



icj

**International
Commission
of Jurists Victoria**

PROGRAM
7TH
COMMUNITY OBSERVANCE
FOR THE
OPENING OF THE LEGAL YEAR
MONDAY 3 FEBRUARY 2014

**WALDRON HALL, COUNTY COURT
CNR WILLIAM & LONSDALE STREETS MELBOURNE**



9.00 am for 9.30 am commencement
10.30 am to 11.00 am morning tea

Supported by:

**Victoria
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VICTORIAN BAR
MELBOURNE • AUSTRALIA


**Law
Institute
Victoria**

Program

9.00 – 9.30am Musical prelude – Derek Beautyman – guitar
Alistair Pirrie – bass
Rolf Koren – keyboard and percussion

Welcome and Introduction - The Honourable Justice Lex Lasry, Supreme Court of Victoria and President ICJ Victoria



Welcome to Country: Aunty Annette Xiberras of the Wurrundjeri People

The Honourable Chief Justice Marilyn Warren AC, LL.D (h.c.), Chief Justice of Victoria



Student Speakers: Eric Papaluca (Maribyrnong Secondary College) and Omar El Hawli (Bayside Secondary College): Skyline Foundation students

Mr Redmond Symons, 774 ABC



Presentation of the John Gibson Award

10.30 – 11.00am Morning tea served. Musical postlude.

History

2008 (inaugural Observance) (Queen's Hall, Parliament House):

Speakers: The Hon. Marilyn Warren AC, Chief Justice of Victoria
Ms Tasneem Chopra, Chair, Islamic Women's Welfare Council of Victoria
Rev. Prof. Robert Gribben, President, United Faculty of Theology, Melbourne
The Hon. Justice Tony Pagone, Supreme Court

2009 (Queen's Hall, Parliament House):

Speakers: Rev. Tim Costello AO, CEO, World Vision Australia
Prof. Sarah Joseph, Director, Castan Centre, Monash University
His Hon. Ian Gray, Chief Magistrate of Victoria
The Hon. Justice Sally Brown AM, Family Court

2010 (Queen's Hall, Parliament House):

Speakers: Prof. David de Kretser AC, Governor of Victoria
The Hon. Catherine Branson QC, Australian Human Rights Commission President
David Toovey, Former CEO, Oaktree Foundation

2011 (Queen's Hall, Parliament House):

Speakers: Prof. Marcia Langton AO, University of Melbourne
The Hon Justice Chris Maxwell, President, Court of Appeal
Student Speakers: Jack Davies & Wei Ming Sun (Melbourne Grammar), Sarah
Tarrant Kuang & Crystal Li (University High School)

2012 (Waldron Hall, County Court):

Speakers: Prof. Carolyn Evans, Dean of Law School, University of Melbourne
Fr Frank Brennan SJ, AO, Professor of Law, Australian Catholic University
Student Speakers: Ms Mieke Foster and Ms Narida Ear, Mac.Robertson Girls' High
School

2013 (Waldron Hall, County Court):

Speakers: Adjunct Prof Peter Norden AO, RMIT University
Hon Justice Diana Bryant AO, Chief Justice, Family Court
Student Speakers: Ms Pamela Ximalissakis and Mr Lachlan Stewart, Kew High
School

Patron of the Community Observance for the Opening of the Legal Year

**The Honourable Chief Justice Marylin Warren AC, LL.D (h.c.)
Chief Justice of Victoria**

Honoured Guests

The Honourable Chief Justice Marilyn Warren AC, LL.D (h.c.), Chief Justice of Victoria,
Lieutenant-Governor of Victoria and Patron of the Community Opening of the Legal Year
The Honourable Justice Chris Maxwell, President, Court of Appeal, Supreme Court of Victoria
The Honourable Justice Gaetano Pagone, Federal Court of Australia
The Honourable Justice Jennifer Davies, Federal Court of Australia
The Honourable Justice Pamela Tate, Court of Appeal, Supreme Court of Victoria
The Honourable Justice Elizabeth Hollingworth, Supreme Court of Victoria and Vice-President
ICJ Victoria
The Honourable Justice Karin Emerton, Supreme Court of Victoria
Mr David O'Brien MP, Victorian Parliament, representing the Victorian government
Ms Jenny Mikakos MP, Shadow Minister for Community Services, Children, Seniors and
Ageing, representing the Opposition, Victorian Parliament
Ms Sue Pennicuik MP, Victorian Parliament, Greens Parliamentary Whip
Mr Clement Newton-Brown MP, Victorian Parliament
Ms Christine Fyffe MP, Victorian Parliament
Mr Hong Lim MP, Victorian Parliament
Mr Stephen McLeish SC, Solicitor-General of Victoria
His Honour Judge Anthony Howard, County Court of Victoria
Her Honour Judge Wendy Wilmoth, County Court of Victoria
Her Honour Judge Kathryn Kings, County Court of Victoria
His Honour Judge Mark Taft, County Court of Victoria and Vice-President ICJ Victoria
The Honourable David Harper AM, QC
The Honourable Sally Brown AM
Mr Reynah Tang, President, Australian Asian Lawyers Association
Ms Katie Miller, President-Elect, Law Institute of Victoria
Mr David O'Callaghan SC, Hon Treasurer, Victorian Bar Council
Ms Johann Kirby, Director, Victoria Law Foundation
Prof Carolyn Evans, Dean, Law School, University of Melbourne
Prof Andrew Clarke, Victoria University
Mr Michael Brett Young, CEO, Law Institute of Victoria
Ms Tasneem Chopra, Islamic Women's Council
Michael Cahill, Vice-President, Criminal Bar Association
Liana Buchanan, Executive Officer, Federation of Community Legal Centres
Bernadette Burchell, Court Network Inc
Bridget Dixon, Dispute Settlement Centre of Victoria
Ms Nicky Nicolaou, Chief Counsel, Comcare
Ms Joanna Fletcher, Women's Legal Service
Helen Heath, Interfaith Network
Jenny Lawton, Victorian Legal Aid
Perla Luetic, Filipino Community Council of Victoria
Kunwar Raj Singh, UNDP, WTO, British Commonwealth



**THE
INTERNATIONAL COMMISSION OF JURISTS
-VICTORIA-**

Opening of the Legal Year

The "rule of law" is a phrase that is deceptive in its simplicity. It rests on centuries of legal and political thought about how we live as a society and is fundamental to a democratic society. Invoked often, it risks becoming hollow if we remember only the words and not the concepts that underpin it. It is for that reason that it is incumbent upon us to regularly remind ourselves and each other what sits behind those seemingly simple three words. This morning, at the opening of the legal year, we come together to remind us of what lies beneath.

The rule of law does not mean rule by lawyers. The rule of law means that our society is ruled by laws and that everyone within our society is bound by the law, whether they be a government, corporation, citizen or visitor. In a democratic society, laws are legitimate only if they have the authority and support of the community. Without the acknowledgment and respect of the people it serves, the law and the legal profession cannot function legitimately. In upholding laws, judges, lawyers and other legal officers uphold the values that, by and large, are common to our community - principles such as fairness, justice and equality.

This is why we come together today – the legal profession and the broader Victorian community. We come together to honour the contribution of every person who works hard to ensure that the law achieves all that it should for the community. We come together to celebrate the diversity of religion, politics, ethnicity and culture that form the Victorian community. And we come together to remind ourselves to continue to strive for fairness and equality in the law.

Together we will continue to build a community in which equality before the law, fairness in its administration and respect for its rule may truly flourish.

Katie Miller
President Elect, Law Institute of Victoria

AUSTRALIAN FOUNDING PRESIDENT:
THE RT. HON. SIR OWEN DIXON
PC, OM, GCMG
6TH CHIEF JUSTICE OF AUSTRALIA

VICTORIAN PRESIDENT:
HON. JUSTICE LEX LASRY

VICE-PRESIDENTS:
HON. JUSTICE ELIZABETH HOLLINGWORTH
HIS HONOUR JUDGE MARK TAFT

VICTORIAN CHAIR:
GLENN MCGOWAN SC

VICTORIAN SECRETARY-GENERAL:
TABOKA FINN

ASSISTANT SECRETARY-GENERAL:
DANIEL NGUYEN

TREASURER:
ERIN HILL

ASSISTANT TRASURER:
KATARINA PALMGREN

COUNCIL MEMBERS:
HON. JUSTICE TONY PAGONE
HON. JUSTICE PETER VICKERY
HIS HONOUR JUDGE IAN GRAY
HON. ALASTAIR NICHOLSON AO, RFD, QC
HON. ALAN GOLDBERG AO, QC
HON. BERNARD BONGIORNO AO, QC
HON. SALLY BROWN AM
BRIND ZICHY-WOJNARSKI QC
MICHAEL WYLES SC
TOBY SHNOOKAL SC
TOM DANOS
RICHARD WILSON
DEBRA COOMBS
MICHAEL BORSKY
LAURA HELM
MELANIE SZYDZIK
MATTHEW ALBERT
LEA CHRISTOPHER
AMY PEEK

The John Gibson Award



ICJ Victoria was honoured to have the benefit for many years of the contribution of John Gibson to its activities as member, treasurer and adviser. Following John's untimely death in 2012, it was an easy resolution to seek to maintain his memory by some means, and this award was thus conceived.

John was a remarkable man. He was a scholar, barrister, father and outstanding and tireless human rights and refugee advocate. He was recognised as such both in Australia and internationally. He was awarded a posthumous Order of Australia Membership.

The John Gibson Award has the following criteria:

The recipient shall:

- 1) be a Victorian.
- 2) be a prominent advocate for human rights and/or refugee interests.
- 3) have distinguished him or herself by advancing and promoting human rights and/or refugee issues in the public domain or the legal sphere by positively and effectively advocating the interests of refugees, asylum seekers and/or sections of the community in need of assistance by reference to their human rights. Such advocacy may be in Courts, in the public domain, in private work or on committees. As a result, the recipient is likely to (but need not) be well known publicly or in the legal community.

The selection committee comprised the following eminent persons:

Hon Justice Elizabeth Hollingworth – Supreme Court of Victoria, Vice-President, ICJ Victoria
Hon Justice Debbie Mortimer – Federal Court of Australia
His Honour Judge Mark Taft – County Court of Victoria, Vice-President, ICJ Victoria
David Manne – Executive Director, Refugee & Immigration Legal Centre
Hugh de Kretser – Executive Director, Human Rights Law Centre
John Searle – Chair, Victorian Equal Opportunity & Human Rights Commission
Sonia Caton - Chair, Refugee Council of Australia
Kon Karapanagiotidis - CEO & Board Member, Asylum Seeker Resource Centre

Catering

Today's morning tea is provided by Waverly Industries

http://www.wavind.org/About_Us.html

Waverley Industries Ltd is a not-for-profit organisation that commenced operations in November 1984 with the aim of providing employment opportunities for people with special needs, in particular intellectually disabled adults.

Waverley Industries currently employ 250+ disabled adults at its Waverley Industries Notting Hill site and at its packaging factory in Star Crescent Hallam.

Skyline Foundation

The students participating today are sponsored by the Skyline Education Foundation

<http://skylinefoundation.org.au/>

The Skyline Education Foundation Australia (SEFA) assists talented young people who are experiencing financial and/or social hardship, to achieve their potential through the provision of a range of financial, educational and personal development opportunities. It aims to support bursary recipients by helping them define their goals, looking at values and work/life balance and enhancing their study skills. The financial support it provides is to make life easier for the student and their family.

The International Commission of Jurists Victoria

www.icjvictoria.com.au

The International Commission of Jurists, founded in Berlin in 1952, is an international non-governmental organization, dedicated to the primacy, coherence and implementation of international law and principles that advance human rights and the defence of judicial independence through the rule of law, and has consultative status to the United Nations, UNESCO, the Council of Europe and the Organisation of African Unity. It has 82 autonomous national sections and affiliated legal organizations in 62 countries. Its Secretariat is in Geneva, Switzerland. Its Centre for the Independence of Judges and Lawyers was founded in 1978. Awarded the first European Human Rights Prize (1980), the Wateler Peace Prize (1984), the Erasmus Prize (1989) and the United Nations Human Rights Award (1993).

The Australian section of the International Commission of Jurists was founded in 1958 by eminent jurists including Victorians Sir Owen Dixon (Chief Justice of Australia), Eugene Gorman QC, Maurice Ashkanasy QC, Richard Eggleston QC & Keith Aickin QC. Membership is open to all lawyers subscribing to its tenets.

Activities

ICJ Victoria is most active in the Community in educating, promoting debate and promoting the observance of its core principles of human rights, fairness and judicial independence through the Rule of Law. In the last 12 months the ICJ Victoria:

- Continued to award a Prize at Monash University (The ICJ Victoria Sir Owen Dixon Prize for International Law).
- Held the 6th Community Opening of the Legal Year at Waldron Hall, County Court.
- Conducted a Public Forum on sentencing at the State Library featuring Hon Robert Clark A-G, MP, Prof Arie Freiberg AM and Andrea Petrie.
- Held its annual Fundraising Dinner with guest speakers Hon Mark Dreyfus A-G, QC, MP and the ABC's Leigh Sales.
- Co-ordinated an amicus curiae application in the Court of Appeal.
- Co-ordinated the clemency application for Bali 9 members.
- Made numerous submissions to government, consulted with government and made multiple media releases on human rights issues.

Details of upcoming activities will be posted on our website at www.icjvictoria.com.au . But if you wish to be circularised by mail or email with notice of activities, please contact us via our email: icj-vic@vicbar.com.au or one of the following:

Glenn McGowan SC (Chair): 9225 8449; mcgowan@vicbar.com.au

Taboka Finn (Secretary-General): 9679 3135; taboka.finn@ashurst.com

Daniel Nguyen (Assistant Secretary-General): 9603 6314;
daniel.nguyen@supremecourt.vic.gov.au

All are welcome to attend our monthly meetings held on the second Tuesday of the month at 5:15 pm in the Neil Forsyth Room, 1st floor, Owen Dixon Chambers East, 205 William Street, Melbourne.

Community Representatives

In attendance today are representatives of the courts – Supreme, Family, Federal, County, Magistrates’ and VCAT – as well as a broad cross-section of the general community including such diverse fields as refugees, ethnic and migrant groups, Australian aborigines, lawyers, media, government & politics, church & religion, under-privileged and the poor, welfare groups, libertarians, environmentalists, gays & lesbians, human rights groups, legal aid groups, family interests, health action, women’s interests, youth, police and the disabled.

Acknowledgements

The ICJ Victoria wishes to acknowledge the support of the Law Institute of Victoria, Corrs Chambers Westgarth Lawyers, the Victorian Bar and the Victoria Law Foundation.



**THE
INTERNATIONAL COMMISSION OF JURISTS
-Victoria-**

MEMBERSHIP APPLICATION / RENEWAL

For 1 July 2014 to 30 June 2015

MEMBER DETAILS

Title Name

Firm / Clerk / Institution

Address

..... Postcode.....

Tel Fax

Email DX

Signature Date

MEMBERSHIP

Ordinary - practising 1 to 5 years	\$70.00	\$
Ordinary - practising 6 years +	\$100.00	\$
Under 30 years old	\$0.00	\$
Donation		\$ _____

Total:

PAYMENT OPTIONS

- Cheque to: 'International Commission of Jurists (Vic)'
- Direct debit to: 'International Commission of Jurists (Vic)'
BSB: 083-054 ACC: 63-531-9621
(Please state 'Memb14-15' and your full name in description)

AREAS OF INTEREST *(please nominate)*

- | | | |
|--|--|--|
| <input type="checkbox"/> Judicial independence | <input type="checkbox"/> Rule of law | <input type="checkbox"/> International law |
| <input type="checkbox"/> Sentencing | <input type="checkbox"/> Human Rights / bill of rights | <input type="checkbox"/> Fiji / Pacific |
| <input type="checkbox"/> Death penalty | <input type="checkbox"/> Accountable government | <input type="checkbox"/> Zimbabwe / Africa |
| <input type="checkbox"/> Indigenous rights | <input type="checkbox"/> Terrorism laws | <input type="checkbox"/> Middle East |
| <input type="checkbox"/> Women's / children's rights | <input type="checkbox"/> Immigration / asylum seekers | <input type="checkbox"/> Other |

Return to ICJ Victoria: C/- List A Barristers, Owen Dixon Chambers, 205 William Street, Melbourne VIC 3000 (DX 90)

For more information: icj-vic@vicbar.com.au
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