

The Public/Private Divide; and its implications for the extent of judicial interventions in civil disputes

Thursday 28 November 2013 5.30–6.30pm (refreshments from 6.30–7pm)

The Hon Justice Patrick Keane Justice of the High Court of Australia

Law Theatre ANU College of Law, Building 5, Fellows Rd,
The Australian National University



Program

- > **The Hon Kevin Lindgren AM QC**, President, Australian Academy of Law, extends welcome
- > **Prof Michael Coper**, ANU College of Law, introduces The Hon Justice Patrick Keane
- > **The Hon Justice Patrick Keane** delivers his lecture
- > **Justice Richard Refshauge**, delivers the vote of thanks

Differing perceptions of what is public and what is private affect the development of the law in many fields of legal practice. Of particular interest is the extent to which the public/private distinction may serve to explain some of the limits of judicial intervention in disputes between parties to voluntary relationships.

The lecture will be followed by drinks and savouries. Registration is essential for catering purposes.

Please **RSVP by Tuesday 26 November to:**

aal@law.anu.edu.au



Launched on 17 July 2007 by Her Excellency, Ms Quentin Bryce AC CVO, in her then capacity as Governor of Queensland and a Foundation Fellow of the Australian Academy of Law (AAL), the AAL is the fifth learned Academy in Australia and is the culmination of a process begun with the Australian Law Reform Commission's landmark report, *Managing Justice: a review of the federal civil justice system* (ALRC 89, 2000). The Foundation Patron of the AAL was The Hon Murray Gleeson AC (former Chief Justice of Australia).

The AAL is a broadly-based and permanent body, comprising individuals of exceptional distinction from all parts of the legal community—elected from the judiciary, legal practitioners and legal academics—united in a common goal of advancement of the discipline of law and the justice system. A distinctive feature of the AAL is that its Fellows and therefore the AAL itself, provide a 'bridge' linking, indeed uniting, the judiciary, academia and the legal profession in Australia. Information about the AAL may be found on its website: www.academyoflaw.org.au.

Managing Justice traced the rapid growth, diversification and fragmentation of the Australian legal profession, and the serious challenges these present to the maintenance of a coherent professional identity and traditional collegiate approaches. Without positive action the single 'legal profession' could become a multiplicity of 'legal occupations', none of which sees itself as part of a larger whole.

The objects of the Academy, set out in the AAL Constitution, include:

- > To establish and advance funds to provide scholarships and research grants which advance legal education and the discipline of law and promote ethical conduct and professional responsibility.
- > To promote the highest standards of legal scholarship, legal research, legal education, legal practice, and the administration of justice.
- > To promote the continuous improvement of the law and of the operation of the legal system.
- > To promote the highest standards of ethical conduct and professional responsibility amongst all members of the legal community, including the use of legal skills not merely for material personal reward but also in the service of society.
- > To enhance understanding and observance of the rule of law, and community understanding of the role and function of law, lawyers, the legal profession, and the judiciary.
- > To provide a forum for cooperation, collaboration, constructive debate and the effective interchange of views amongst all branches of the legal community on all matters relating to the achievement of these objects.

Under Cl 11 of the Academy of Law's Constitution, the Directors may appoint by invitation the Chief Justice of the High Court of Australia to be Patron of the Academy. The Foundation Patron of the Academy was the Hon Chief Justice Murray Gleeson AC, whose term expired on his retirement on 29 August 2008. The Hon Chief Justice Robert French AC also accepted the invitation to be the Patron of the Academy.

