



The Francis Forbes Society for Australian Legal History

ABN 55 099 158 620 ACN 099 158 620

THE 2021 ANNUAL PLUNKETT LECTURE

Dignity in the time of John Hubert Plunkett

PROGRAMME

Lecturer:	The Hon Justice Jacqueline Gleeson
Chair:	NSW Attorney General, The Hon Mark Speakman SC MP
Date:	19 August 2021
Time:	5.15pm – 6.15pm
Venue:	by Zoom webinar

CONTEXT: The J.H. Plunkett Lecture is an annual Lecture to honour the memory of one of the State's pivotal Attorneys General. John Hubert Plunkett (1802-1869) arrived in NSW, from Ireland, in 1832. For more than 30 years thereafter he made a major contribution to colonial law and society, serving, inter alia, as Solicitor General and Attorney General. In 1835 he published *The Australian Magistrate*, the first Australian legal practice book. He was the first Australian lawyer to be granted a commission as Queen's Counsel. He led Roger Therry, another Irish-born barrister, in the conduct of the Myall Creek Murder trials.

ORDER OF EVENTS

1. **WELCOME** – by the NSW Attorney General,
the Hon Mark Speakman SC MP
2. **PRESENTATION OF THE LECTURE** – by
the Hon Justice Jacqueline Gleeson
3. **VOTE OF THANKS** – by Carol Webster SC
(Treasurer of the Forbes Society)

THE PLUNKETT LECTURER

Jacqueline Sarah Gleeson was appointed to the High Court of Australia in March 2021. At the time of her appointment, she was a judge of the Federal Court of Australia, having been appointed to that position in April 2014.

She has Bachelor of Arts, Bachelor of Laws and Master of Laws degrees from the University of Sydney.

She was admitted as a solicitor in 1989 and practised as an employed solicitor at Bush Burke & Company in Sydney from 1990 to mid-1991. She then practised as a barrister from mid-1991, leaving the Bar at the end of 2000.

From 2001 to 2003, she was General Counsel at the Australian Broadcasting Authority. From 2004 to 2006, she was a Senior Executive Lawyer with the Australian Government Solicitor.

She returned to the Bar in 2007 and was made Senior Counsel in 2012.

LEGAL HISTORY NEWS

Lectures and Legal History Tutorials convened by the Forbes Society are generally open to the public, without charge.

LEGAL HISTORY TUTORIALS:

The Forbes Society's annual programme of legal history tutorials has, since its inception in 2013, included presentations by senior judges, academics, members of the Bar and Court staff.

COVID-19 restrictions affected our ability to deliver a tutorial series in 2020. Presentations have been made in recent times by:

- the Chief Justice of NSW, the Hon T F Bathurst AC "The History of Defamation law" (8 October 2020)
- Dr Simon Chapple (Secretary of the Society), "Themes in Australian Legal History and the development of Succession Law" (18 May 2021), combined with a formal presentation of certificates and prizes to 2020 essayists by Forbes Society President, the Hon JLB Allsop AO, Chief Justice, Federal Court of Australia.

If you would be interested to attend, either as a presenter or in the audience, please advise the Secretary of the Society, Dr Simon Chapple (secretary@forbessociety.org.au)

THE 2021 FORBES LECTURE:

On 9 June 2021 Gideon Haigh delivered the Annual Forbes Lecture titled 'She was looking for her child' Evatt J's dissent in *Chester v the Council of Waverley Municipality*'. The lecture was chaired by Professor Mark Lunney, Junior Vice-President of the Forbes Society. The Forbes Society, and the annual Forbes Lecture, are named for Francis Forbes (1784-1841), the first Chief Justice of the Supreme Court of NSW, 1824-1837. He was knighted in 1837.

THE 2020 PLUNKETT LECTURE:

The Ninth Annual JH Plunkett Lecture on "John Hubert Plunkett: An Irish Lawyer in Australia" was delivered on 24 November 2020 by Dr John McLaughlin AM chaired by the NSW Attorney General, The Hon Mark Speakman SC MP. This was the first Plunkett Lecture to focus on the man himself.

THE FORBES FUND:

One of the Society's objects is to encourage and promote research into Australian legal history and it maintains for that purpose the Francis Forbes Fund, to which donations may be made. Donations to the Forbes Fund (in the sum of \$2.00 or more) are tax deductible.

As well as specific projects each year, the Society supports an annual Essay prize for the best paper presented at the ANZLHS Conference, judged by a panel appointed by the Editor of law & history. Grants have included:

(2021 grants): *to the University of Sydney:* (i) Tony Cunneen – Digitisation of letters from solicitors, barristers and law students to the University of Sydney Law School Comforts Fund during the Second world War and completion of a book of accounts by members of the profession initially proposed and compiled by Russell Le Gay Brereton and John Flood

Nagle; (ii) Professor Barbara McDonald, Dr Ben Chen and Dr Jeffrey Gordon – “Dynamic and Principled: The Influence of Sir Anthony Mason”; to *Monash University* Professor Tamara Walsh and Associate Professor Dominique Allen – a research project about the history of human rights complaints in federal law; to *the University of Southern Queensland* Professor Antony Gray and Associate Professor Marcus Harmes – “the History of Judicial Independence in New South Wales”, exploring the history of the separation of powers principle in the Australian Colonies in the 19th century; to *the University of New England* Dr Patrick Graham – “Sir John Latham and constitutional autochthony”.

(2020 grants): to Macquarie University: (1) Dr Kate Gleeson, Sinead Ring, Kim Stevenson, “Legal Responses to Historical Child Sexual Abuse: Critical and Comparative Perspectives” (2) Dr Henry Kha, “The Unification of Australian Divorce Law under the Matrimonial Causes Act 1959” and to Sydney University: Professor Barbara McDonald, Dr Ben Chen, Dr Jeffrey Gordon, “Dynamic and Principled: The Influence of Sir Anthony Mason”.

(2019 grants): The digitisation of the notebooks of Sir Keith Officer and Sir Robin Sharwood – a project of Professor Lunney, Dr Tanya Josev (Melbourne Law School) and Ms Carole Hinchcliff (senior law librarian at Melbourne); and A Biographical Dictionary of Barristers and Solicitors in Early NSW, 1824-1861 (Peter Moore through the University of Adelaide), Publication of **Pitt Cobbett's grand opus 'The Government of Australia'** by the 2019 Forbes lecturer, Professor Anne Twomey (Sydney University) was supported through the Fund in 2017 and 2018. The book *The Constitution and Government of Australia, 1788 to 1919* by William Pitt Cobbett and edited by Anne Twomey was published by Federation Press in October 2019. Professor Twomey said of the project:

... The Forbes Society has kindly supported the project of finishing, editing and publishing this work. ... The support of the Society is essential for this type of work, which would otherwise not see the light of day and remain moulding away, unseen and forgotten. We will not learn from our past unless our history is readily accessible. The Francis Forbes Society ensures that it is.

We welcome all further donations to enable us to support such worthy projects – a form for donations is available here: [Fund Donation Form 2021](#) and on the web site <http://www.forbessociety.org.au> at DONATIONS.

MEMBERSHIP OF THE FORBES SOCIETY:

Membership of the Forbes Society is open to everybody. Membership application forms are available here: [FFS Membership application and renewal 2021-22](#) and can be downloaded from the Society's website. Benefits of membership include timely notification of legal history events via updates emailed to members from time to time.

THE 2021 AUSTRALIAN LEGAL HISTORY ESSAY COMPETITION:

The Forbes Society's Annual Essay Competition is open to all students enrolled in an Australian secondary school or an Australian undergraduate university course (including courses leading to a qualification for legal practice). Guidelines, together with sample questions and essay questions set in previous years' competitions, are published on the Society's website: www.forbessociety.org.au.

THE ANZ LAW AND HISTORY SOCIETY ANNUAL CONFERENCE:

The 40th Annual Conference of the ANZLHS, *Tenuous Histories and Provable Past: How Legal Historians Create Knowledge*, will be held at UTS and online on 3-4 December 2021 (<https://anzlhs.org/>).