

28th Annual LAWASIA Conference

Welcoming Remarks at Opening of LAWASIA Conference

Chief Justice Robert French AC
6 November 2015, Sydney

The President of LAWASIA, Mr Suzuki, the President of the Law Council of Australia, Mr McConnel, the Attorney-General, Senator The Hon George Brandis QC, Chief Justices, your Honours, ladies and gentlemen. It is a good thing that we have begun this conference with the "welcome to country" which is now an important element of many public events around Australia. It is a good thing because it reminds us of who we are and where we come from. Australia is a land of overlapping histories. There is the history of our indigenous peoples which stretches back 40,000 years and is recorded in the stories and songs and ceremonies of the dreaming which lie across the entire Australian landscape. There is the history of British colonisation which began in the late 18th Century and brought with it the institutions and the common law which are central to our legal system. And in the last 50 years or so, Australia has received immigrants from many parts of the world bringing with them their own unique histories and cultures. Australians now come from 180 different countries. Forty-six per cent of us have either been born overseas or have at least one parent born overseas. This phase of the history of our country is one of increasing cultural diversity. Australia's engagement with the region through LAWASIA is a part of that more recent history.

LAWASIA is a remarkable and probably unique organisation. Since 1966 it has brought together a diverse membership of the law societies and bar associations of the Asia Pacific and through its judicial section the Chief Justices and judges of the region. It has a high profile and a high reputation in this country. It is an honour and a pleasure to be able to welcome all of you to the 28th annual conference in Sydney.

The themes of your conference are current and relevant to all of us covering cross-border trade and commerce, environmental law, human rights, family law, law office management and the increasing internationalisation of legal practice. Your discussions will be conducted within the framework of the LAWASIA mission which is to encourage and facilitate regional interaction, to be an established voice for the interests of the legal community in the region, to uphold the rule of law, human rights and universally high

standards of legal practice and to provide quality, cross-jurisdictional legal education available and relevant to all jurisdictions.

Despite the differences in the political, cultural, social and economic features of our societies and their histories, there is a natural tendency to overlap and convergence of law and practice particularly in trade and commerce and in such areas as intellectual property law and the newly emerging competition law regimes all of which have transnational elements as well as cross-border crime, including terrorism. There is an increasing awareness in the Australian profession of the importance of its engagement with the region and the opportunities that exist for legal professionals to interact with each other in those many areas of practice which have cross-border dimensions. Recently concluded trade agreements may enhance opportunities in relation to the delivery of legal services in the region.

LAWASIA provides a mechanism through which the professions and judiciaries of the region may support each other in encouraging, in each of our societies, respect for a strong and independent legal profession committed to the rule of law. It is the rule of law which provides the social infrastructure within which people may enjoy their freedoms, exercise their rights and pursue their opportunities. LAWASIA is also a forum which can provide support for the function of national judiciaries as independent institutions of government able to carry out their functions, in the words of the ancient oath "without fear or favour, affection or ill-will".

Professional and judicial interactions at meetings like this and more intense exchanges enhance understanding and thus enhance communication. Having visited a number of countries in the region both before and after my appointment as Chief Justice, I have a particular appreciation of the value of such interactions. Indeed, I had the privilege between 2003 and 2008 of being one of the Australian sessional judges on the Supreme Court of Fiji. My participation in the judiciary of that country is a memory I shall long treasure. I am pleased to see that Fiji is represented at this conference and at the Conference of Chief Justices of the Asia and Pacific which is also to be held this weekend.

May I again take this opportunity of welcoming you all and wishing you a successful and productive meeting.