

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN LAW REFORM COMMISSION

Question No. 93

Senator Fisher asked the following question at the hearing on 19 October 2009:

How many officers of the ALRC have undertaken overseas travel in the last year?

- a) for what purpose was this travel,
- b) what was the cost of the travel,
- c) please provide the details of each overseas trip taken, including all destinations and stop overs, durations stayed at each location, the official duties undertaken at each stop, and the total cost and total duration of each trip, and please provide the total cost for overseas travel incurred by ALRC officers this year.

The answer to the honourable senator's question is as follows:

Officers from the ALRC have undertaken the following international travel during 2008-09.

1. Five officers travelled to Vanuatu to attend the 2008 Australasian Law Reform Agencies Conference (ALRAC). The President Professor David Weisbrot, Commissioner Professor Rosalind Croucher, Senior Legal Officer Ms Isabella Cosenza, Research Manager Mr Jonathan Dobinson and Executive Director Ms Sabina Wynn attended the 2008 ALRAC, held between 10-12 September 2008 in Port Vila, Vanuatu.

More than 80 delegates from law reform agencies from the Asia Pacific region attended including delegates from The Solomon Islands, Vanuatu, Papua New Guinea, Nauru, Kiribati, Fiji, Tonga and Samoa and other international delegates from South Africa, Scotland, New Zealand, Canada and the UK. Australia was represented by delegates from NSW, Victoria, Queensland, WA, NT and Tasmania.

ALRC President, Professor David Weisbrot, delivered an address to the plenary session on regional cooperation—with emphasis on the ALRC's relationship with PNG—and also made a speech on law reform at the conference dinner. Commissioner Professor Rosalind Croucher participated in the conference discussing the relationship of law reform agencies to legislative and academic approaches to achieving law reform; Research Manager Mr Jonathan Dobinson and Senior Legal Officer Isabella Cosenza presented a paper on how the ALRC uses Information Technology (IT) in its processes and the potential for IT to play a greater role in regional cooperation; Executive Director, Ms Sabina Wynn organised and chaired a meeting of executive officers to encourage and facilitate regional collaboration.

The conference featured a full program of relevance to the ongoing work of the ALRC, with key themes including: the mechanisms and the role of constitutional change; the role of customary laws vs civil laws; the relationship between individual human rights, community and customary rights and obligations; the importance of community participation in law reform; and the importance of collaboration between law reform bodies, particularly between the developed and developing countries.

The length of the ALRC officers stay overseas was five days with direct flights from Sydney to Vanuatu and no stopovers.

The total cost of the trip was \$14,342.63.

2. Commissioner Professor Les McCrimmon attended the Fifth Worldwide Conference of Global Alliance for Justice Education in Manila, Philippines from 7-13 December 2008. Professor McCrimmon presented a paper—Justice, Law Reform and the Clinical Method, co-authored with Edward Santow—that dealt with the ALRC’s process for law reform and policy development, and also positioned the ALRC internship program as an educational tool for the development of education in law reform. Professor McCrimmon also chaired the Nominating Committee for the election of the International Steering Committee members.

The length of travel was seven days with direct flights from Sydney to Manila.

The total cost of the trip was \$5,986.91.

3. Commissioner Professor Les McCrimmon and Legal Officer Ms Catherine Kelso travelled to New Zealand as part of their consultations for the Inquiry into the *Royal Commissions Act 1902* (Cth) and related matters. Consultations included: with Dame Margaret Bazley (Chair of the Police Royal Commission and Commissioner for the Royal Commission on Auckland governance) with Mr Douglas White QC (Legal Advisor on the Police Royal Commission); with Sir Geoffrey Palmer and Ms Susan Hall from the New Zealand Law Commission; with the Department of Internal Affairs (responsible for the administration and funding of Royal Commissions and Inquiries, and for drafting and updating the Guidelines for Royal Commissions and Inquiries) including with Mr Peter Andrews, Business Services Manager, Ms Julie Wall, Senior Business Advisor, Mr Hayden Kerr, Senior Policy Analyst, Regulation & Compliance Branch; with Mr Colin Carruthers QC, (Commissioner of the Wine Box Inquiry), and with Mr Kim Murray (assisted the NZ Law Commission with their review of inquiries legislation in New Zealand).

Length of travel was 4 days with direct flights from Sydney to Auckland.

The total cost of the trip was \$3,495.86.

4. ALRC President Professor David Weisbrot and Commissioner Professor Les McCrimmon travelled to Botswana at the invitation of the Attorney General of Botswana, the Hon Dr Athaliah Molokomme MP, to provide technical advice to the Government on the establishment of a law reform body. Professor Weisbrot and Professor McCrimmon visited Botswana between 16-30 January 2009, for an extensive round of meetings, briefings and consultations with key stakeholders. The services of Professor Weisbrot and Professor McCrimmon were provided on a pro-bono basis, and the Government of Botswana paid all expenses associated with the trip.

In these meetings the views of stakeholders towards the proposal to establish a law reform commission were canvassed, the possible models for such a commission were outlined, and the key issues facing those consulted were discussed. Those consulted included, among others: the Office of the President; the Council of Chiefs; the Attorney-General’s Chambers; the Ministry of Finance; the Parliamentary Law Reform Committee; the High Court, the Customary Court and the Customary Court of Appeal; the senior officers of a large number of Government Departments and agencies, including those involved in economic and social development, labour and home affairs; the Directorate on Corruption and Economic Crime; the Botswana Federation of Trade Unions; the Law Reform Committee of the Botswana Law Society; the University of Botswana Law Faculty; the Botswana Centre for Human Rights; the Botswana Congress of NGOs; regulatory authorities (such as the Botswana Telecommunications Authority); the Media Institute of Southern Africa (involving journalists from all of the major print and broadcast media); the Botswana International

Finances Services Centre; Botswana Export Development & Investment Authority; the Botswana Police Service; and the Botswana Confederation of Commerce, Industry and Manpower. More detailed planning and budgeting is currently underway, with an expectation that the new Botswana Law Reform Commission will be established in 2009-10.

The total cost of the trip was borne by the Government of Botswana.

During 2009-10 there has been one ALRC officer travel internationally as follows:

ALRC President Emeritus Professor David Weisbrot AM travelled to Canada from 27 October-2 November 2009. Professor Weisbrot was invited by the W Maurice Young Centre for Applied Ethics at the University of British Columbia to attend meetings with fellow members on the Scientific Advisory Board (SAB) regarding major research projects on bioethics. Professor Weisbrot's membership on the SAB stems from the ALRC's work on *Essentially Yours: The Protection of Human Genetic Information in Australia* (ALRC 96, 2003). Professor Weisbrot will also attend and present a paper at a conference on 30-31 October 2009 in Banff, Alberta, on "Emerging Medical Technologies: Public Consultation, Public Participation and Governance".

All costs associated with this international travel will be borne by the organiser of the events, GenomeCanada.