrot, *Criminal Laws: Materials and Commentary on Criminal Law and Process*, 2 Volumes, Second Edition, 1996, The Federation Press, 1486 pp. I did the chapters on Assault, Defences, and Public Order Offences (Ch 6-8, pp 583-825, 909-1023), and contributed to the editing and writing of other chapters.

(Reviewed in the *Law Society Journal (NSW)*, Vol 35 No 7, p 99, August 1997.)
5. D Weisbrot, *Australian Lawyers*, Longman Cheshire, 1990, 304 pp.

(Reviewed in the *Australian Law Journal*; the *Commonwealth Law Bulletin*; the *University of New South Wales Law Journal*; the *Australian Law Librarians' Group Newsletter*; the *Journal of Professional Legal Education*; the *Law Society Bulletin (SA)*; and the *Law Institute Journal (Vic)*; *Brief (WA Law Society Journal)*. Discussed in the *Australian Law Journal*; *Law and Social Inquiry*; the *Australian Financial Review*; *Business Review Weekly*; the *Independent Monthly*; the *Sydney Morning Herald*; the *Good Weekend Magazine*; the *Sun-Herald*; the *Legal Service Bulletin*; *Australian Law News*; and on ABC Radio.)
6. D Brown, D Farrier, D Neal and D Weisbrot, *Criminal Laws: Materials and Commentary on Criminal Law and Process in New South Wales*, The Federation Press, 1990, 1509 pp. I contributed the chapters on Assault, Public Order Offences, and Defences (383 pp in total), and had a major editorial role.

(Reviewed in the *Criminal Law Journal*; the *Legal Service Bulletin*; the *Australian Law Librarians' Group Newsletter*; *Australian Business Law Review*; *Victorian Bar News*; and the *Law Institute Journal (Vic)*.)
7. DRC Chalmers, D Weisbrot and Mr Justice W Andrew, *Criminal Law and Practice in Papua New Guinea*, Law Book Co, 1985, 841 pp.
8. D Weisbrot, AH Paliwala, and A Sawyerr (eds), *Law and Social Change in Papua New Guinea*, Butterworths, 1982, 344 pp.

(Reviewed in *Australian Book Review*; the *UNSW Law Journal*; the *Melanesian Law Journal*; *Pacific Studies*; the *Journal of the Polynesian Society*; the *LAWASIA Journal*; and *Anthropology*.)
9. Mr Justice W Andrew, DRC Chalmers and D Weisbrot, *Criminal Law and Practice in Papua New Guinea*, Law Book Co, 1979, 454 pp.

(Reviewed in the *International and Comparative Law Quarterly*; the *Criminal Law Journal*; the *University of Queensland Law Journal*; and the *Commonwealth Police Association Journal*.)
10. D Weisbrot, *Customary Law in Papua New Guinea - A Source Book* (University of Papua New Guinea Press, 1977, 435 pp).

Books in preparation:

B Ottley, D Weisbrot and J Zorn, *Making Law: Custom, Colonialism and Law in Papua New Guinea*. (Manuscript to be completed in late 2013)

Official reports and consultation papers (excluding annual reports)

1. *The Role of Customary Law in the Legal System* (Papua New Guinea Law Reform Commission Report No 7, 1977).
2. *Police Powers of Detention and Investigation After Arrest* (New South Wales Law Reform Commission Report No 66, 1990).
3. *Neighbour and Neighbour Relations* (NSW Law Reform Commission Discussion Paper No 22, 1991).
4. *Alternative Dispute Resolution: Training and Accreditation of Mediators* (NSW Law Reform Commission Report No 67, 1991).
5. *Unilateral Severance of a Joint Tenancy* (NSW Law Reform Commission Discussion Paper No 23, 1991).
6. *Annual Report 1991 - New South Law Reform Commission 25th Anniversary Report* (1991).
7. *Blasphemy* (NSW Law Reform Commission, Discussion Paper No 24, 1992).
8. *Provisional Damages* (NSW Law Reform Commission Discussion Paper No 25, 1992).
9. *Wills for Persons Lacking Will-Making Capacity* (NSW Law Reform Commission, Report No 68, 1992).
10. *Review of the Adoption Information Act 1990* (NSW Law Reform Commission Issues Paper No 7, 1992).
11. *Complaints Against Lawyers* (NSW Law Reform Commission, Discussion Paper No 26, 1992).
12. *Persons with Intellectual Disabilities and the Criminal Justice System* (NSW Law Reform Commission Issues Paper No 8, 1992).
13. *Review of the Adoption Information Act 1990* (NSW Law Reform Commission Report No 69, 1992).
14. *Justices Act Review Report* (Report of the NSW Justices Act Review Steering Committee, 1992).
15. *Scrutiny of the Legal profession: Complaints Against Lawyers* (NSW Law Reform Commission Report No 70, 1993).
16. *Review of the Anti-Discrimination Act 1977 (NSW)* (NSW Law Reform Commission Discussion Paper 30, 1993).
17. *People with an Intellectual Disability and the Criminal Justice System: Consultations* (NSW Law Reform Commission Research Report 3, 1993).
18. *People with an Intellectual Disability and the Criminal Justice System: Appearances Before Local Courts* (NSW Law Reform Commission Research Report 4, 1993).
19. *People with an Intellectual Disability and the Criminal Justice System: Policing Issues* (NSW Law Reform Commission Discussion Paper 29, 1993).
20. *Provocation, Diminished Responsibility and Infanticide* (NSW Law Reform Commission Discussion Paper 31, 1993).
21. *Defamation* (NSW Law Reform Commission Discussion Paper 32, 1993).

22. *Rights of Access to Neighbouring Land* (NSW Law Reform Commission Report No 71, 1994).
23. *Barristers' Practising Certificates* (NSW Law Reform Commission Report No 72, 1994).
24. *Review of the Adoption of Children Act 1965 (NSW)* (NSW Law Reform Commission Discussion Paper 34, 1994).
25. *People with an Intellectual Disability and the Criminal Justice System: Courts and Sentencing* (NSW Law Reform Commission Discussion Paper 35, October 1994).
26. *Access to Justice: A National Action Plan* (Report of the Commonwealth Access to Justice Advisory Committee, May 1994).
27. *Barratry, Maintenance and Champerty* (NSW Law Reform Commission Discussion Paper 36, 1994).
28. *Unilateral Severance of a Joint Tenancy* (NSW Law Reform Commission Report No 73, 1994).
29. *Directed Verdicts of Acquittal* (NSW Law Reform Commission Discussion Paper No 37, 1995).
30. *Defamation* (NSW Law Reform Commission Report No 75, 1995).
31. *Sentencing* (NSW Law Reform Commission Discussion Paper No 33, 1996).
32. *Directed Verdicts of Acquittal* (NSW Law Reform Commission Report No 77, 1996).
33. *Provisional Damages* (NSW Law Reform Commission Report No 78, 1996).
34. Report of the Committee to Implement the Recommendations of the Report into *Gender Bias and the Law: Women Working in the Legal Profession* (NSW Attorney-General's Department and the Department for Women, 1996).
35. *People with an Intellectual Disability and the Criminal Justice System* (NSW Law Reform Commission Report No 80, 1996).
36. *Partial Defences to Murder: Diminished Responsibility* ((NSW Law Reform Commission Report No 82, 1997).
37. *Partial Defences to Murder: Provocation and Infanticide* (NSW Law Reform Commission Report No 83, 1997).
38. *Review of Section 409B of the NSW Crimes Act 1900 (NSW)* (NSW Law Reform Commission Issues Paper No 14, November 1997).
39. *The Right to Silence* (NSW Law Reform Commission Discussion Paper No 41, 1998).
40. *Neighbour and Neighbour Relations* (NSW Law Reform Commission Report No 88, 1999).
41. *Review of the Community Services (Complaints, Appeals and Monitoring) Act 1993 (NSW)* (NSW Law Reform Commission Report No 90, 1999).
42. *Review of the Disability Services Act 1993 (NSW)* (NSW Law Reform Commission Report No 91, 1999).
43. *Review of the Federal Civil Justice System* (Australian Law Reform Commission Discussion Paper 62, 1999).
44. *Managing Justice: A review of the federal civil justice system* (ALRC Report 89, 2000).
45. *Internal Review of Agency Decision Making* (Administrative Review Council, Report No 44, 2000).

46. *Review of the Marine Insurance Act 1909* (ALRC Discussion Paper 63, 2000).
47. *Review of the Judiciary Act 1903* (ALRC Discussion Paper 64, 2001).
48. *Annual Report of the Australian Law Reform Commission 2000: 25 years of the ALRC* (ALRC Report 90, 2000).
49. *Review of the Marine Insurance Act 1909* (Australian Law Reform Commission Report 91, 2001).
50. *Report and Recommended Action Plan of the National Task Force on Pro Bono Legal Services* (14 June 2001).
51. *The Judicial Power of the Commonwealth: a review of the Judiciary Act 1903* (Australian Law Reform Commission Report 92, 2001).
52. *Protection of Human Genetic Information* (ALRC Issues Paper 26, November 2001).
53. *Securing Compliance: Civil and Administrative Penalties in Australian Federal Regulation* (ALRC Discussion Paper 65, 2002).
54. *Report on the Council of Australasian Tribunals* (Administrative Review Council, Report No 45, 2002).
55. *Protection of Human Genetic Information* (ALRC Discussion Paper 66, August 2002).
56. *Principled Regulation: Federal Civil and Administrative Penalties in Australia* (ALRC Report 95, 2003).
57. *Essentially Yours: The Protection of Human Genetic Information in Australia* (ALRC Report 96, 2 vols, 2003).
58. *Protecting Classified and Security Sensitive Information* (ALRC Background Paper 8, 2003).
59. *Gene Patenting and Human Health* (ALRC Issues Paper 27, 2003).
60. *Protecting Classified and Security Sensitive Information* (ALRC Discussion Paper 67, 2004).
61. *Gene Patenting and Human Health* (ALRC Discussion Paper 68, 2004).
62. *Keeping Secrets: The Protection Classified and Security Sensitive Information* (ALRC Report 98, 2004).
63. *Genes and Ingenuity: Gene Patenting and Human Health* (ALRC 99, 2004).
64. *Review of the Evidence Act 1995* (ALRC Issues Paper 28, 2004).
65. *Automated Assistance in Administrative Decision Making* (Administrative Review Council, Report No 46, 2004).
66. *Sentencing of Federal Offenders* (ALRC Issues Paper 29, 2005).
67. *Review of the Uniform Evidence Acts* (ALRC Discussion Paper 69, 2005—in association with the New South Wales and Victorian Law Reform Commissions).
68. *Sentencing of Federal Offenders* (ALRC Discussion Paper 70, 2005).
69. *Annual Report of the Australian Law Reform Commission 2004-2005: 30 years of law reform* (ALRC Report 101, 2005).
70. *Uniform Evidence Law* (ALRC Report 102, 2005—in association with the New South Wales and Victorian Law Reform Commissions).
71. *The Scope of Judicial Review* (Administrative Review Council, Report No 47, 2006).
72. *Review of Sedition Laws* (ALRC Issues Paper 30, 2006).

73. *Review of Sedition Laws* (ALRC Discussion Paper 71, 2006).
74. *Same Crime, Same Time: Sentencing of Federal Offenders* (ALRC Report 103, 2006).
75. *Fighting Words: Review of Australian Sedition Law* (ALRC Report 104, 2006).
76. *Review of Privacy* (ALRC Issues Paper 31, 2006).
77. *Review of Privacy—Credit Reporting Provisions* (ALRC Issues Paper 32, 2006).
78. *Client Legal Privilege and Federal Investigatory Bodies* (ALRC Issues Paper 33, 2007).
79. *Review of Australian Privacy Law* (ALRC Discussion Paper 72, 2007).
80. *Client Legal Privilege and Federal Investigatory Bodies* (ALRC Discussion Paper 73, 2007).
81. *Privilege in Perspective: Client Legal Privilege in Federal Investigations* (ALRC 107, 2008).
82. *For Your Information: Australian Privacy Law and Practice* (ALRC 108, 2008).
83. *The Coercive Information-gathering Powers of Government Agencies* (Administrative Review Council, Report No 48, 2008).
84. *Review of Secrecy Laws* (ALRC Issues Paper 34, 2008).
85. *Administrative accountability in business areas subject to complex regulation* (Administrative Review Council, Report No 49, 2008).
86. *Review of Royal Commissions* (ALRC Issues Paper 35, 2009).
87. *Review of Secrecy Laws* (ALRC Discussion Paper 74, 2009).
88. *Royal Commissions and Official Inquiries* (ALRC Discussion Paper 75, 2009).
89. *Making Inquiries: A New Statutory Framework* (ALRC 111, 2009).
90. *Secrecy Laws and Open Government in Australia* (ALRC 112, 2009).
91. *Cheating at Gambling* (NSWLRC Report No 130, 2011).
92. *Penalty Notices* (NSWLRC Report No 132, 2012).
93. *People with cognitive and mental health impairments in the criminal justice system: Diversion* (NSWLRC Report No 135; August 2012).

Journal articles and book chapters

1. “Lawyers for the People: Reviewing Legal Services in an Independent Papua New Guinea” (with Dr AH Paliwala), (1977) 4:2 *Melanesian Law Journal* 184-210.
2. “Law and Medicine in Papua New Guinea: Licensing and Liability of Medical Practitioners” (with BL Ottley), (1977) 5:2 *Melanesian Law Journal* 170-224. (Discussed in (1983) 9 *Commonwealth Law Bulletin* 1117-1118.)
3. “Papua New Guinea's National Seas Legislation, 1977” (1977) 5:1 *Melanesian Law Journal* 107-114.
4. “The Law Reform Commission Draft Bill on the Underlying Law” (1977) 5:1 *Melanesian Law Journal* 152-163.
5. “The Law Reform Commission Draft Bill on Criminal Responsibility” (1977) 5:1 *Melanesian Law Journal* 164-169.
6. “Papua New Guinea: Judges and Politicians” (1979) 4 *Legal Service Bulletin* 240-245.

7. "The Necessity Defence to Prison Escapes" (June 1980) 17 *INPRINT* 10-11.
8. "Papua New Guinea: Judges and Politicians, Part II - The Wilson Affair" (1980) 5 *Legal Service Bulletin* 214-217.
9. "Customizing the Common Law: The True Papua New Guinea Experience" (1981) 67 *American Bar Association Journal* 727-731.
10. "Comment on the ALRC Discussion Paper: Customary Law" (1981) 1:1 *Aboriginal Law Bulletin* 3-4.
11. "The claim of right defence to theft of sacred bark paintings" (1981) 1:1 *Aboriginal Law Bulletin* 8-9.
12. "Changing Society Through Law: An Introduction" (with Dr AH Paliwala) in Weisbrot *et al*, *Law and Social Change in Papua New Guinea* (1982) 3-13.
13. "Integration of Laws in Papua New Guinea: Custom and the Criminal Law in Conflict", in Weisbrot *et al*, *Law and Social Change in Papua New Guinea* (1982) 59-104.
14. "The Impact of the Papua New Guinea Constitution on the Recognition and Application of Customary Law", in P Sack, ed, *Pacific Constitutions* (ANU Press, 1982) 271-290. Reproduced in part in Masaji Chiba, ed, *Sociology of Law in Non-Western Countries* (Onati Proceedings 15, 1993) 139-141.
15. "Homicide Law Reform in New South Wales" (1982) 6:5 *Criminal Law Journal* 248-268.
16. "The Draft Criminal Code 1982: The Northern Territory Prepares for War" (1982) 7:4 *Legal Service Bulletin* 183-186.
17. "New Drug Laws for New South Wales" (1982) 7:5 *Legal Service Bulletin* 230-233 (with D Farrier).
18. "Prison Escape: A Matter of Necessity", (1982) 7:6 *Legal Service Bulletin* 269-272. (Discussed in the Sydney Morning Herald, 18 March 1983, p 6.)
19. "A Comparative View of Customary Law Recognition" in G Nettheim, ed, *Human Rights for Aboriginal People in the 1980's* (Legal Books, 1983) 89-97. (Discussed at length in P Wilson, *Black Death White Hands* (1983) 106-109).
20. "Reforming the Criminal Process in NSW" (1983) 8:4 *Legal Service Bulletin* 175-178 (with five others).
21. "Will ALP Promises Become Reality?" (1983) 7 *Aboriginal Law Bulletin* 23 (with R Chisholm).
22. "Land Rights: ALP policy on Aboriginal affairs" (May 1983) 13 *Australian Social Welfare: Impacts* 35-37 (with R Chisholm).
23. "The Recognition of Custom in Papua New Guinea and the Pacific", Ch 16 in *Report of a Working Seminar on the Aboriginal Customary Law Reference* (Australian Law Reform Commission and Australian Institute of Aboriginal Studies, 1984) 51-59.
24. "Land Rights and Law" in M Hill and A Barlow (eds), *Black Australia* 2 64-68 (Australian Institute of Aboriginal Studies, 1985), with G Nettheim and R Chisholm.
25. "The Papua New Guinea Minimum Penalties Legislation" (June 1985) 18 *Australia New Zealand Journal of Criminology* 164-188.
26. "The Place of the New Tax Penalties in the Criminal Law", in Y Grbich (ed), *Proceedings of the Seminar on the New Tax Penalties* (UNSW, 1985) 1-6.
27. "'Katim bol bilong ol': The Disorder of Law in Papua New Guinea", (1985) 10:4 *Legal Service Bulletin* 170-173.

28. "The Changing Face of Australian Legal Practice" (1986) 58:4 *Australian Quarterly* 426-439.
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Conference papers

I have presented at many hundreds of seminars and conferences, including: the Royal College of Pathologists (2013); the Royal Institution (RiAus), 2013; the Menzies Research Centre 2012; the Melbourne Festival of Ideas 2011; the Tarrytown Symposium on Genetics and Society 2011; the National Association of Community Legal Centres 2012; the IQ2 Debates in 2011 and 2012; the Annual Sir Anthony Mason Lecture 2003 (Melbourne University); the Annual Kirby Oration 2004 (the Australian Institute for Health, Law and Ethics); the Annual Sir Ronald Wilson Lecture 2005 (Francis Burt Legal Education Centre, Law Society of Western Australia); the Annual Alex Castles Memorial Lecture in Australian Legal History 2006 (Flinders University of South Australia); the APEC Senior Officers Meeting (January 2007); the (US Health) Secretary's Advisory Committee on Genetics, Health and Society (SACGHS); the OECD experts committee Workshop on Human Genetic Research Databases (Tokyo, Feb 2004); the Canadian Government's conference on Genomics and Public Policy (Ottawa, March 2004); the Human Genome Organisation (HUGO); the International Bioethics Association; the Korean International Bio-Symposium (Osong, 2003); the World Congress on Medical Law; the Intellectual Property Society of Australia and New Zealand (IPSANZ); ETHOX (the Oxford University Ethics Centre); the Australian Institute of Administrative Law (AIAL); the Instituto de Crédito Oficial (Spain); the National Health and Medical Research Council (NHMRC); the Australian Centre for Emerging Technologies and Society; the Institute of Actuaries Australia; the Investment and Financial Services Association (IFSA) of Australia; the Australian Academy of Social Sciences; the Law Reform Commissions of Papua New Guinea, Fiji and Australia; the Commonwealth Association of Law Reform Agencies (CALRAs) Conference; the Australasian Law Reform Agencies Conference (ALRAC); the Committee for Economic Development of

Australia (CEDA); the Law Council of Australia; the National Legal Aid Conference; the 1st, 2nd and 3rd National Pro Bono Law Conferences; the Australasian Consumer Law Roundtable; the University of Toronto's Health Law and Policy Program; the University of Maryland's Health and Medical Law Program; the International Sociological Association's Working Group on Comparative Legal Professions; the Australia New Zealand Society of Criminology; Standards Australia; the Association of Legal Writing Directors (US); the Australasian Law Teachers Association (ALTA); the Legal Aid Commission of New South Wales; the Law Society of New South Wales (Law Week); the NSW Bar Association; LAWASIA; the Australasian Professional Legal Education Council (APLEC); the NSW Legal Education Conference; the NSW Public Defenders; the Pacific and Asian Affairs Council; the East-West Center's Pacific Islands Development Program; the International Commission on Folk Law and Legal Pluralism; the International Academy of Comparative Law; the Royal Society of New South Wales; the NSW Council for Civil Liberties; Economics and Business Educators of NSW; NSW Young Lawyers Association; the Centre for Asian and Pacific Law in the University of Sydney (CAPLUS); and programs at virtually all Australian universities and many overseas.

Judicial citations

Finally, the quality and impact of my work at the ALRC can also be assessed by reference to the citation of this work in the superior courts, including the High Court of Australia. For example, the *Managing Justice* report (ALRC 89, 200) has been cited in *Aon Risk Services Australia Ltd v Australian National University* (2009) 239 CLR 175 (High Court of Australia); *Agricultural & Rural Finance Pty Ltd v Atkinson* [2010] NSWSC 425 (Supreme Court of NSW); *Bemert v Swallow* [2010] FamCAFC 100 (Full Court of the Family Court of Australia); *Cordon Investments Pty Ltd v Lesdor Properties Pty Ltd* [2009] NSWSC 1370 (Supreme Court of NSW); *Cleary Bros (Bombo) Pty Ltd v Waste Recycling and Processing Corporation* [2009] NSWSC 1248 (Supreme Court of NSW); *Australian National Maritime Museum v VDM (WA) Pty Ltd* [2009] NSWSC 1037 (Supreme Court of NSW); and *Westpoint Management (in Liquidation) v QBE Insurance (Australia)* [2009] NSWSC 989 (Supreme Court of NSW). *Essentially Yours* (ALRC 96, 2003) has been cited in *Brianna & Brianna* [2010] FamCAFC 97 (Full Court of the Family Court of Australia). The report on administrative and civil penalties, *Securing Compliance* (ALRC 95, 2003) has been cited in *Australian Securities & Investments Commission v Sout (No 2)* (2010) 78 SASR 1 (Federal Court of Australia); and *Australian Securities and Investments Commission v Citrofresh International (No 3)* (2010) 77 ACSR 392 (Federal Court of Australia); *Uniform Evidence Law* (ALRC 102, 2005) has been cited in *Australian Competition and Consumer Commission v Pratt (No 3)* (2009) 175 FLR 558 (Federal Court of Australia) and *PP v McRae* [2010] VSC 114 (Supreme Court of Victoria); and the federal sentencing report *Same Crime, Same Time* (ALRC 103, 2006) has been cited in *Hawkins v Hawkins* (2009) 3 ACTLR 210 (Supreme Court of the ACT); *Bryce v Chief Executive Officer of Customs (No 2)* [2010] QSC 125 (Supreme Court of Qld); and *Bertilone v The Queen* (2009) 231 FLR 383 (Court of Appeal of Western Australia). [Source, ALR Annual Report 2009-2010, App H)

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