

for Aborigines appearing in court in the North of Western Australia (*West Australian*, 24 November 1978). Tribal punishments such as spearing and other measures would not be tolerated. But procedures should be adopted by which customary law could be used as a defence in certain cases. Mr. Syddall was appointed in July 1977 to study this question for the West Australian Government. On the other side of the continent, in November 1978 the Aboriginal and Islander Commission of Queensland reported to that Government and included recommendations on customary laws.

The Commission proposed that the Aboriginal Police Force should be maintained and given more formal training and that within the next five years all reserve communities should have Magistrates' Courts to replace the present Aboriginal Courts. Whilst a definite need existed in the past for these separate courts "as a vehicle for assisting Aborigines in assimilation/integration", the Committee concluded that "different law enforcement procedures are now not necessary". The appointment of the first four Aborigines as Justices of the Peace in Western Australia and inquiries by the A.L.R.C. and a special committee in South Australia indicate a growing interest in the operation of the legal system, particularly as it affects traditional Aborigines.

■ According to reports, law reform is a growing business in the People's Republic of China. The Minister of Public Security, Mr. Chao Tsang-pi, has announced that China proposes to standardise its judicial system. Special committees have been established to draft a new Criminal and Civil Code of Law and Procedures. A report of a 12-member American Bar Association delegation to China published in Volume 64 *A.B.A. Journal* 1516 records the important similarity of the problems faced in Chinese and Western legal systems today.

■ Things heard in Parliament. Senator Missen, speaking to the Report of the Senate Standing Committee on Constitutional Legal Affairs (14 September 1978) expressed regret that the work of the A.L.R.C. was "somewhat inhibited by the shortage of staff". He concluded "if we proceed, and rightly proceed, to

increase the workload which we give the Commission . . . we have to provide it with the necessary staff". He opined that it was very desirable that the Commission should have a legislative draftsman. This view is borne out by the latest figures from England. The English Law Commission has no less than six draftsmen. Mr. Neil Brown, M.P., speaking on the Attorney-General's estimates, declared that:

"the work of the [Law Reform] Commission constitutes the most substantial contribution to law reform in the history of Australia. It has stimulated discussion in public, as well as in the profession, of a wide range of subjects where there is great scope for reform. The Commission must be commended for its work. However, there is a gap in the machinery of law reform which should be remedied . . . Government consideration of its proposals. To get law reform to the position where the reform is translated into legislation and becomes law seems very difficult at the present. I believe that we must exert ourselves in the Parliament to bridge the gap and to find some workable machinery to have the worthwhile achievements of the Law Reform Commission put into legislative form without excessive delay. When we achieve that we will have a practical and commendable system of law reform in operation in the Federal sphere."

Mr Brown (Lib. Vic.) pointed to the report on *Criminal Investigation* and other projects upon which the A.L.R.C. has reported. Words of encouragement in the Federal Parliament.

New Reports

Australia

A.L.R.C.: D.P.8, *Privacy and The Census*, 1979.

N.S.W.L.R.C.: *Studies in Comparative Civil and Criminal Procedure*.

Vol. 1: *Court Procedure in the United Kingdom, United States, South Africa and New Zealand*.

Vol. 2: *Innovations in Civil and Criminal Procedure*.

Q.L.R.C. W.P.22: On a draft *Associations Incorporation Act* plus supplementary paper.

S.A.L.R.C.: 45: *Relating to the competence of spouses as witnesses in criminal prosecutions for injuries causing death or serious bodily injury to children*.

: 46: *Relating to the form of oath to be used in courts and other tribunals*.

V.C.J.L.R.C.: *Unincorporated Associations*: Second Interim Report.

V.S.L.R.C.: *Report on the publication of lists of writs and summonses.*

: *Report on Access to information concerning adoptions.*

: *Report on the law relating to animals on highways.*

: *Report on certain matters relating to trustee companies.*

: *Report on the proposals contained in the Constitution (Local Government) Bill 1978.*

: *Report on the use of steel-jawed leghold traps.*

: *Report on Privacy (Debt Collection Agencies—Publications).*

W.A.L.R.C.: Proj. No. 34 Pt. III: *Report on administration of deceased insolvent estates.*

: Proj. No. 66: *Report on Fatal Accidents.*

: Proj. No. 28: *Report Official Attestation of Forms and Documents.*

: W.P. Proj. No. 43: *Compensation for persons detained in custody who are ultimately acquitted or pardoned.*

United Kingdom

Law Com.: No. 91: *Criminal Law: Report on the territorial and extraterritorial extent of the criminal law.*

: No. 92: *Thirteenth Annual Report 1977-78.*

: W.P. No. 73: *Insurance Law non-disclosure and breach of warranty.*

Canada

C.L.R.C.: *Seventh Annual Report 1977-1978.*

N.S.L.R. Advisory Cte.: *Report on Builders' Liens.*

Papua New Guinea

P.N.G.L.R.C.: W.P. 13: *Committal Proceedings.*

: W.P. 14: *Young persons in conflict with the law.*

: Occp. P. 10: *Sorcery among the East Sepiks.*

Other

N.Y.L.R.C.: *Cumulative Topic Index 1952-1977.*

N.Z.P.A.L.R.C.: *Twelfth Report.*

: *Report on identification.*

Sri Lanka L.C.: W.P.: *Draft Ombudsman Bill and Report.*

N.S.W.L.R.C. relevant to costs and practicalities of reform proposals proceeding.

- *Insurance Contracts*: Work in hand (W.I.H.). Discussion Paper #7 under consideration and comparison with Law Commission Working Paper (see p. 42).

- *Class Actions and Standing*: Further research proceeding towards Consultative Paper (See p. 41).

- *Privacy*: W.I.H. Research Papers circulating. D.P. #8 on Privacy and the Census released. Further D.P. on Informational Privacy due soon (See p. 32).

- *Aboriginal Customary Laws*: W.I.H. (See p. 42).

- *Lands Acquisition*: Draft legislation in advanced stage. Report due late 1979.

- *Sentencing*: W.I.H. (See p. 28).

- *Child Welfare*: New reference received (See p. 26).

- *Law Reform Digest*: W.I.H.

N.S.W. Law Reform Commission (N.S.W.L.R.C.)

Summary of the present state of work in the Commission.

- *Legal profession Inquiry*: Discussion papers and background papers are nearing completion on the topics General Regulation of the Profession and Complaints, Discipline and Professional Standards.

- *Unincorporated Associations*: W.I.H.: Discussion and redrafting continuing.

- *Money Judgments*: W.I.H.: Co-operation with A.L.R.C.

- *Evidence*: W.I.H.: Further working papers drafted and under discussion.

N.T. Law Review Committee (N.T.L.R.Cte.)

See [1979] *Reform* 22.

N.Z. Property Law and Equity Reform Committee (N.Z.P.L.E.R.Cte.)

See [1979] *Reform* 22.

N.Z. Public and Administrative Law Reform Committee (N.Z.P.A.L.R.Cte.)

See [1979] *Reform* 22.

N.Z. Rules Committee (N.Z.R.Cte.)

See [1979] *Reform* 22.

Papua New Guinea Law Reform Commission (P.N.G.L.R.C.)

- *Young Persons in Conflict with the Law* (W.P. 14, Nov. 1978): contains a draft Youth Court Services Bill.

- *Committal Proceedings* (W.P.13, Jan. 1979): proposes that the present system be speeded-up by the introduction of hand-up briefs. It also includes an alternative proposal to abolish committal proceedings altogether.

- *Customary Compensation*: An occasional paper (O.P. 11). This topic is now in its third draft. The Chairman of the P.N.G.L.R.C., William Kaputin, and Commissioner Joseph Nombri are to tour the Highlands Provinces in the first half

What's going on in the L.R.C.s?

Australian Law Reform Commission (A.L.R.C.)

- *Defamation*: Report expected from printer shortly.

- *Debt Recovery*: Commission considering submissions at Public Sitings and Seminars held 1978. Research survey of courts in N.S.W. with