



**The Francis Forbes Society for Australian Legal History**

ABN 55 099 158 620 ACN 099 158 620

## **THE 2023 ANNUAL FORBES LECTURE**

### **The Decade That Shaped Us: Before and After the Third Charter of Justice 1823 – 1833**

#### **PROGRAMME**

<b>Lecturer:</b>	<b>Her Excellency the Honourable Margaret Beazley AC KC</b>
<b>Chair:</b>	<b>The Honourable James Allsop AC, President of the Forbes Society</b>
<b>Date:</b>	<b>Wednesday 23 August 2023</b>
<b>Time:</b>	<b>5.15pm – 6.15pm</b>
<b>Venue:</b>	<b>Banco Court, Level 13 Law Courts Building, Queen's Square, Sydney</b>

**CONTEXT:** The Forbes Society, and the annual Forbes Lecture sponsored by the Society, are named for Francis Forbes (1784-1841), the first Chief Justice of the Supreme Court of NSW, 1824-1837. He was knighted in 1837.

## ORDER OF EVENTS

1. **WELCOME** – by the Honourable James Allsop AC, President of the Francis Forbes Society for Australian Legal History
2. **PRESENTATION OF THE LECTURE** – by Her Excellency the Honourable Margaret Beazley AC KC, Governor of New South Wales
3. **THANKS and CLOSE OF PROCEEDINGS** – by the Chair

### THE FORBES LECTURER

Her Excellency the Honourable Margaret Beazley AC KC is the 39th Governor of New South Wales, commencing her five year tenure on 2 May 2019.

Prior to her appointment as Governor, Her Excellency enjoyed a long and distinguished law career spanning 43 years, during which time she served as a role model for women in law at both the State and national level.

Appointed Queen's Counsel in 1989, in 1993 she was made a judge of the Federal Court of Australia, the first woman to sit exclusively in that Court. In 1996, she achieved the distinction of being the first woman appointed to the New South Wales Court of Appeal and, subsequently, as the first woman to be appointed as its President. She served, on a number of occasions, as Administrator of the Government of the State of New South Wales.

She was made a Companion of the Order of Australia in the Australia Day Honours List on 26 January 2020 for "eminent service to the people of New South Wales, particularly through leadership roles in the judiciary, and as a mentor of young women lawyers".

## LEGAL HISTORY NEWS

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

### LEGAL HISTORY TUTORIALS AND OTHER PRESENTATIONS:

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. Recent presentations include:

- The Hon Lucy McCallum Chief Justice of the ACT 'The fallacy of protectionism', joint presentation with the Ngará Yura Committee of the Judicial Commission (10 Nov 2022)
- Declan Noble (Associate to Kirk JA) 'A Partial History of the Public Law Injunction in Australia' (22 Nov 2022)
- Professor Emerita Anne Twomey 'The Curious History of the Nationhood Power' (6 March 2023)
- The Hon Andrew Bell, Chief Justice of NSW 'On classic ground: Martin's monument and civilizational yearnings in colonial New South Wales', combined with a formal presentation to 2022 Essayists (28 Feb 2023)
- Professor Peter Gerangelos 'An Historical Constitutional Approach and the general (non-statutory) executive power of the Commonwealth – History as Method: 'Ancient' solutions to Current Problems' (11 April 2023)
- Dr Peter Edwell and the Hon Keith Mason AC KC 'Art and the Law: The Archibald prize case of the 1944 and beyond' (18 April 2023)
- Michael Adams (Counsel in the Office of General Counsel at AGS) 'The effect of the American Civil War on the law of contract' (24 May 2023)
- Dane Luo (Associate to Hammerschlag CJ in Eq) 'The Path to Independence: Australia's Constitution and her British ties' (24 July 2023)
- Skye Krichauff (University of Adelaide) 'The South Australian Frontier and its Legacies: a truth telling project' (15 August 2023)

If you have any queries about attending or presenting, please advise the Secretary of the Society, Dr Simon Chapple ([secretary@forbessociety.org.au](mailto:secretary@forbessociety.org.au))

### THE 2022 PLUNKETT LECTURE:

The Eleventh Annual JH Plunkett Lecture 'The Unlikely Reformer: Sir John Latham and the Australian Constitution' was delivered on 27 October 2022 by Dr Patrick Graham, chaired by Dr Simon Chapple. The Plunkett Lecture honours the memory of one of the State's pivotal Attorneys General. John Hubert Plunkett (1802-1869) arrived in NSW, from Ireland, in 1832.

### THE 2022 FORBES LECTURE:

On 31 August 2022 Dr Susan Bartie (University of Tasmania) delivered the Annual Forbes Lecture 'Legal Life Histories and the Creation of Legal Fields' The lecture was chaired by Carol Webster SC, Treasurer of the Forbes Society.

### 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:

**(2023 grants):** *University of Technology Sydney* Dr Alecia Simmonds ‘Race, Legal Status and Subjecthood in Defamation Actions Across the Nineteenth and Twentieth Centuries’; *Australian National University* Dr Susan Bartie ‘Contribution of Solicitors-General to the field of Australian law and environmental politics’; *Macquarie University* Dr Henry Kha ‘Wife sales and legal responses in Colonial Australia’ and *Deakin University* Associate Professor Gabrielle Wolf ‘European Medical Émigrés in Tasmania and the Law, 1933-1946.’

**(2022 grants):** *University of Adelaide* Ass Professor Robert Foster – ‘Reconciling with the Frontier’; *ACU* Dr Jessica Lake – ‘The Slander of Women’; *University of Sydney* Megan Cameron – an examination of the work of magistrates in early colonial NSW; *UNSW* Ass Professor Marina Nehme – A study of the legal history of proprietary companies.

**(2021 grants):** *UNE* Dr Patrick Graham – Sir John Latham and constitutional autochthony; *University of Southern Queensland* Professor Antony Gray and Ass Professor Marcus Harmes – The History of Judicial Independence in NSW; *University of Sydney*: Digitisation of letters from solicitors, barristers and law students to the Sydney Law School Comforts Fund during the Second World War (Tony Cunneen), further support for ‘Dynamic and Principled: The Influence of Sir Anthony Mason’ (Professor McDonald, Dr Chen, Dr Gordon); *Monash University* Professor Tamara Walsh & Ass Professor Dominique Allen –research project about the history of human rights complaints in federal law.

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.

We welcome all further donations to enable us to support such worthy projects – a form for donations is available here: [Forbes Donation Form 2023 - 2024](#) 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 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 2023 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](http://www.forbessociety.org.au).

#### **THE ANZ LAW AND HISTORY SOCIETY ANNUAL CONFERENCE:**

The ANZLHS 2023 Annual Conference ‘Intersectionality and Legal Identities’ will be held 30 November – 1 December 2023 at the University of Southern Queensland in Toowoomba, Queensland. Further information can be found on the conference website [here](#).