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President's Message

The Society has had a successful and interesting year with some enlightening guest speakers, culminating in the breakfast last Friday with HE Mr Paul Madden, British High Commissioner to Australia.

Our Annual General Meeting was held on 14 March where some new committee members were elected and a new treasurer appointed. A Special General Meeting was held on 14 August at which a motion to change the Society's financial year from 1 October to 30 September to 1 July to 30 June was passed.

I would particularly like to thank my committee colleagues for the support of the Society throughout the year and also to express my own and the Committee's appreciation for the prodigious efforts of the Executive Officer, Christina Bunbury generally and in particular the organisation of functions.

With best wishes to all members for the festive season.

Maurice Neil QC
President

Events for Members and Guests

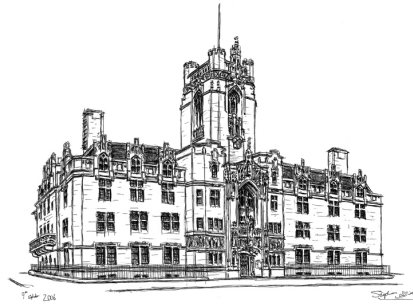
The Society held several successful events this year :

- 14 March: Dinner with The Lord Mayor of The City of London David Wootton, who is also a senior partner with Allen & Overy and an Ambassador of the City of London.
- 14 March: Annual General Meeting
*click here [agm.2012 President's report.doc](#), [agm.2012 Secretary's report.doc](#)
[agm 2012 Financial Report for FINANCIAL YEAR Ended 30 September 2011 no 2.doc](#)*
- 19 March: Melbourne, the Victorian Chapter invited guests to the British Consul's reception for the Lord Mayor of the City of London.
- 3 April: Breakfast with Lord Phillips, President of the Supreme Court of the United Kingdom
- 3 May: Breakfast with Michael Sexton SC, NSW Solicitor-General, AALS Past President
- 1 August: Breakfast with Lord Kerr of Tonaghmore PC Justice of the Supreme Court of United Kingdom
- 11 September: Breakfast with Lord Walker of Gestingthorpe. *Click here to read his speech "[Sex, Celebrities and Super-injunctions](#)".*
- 17 October: Breakfast with Prof. Gillian Triggs, President Australian Human Rights Commission
- 30 November: Breakfast with His Excellency Mr. Paul Madden, British High Commissioner to Australia.

<p><i>AALS Committee Members</i></p> <p><i>President</i> Maurice Neil QC</p> <p><i>Vice Presidents</i> Josephine Kelly Malcolm Holmes QC</p> <p><i>Secretary/Public Officer</i> Justin Young</p> <p><i>Treasurer</i> Richard Hughes</p> <p>Allyssa Antcliffé Michelle Castle Federal Magistrate Dale Kemp David Miller Greg Nell SC Richard Wood</p> <p><i>Victorian Branch Chair</i> Rodney Garratt QC</p> <p><i>Victorian Secretary</i> Paul Hayes</p> <p><i>Executive Officer</i> Christina Bunbury aalsociety@optusnet.com.au</p>	<p>All Members are requested to advise the Executive officer if they learn of any visitors to Australia who could be a possible speaker at an AALS event in Sydney, Melbourne or Perth : aalsociety@optusnet.com.au</p>
	<p><i>Western Australia</i></p> <p>The Society is very pleased to announce the establishment of a new branch in Perth. The first meeting of the Anglo-Australasian Lawyers Society (Western Australia) was held on 7 November.</p> <p>A good turnout of people attended this first meeting and Tony Aristei was confirmed as President elect and Alex Hickman Vice President elect. The election of Committee members will take place at the first AGM in the new year.</p> <p>Foundation members are : Tony Aristei (President elect) Alex Hickman (Vice President elect) Travis Keen Daniel White Nicholas Dillon Raoul Cywicki Craig McIntosh Hugh Reyoldson Aimee Hacket Paul Grant</p> <p>The new Chapter welcomes Society members visiting Western Australia and would be delighted to make contact We will keep you informed of developments in Western Australia.</p>
	<p><i>Website</i></p> <p>Recognising the importance that members place in keeping up with news and events of the Society both here and in the UK we have looked at various proposals to set up our own website, as a complement to the UK's website.</p> <p>We are planning our own Australian website to go live in mid-December.</p>
	<p><i>Farewell</i></p> <p>We would like to thank Mr. Richard Morris, British Consul General, for his friendship and support during his time in Australia. Mr. Morris will become Head of Pacific Affairs at the Foreign and Commonwealth Office. We wish him and his family all the best for the future.</p>
	<p><i>Congratulations</i></p> <p><i>Congratulations to AALS Member Kylie Nomchong SC who was appointed as senior counsel in October. Kylie was one of 12 women of the 26 successful appointees.</i></p>

The Supreme Court of the United Kingdom?

Did you know that the House of Lords (Appeal Committee) no longer exercises judicial power? On 1 October 2009 judicial authority was transferred from the House of Lords into the newly created Supreme Court for the United Kingdom. The Supreme Court is housed in the former Middlesex Guildhall (pictured below) on Parliament Square, and now sits in the quadrangle made up of the Houses of Parliament, Westminster Abbey and Treasury.



The Supreme Court consists of 12 Justices: Lord Phillips of Worth Matravers (President), Lord Hope of Craighead (Deputy President), Lord Walker of Gestingthorpe, Baroness Hale of Richmond, Lord Brown of Eaton-under-Heywood, Lord Mance, Lord Kerr of Tonaghmore, Lord Clarke of Stone-cum-Ebony and Lord Dyson, Lord Wilson, Lord Sumption and Lord Reed. Generally the Court is constituted by five judges but more can sit. The first judges of the Supreme Court were the judges who were on the Appellate Committee of the House of Lords on 1 October 2009. Some of those judges have now retired and judges since then have been appointed directly to the Supreme Court and not via the House of Lords.

An emblem was created for the Supreme Court. The emblem combines the four heraldic elements of the constituent parts of the UK: the English rose, the Welsh leek, the Irish flax flower and the Scottish thistle. The use and management of the emblem by the Court is subject to rigorous guidelines, described in a 29-page booklet (available at <http://www.whatdotheyknow.com/request/34917/response/89086/attach/2/EmblemGuide.pdf>)

Adding further to the pomp and pageantry surrounding the creation of the Supreme Court, the British Flag Institute suggested in the lead-up to the opening of Court that a new flag should be created specifically for the Supreme Court. That flag is pictured here:



It incorporates the floral elements of the Supreme Court's emblem described above, surrounded by an omega symbol implying finality, with the crown of the Sovereign offset in the top left-hand corner. The flying of the flag, as with the use of the emblem, is steeped in rules. One of them, unusual for English flag-flying practice, is that the flag is to fly on a single pole beneath the Union Jack. The practice of “double-flagging”, though rarely seen in Britain is, according to the Flag Institute, “acceptable”. On each of the four “national” days, the flag of England, Scotland, Wales and Ireland will fly beneath the Union Jack instead of the Supreme Court flag and the Middlesex Flag (which formerly flew over the building) will fly on Middlesex Day (16 May) and the flag of the Middlesex Regiment will fly on the Sunday before Remembrance Sunday.

The Court is both steeped in tradition and keeping apace with the modern world. On 6 February 2012 it commenced using Twitter, to coincide with the swearing-in of its most recently appointed judge, Lord Reid. Check it out at #UKSupremeCourt.

Royal Marriage Law

The marriage of Prince William to Kate Middleton in 2011 was a timely reminder to Anglo-Australasian lawyers to brush up on their knowledge of British royal marriage law. Members of the British Royal family are not, so far as marriage is concerned, treated by the law in the same manner as non-royals. Royals intending to marry are subject to the *Royal Marriages Act 1772*. The Act, whose long title is *An Act for the better regulating the future Marriages of the Royal Family*, was proposed by George III, after this brother, [Prince Henry, Duke of Cumberland and Strathearn](#), made what the Monarch considered to be an unsuitable alliance. Henry married the commoner, Mrs Anne Horton, daughter of Simon Luttrell, and widow of Christopher Horton. After the Act was passed it was discovered that in 1766 another brother, [Prince William Henry, Duke of Gloucester and Edinburgh](#), had secretly married Maria, the illegitimate daughter of Sir Edward Walpole and the widow of the second Earl Waldegrave.



The structure of the Act, whose operation has continued essentially unchanged since 1772, is that it provides that no descendant of George II (King George III's father), male or female (except the issue of princesses who married into "foreign families") could marry without the consent of the reigning [monarch](#), "signified under the great seal and declared in council". That consent was to be set out in the licence and in the register of the marriage, and entered in the books of the [Privy Council](#). Any marriage contracted without the consent of the monarch was to be null and void.

However, any person who was over 25 and had sought and been refused permission to marry could marry one year after giving the Privy Council notice of their intention to marry, unless both houses of parliaments expressly gave their disapproval. Whilst any royal choosing to marry in contravention of the Act did not lose his or her place in the line of succession, any offspring of such a union was illegitimate, and therefore lost any right to succeed. Furthermore, any person performing or participating in an illegal marriage of any member of the royal family was guilty of the criminal offence of praemunire, which was essentially a crime of disobedience to the sovereign. The offence was abolished in 1967. Edward VIII was specifically precluded from the provisions of the Act upon abdication, by the politely named *His Majesty's Declaration of Abdication Act 1936*. This allowed him to marry the divorcee Wallis Simpson without permission from the monarch.

The Act has had a far-ranging effect beyond the British Royal Family to other royal families of Europe as the descendants of George II married widely into those families. The Act has been criticized and there have been calls for reform but at the moment it remains in place, and in accordance with its strictures Prince William sought (and was granted) the permission of Queen Elizabeth II to marry Kate Middleton.

(See http://en.wikipedia.org/wiki/Royal_Marriages_Act_1772)

Blogging

What is blogging? Wikipedia tells us it is a personal journal published on the World Wide Web containing discrete posts which are typically displayed in reverse chronological order. The word is a portmanteau of the term web log. It can also be used as a verb, whose conjugation is as follows:

- I blog;
- You blog;
- We blog;
- He/she blogs.

You see? It's easy.

It has been said by Charon QC, a veteran legal blogger (since 2006), that "*Legal blogging is a broad church with many aims*". This is so. Legal blogs abound and, predictably, are of variable quality.

Some UK blogs which are worth spending the time looking at are:

- Jack of Kent (<http://jackofkent.blogspot.com.au/>)

Written by freelance writer David Allen Green, about legal and political affairs. It was short-listed for the Orwell Prize in 2010 and won the Pod Delusion 'Blogger of the Year' in 2009. Named one of the *Times* Five Best Blogs in 2009.

- The Magistrates Blog
(<http://thelawwestofealingbroadway.blogspot.com.au/>)

Written anonymously by a Magistrate; a very good and entertaining read.

- Marilyn Stowe
(<http://www.marilynstowe.co.uk/>)

A good Family Law blog, winner of Blawg of the Year 2010 in the UK Blawg Awards.
