

Seeing Visions and Dreaming Dreams

Judicial Conference of Australia Colloquium

Chief Justice Robert French AC

7 October 2016, Canberra

Thank you for inviting me to deliver the opening address at this Colloquium. It is the first and last time I will do so as Chief Justice. The soft pink tones of the constitutional sunset are deepening and the dusk of impending judicial irrelevance is advancing upon me. In a few weeks' time, on 25 November, it will have been thirty years to the day since I was commissioned as a Judge of the Federal Court of Australia. The great Australian legal figures who sat on the Bench at my official welcome on 10 December 1986 have all gone from our midst — Sir Ronald Wilson, John Toohey, Sir Nigel Bowen and Sir Francis Burt. Two of my articulated clerks from the 1970s are now on the Supreme Court of Western Australia. One of them has recently been appointed President of the Court of Appeal. They say you know you are getting old when policemen start looking young — a fortiori when the President of a Court of Appeal looks to you as though he has just emerged from Law School.

The same trick of perspective leads me to see the Judicial Conference of Australia ('JCA') as a relatively recent innovation. Six years into my judicial career, in 1992, I attended a Supreme and Federal Courts Judges' Conference at which Justices Richard McGarvie and Ian Sheppard were talking about the establishment of a body to represent the common interests and concerns of judges, to defend the judiciary as an institution and, where appropriate, to defend individual judges who were the target of unfair and unwarranted criticisms.

As Justice John Dowsett helpfully recorded in a paper delivered at this Colloquium in 2012,¹ it was Richard McGarvie who proposed the establishment of an Australian Judicial Conference modelled on a Canadian body with a mandate 'to be constantly vigilant and committed to assuring the preservation of a strong and independent judiciary' and that it be open to all judges and magistrates. The JCA was effectively established by the Steering

¹ Justice John Dowsett, 'The Conference — 40 Years On' (Speech delivered at the Supreme and Federal Courts Judges' Conference, Melbourne 21–25 January 2012).

Committee of the Supreme and Federal Courts Judges' Conference with the late Ian Sheppard as one of its drivers. It was incorporated on 16 December 1993. Its first annual symposium was held in November 1996 at the Australian National University. The Chairman was the late Justice John Lockhart of the Federal Court. Justice David Angel of the Supreme Court of the Northern Territory was the Deputy, and Professor Stephen Parker of Griffith University was the Secretary and Treasurer. The symposium was opened by Chief Justice Sir Gerard Brennan. This Colloquium is therefore held on the 20th anniversary of that first symposium.

Despite my sense of its recency, the JCA is now a well-established part of the Australian legal landscape as the representative body for the Australian judiciary. Its objectives, as explained on its website and set out in its Constitution, all relate to the public interest in maintaining a strong and independent judiciary within a democratic society that adheres to the rule of law.² Those objectives transcend any notion of a mere judges' trade union. It has, however, not hesitated to speak out for judges and courts which come under unwarranted or unfair criticism from politicians and the media. A recent example was the media release published by the JCA on 20 November 2015³ in which the President responded to criticism in the Victorian Parliament of a decision of the Court of Appeal on 'baseline sentencing' under the *Sentencing Act 1991* (Vic).⁴ The majority of the Court had held that the baseline sentencing provisions were incapable of being given practical operation and gave reasons for their conclusion. One Member of Parliament described the judgment as 'an unbelievable rebuff of the will of Parliament'. Another said that 'judges ... don't like tougher sentencing, so they will just ignore new laws and claim they don't know what the new laws require.' As Justice Rares pointed out, the implication of the statements was that the judges were not acting honestly and were acting instead on their personal views and that they did not like tougher sentencing. The comments, he said, were not criticisms of the Court's reasons for its decisions about what the sentencing legislation meant. Similar statements have been made in relation to an editorial attack on the Queensland judiciary in March 2015 and criticism in social media against the judicial officer who had granted bail to Man Haron Monis. The JCA also issued a media release in 2011 responding to Prime Ministerial

² Judicial Conference of Australia, 'Rules' (as amended October 2016) cl 3 <http://www.jca.asn.au/governance>.

³ Justice Steven Rares, 'Politicians attacking judges (Media Release, 20 November 2015).

⁴ *Director of Public Prosecutions v Walters (a pseudonym)* [2015] VSCA 303.

criticism of the High Court after the delivery of its judgment in the *Malaysian Declaration Case*.⁵

The JCA's activities go beyond providing responses to criticisms of the judiciary. It has engaged in debate about legislation affecting the judiciary generally, including access to justice issues such as the recommendation of the Productivity Commission in 2014 in relation to court fees payable in civil litigation. It has also become part of the international judicial community, having joined the International Association of Judges. The range of its activities today suggests a matured organisation which, while carrying out a public representative function, seeks to serve wider interests than those of its judicial members or the institutional interests of the courts to which they belong. Nevertheless, its origins coincided with the emergence, in the 1990s, of a debate about who would speak for the judges.

In one sense, the debate was opened in an address delivered by Daryl Williams QC at a conference entitled 'Courts in a Representative Democracy' held at this hotel in November 1994, which I organised along with Paul Finn and Cheryl Saunders. It was a cooperative venture between the Law Council of Australia, the Constitutional Centenary Foundation and the Australian Institute of Judicial Administration. Mr Williams was then a member of the House of Representatives. On 11 March 1996, 15 months or so after delivering that address, he was appointed as Commonwealth Attorney-General, a post he held until 2003. In his 1994 address he referred to expressions of concern at the time by leading judicial figures about the extent of the ignorance of politicians, journalists and the public about the functioning of the courts and the role of the judiciary.⁶ He observed that some of the criticisms and proposals reported in the media had been perceived by judges as threatening the independence of the judiciary. The judges had recognised a need to ensure that the public was properly informed about judicial processes and the importance of maintaining judicial independence. They had increasingly accepted that the judiciary itself must play a significant part in providing that information. Mr Williams referred back, by way of contrast, to an observation by Justice Dawson of the High Court in 1986 in which he had said:

⁵ *Plaintiff M70/2011 v Minister for Immigration and Citizenship* (2011) 244 CLR 144.

⁶ Daryl R Williams, 'Who Speaks for the Courts?' in *Courts in a Representative Democracy* (Australian Institute of Judicial Administration, 1995) 183 citing Justice Michael Kirby, 'Judiciary, Media and Government' (1993) 3 *Journal of Judicial Administration* 63, 70–1 and John Harbour Phillips, 'The Judiciary and the Media' (1994) 20 *Monash University Law Review* 12.

It seems to me that, apart from ensuring that our conduct is as far as possible its own vindication, we must, as has been done in the past, look to others to safeguard our reputations and to explain our processes.⁷

That was a view, which it is fair to say, probably reflected mainstream thought in the senior judiciary at the time.

Williams observed correctly that, in 1994, the proposition that courts should look to others to speak for them was in the main no longer accepted by leaders of the judiciary. The Chief Justice of Australia, Sir Anthony Mason, had expressed the view that the marked upsurge of interest in the courts provided an opportunity for judges to reinforce public confidence in the administration of justice. One means of doing that was for judges to explain publicly their work and the issues they faced.⁸

On the function of the Attorney-General, Mr Williams observed that a declining number of judges expected the Attorney-General to defend them publicly against attack or criticism. In any event, it had never been clearly articulated or accepted that Attorneys-General in Australia had such a duty. While some Attorneys had on occasion made public comments taking the side of judges, it had not happened either regularly or often in recent times. There had even been cases of an Attorney-General attacking judges in the media. There were good practical reasons why neither judges nor the public should look to the Attorney-General to take up the cudgels for judges in media debate. Not least was the low priority likely to be given to Attorneys-General monitoring the media on behalf of the judiciary. An informed response would require the Attorney to be briefed from judicial sources. That would not yield a timely response. There was also a real risk of a conflict between the interests of the judiciary in a substantive reply on an issue and the political interests of the Attorney-General, the government or the party in government in relation to the issue. The judiciary should accept the position that it could no longer expect the Attorney-General to defend its reputation.

Mr Williams pointed to alternative mechanisms by which judges could respond to media criticism and communicate with the public. One of those was this body, then newly

⁷ Sir Daryl Dawson, 'Judges and the Media' (1987) 10 *University of New South Wales Law Journal* 17, 30–1.

⁸ Sir Anthony Mason, 'The State of the Judicature' (1994) 20 *Monash University Law Review* 1, 11.

formed. If the JCA were able to attract as members a significant proportion of the judiciary and if it were able to organise mechanisms for wide consultation of its members on judicial issues, it could prove a potent political force for the judiciary. He added, however, that the development of a practical working relationship between the Council of Chief Justices of Australia and New Zealand ('CCJ') and the JCA would be important to ensure that the judges when they spoke nationally on an issue affecting the judiciary were seen to sing the same song. It might also have the benefit of relieving Chief Justices of some of the responsibility of representing judicial views to the public and the media. Mr Williams' paper was a thoughtful one and foreshadowed the position that he was to take as Attorney-General, not without controversy, in the context of criticisms of the High Court over its judgment in the *Wik Case*.⁹

Following the High Court's judgment in the *Wik Case* at the end of 1996, Premier Borbidge of Queensland described the Court as 'an embarrassment' and suggested that Australia undergo what he called 'constitutional surgery' to allow voters to elect and dismiss judges by referendum. The then Prime Minister, John Howard, told Parliament that the only way in which the law should be changed was through Parliament passing a law. Deputy Prime Minister Tim Fischer said the judgment disclosed a trend to 'judicial activism'. The next vacant seat on the High Court should be filled by a capital 'C' Conservative. The member for Kalgoorlie, less nuanced than the other critics, called the Justices of the Court 'pissants' in a national television interview.

In response, the Chief Justice Sir Gerard Brennan wrote to Tim Fischer saying that his recent criticisms could erode confidence in the judiciary.¹⁰ Professor Stephen Parker on behalf of the JCA wrote to the newspapers expressing the JCA's concerns about the public debate and the implications for judicial independence. The Chief Justices of the States and Territories issued a 'statement of independence' on 10 April 1997. Sir Anthony Mason made a speech in which he observed that the criticism, which he characterised as 'violent and abusive' may have left 'a legacy of antagonism to the Court'.¹¹

⁹ *Wik Peoples v Queensland* (1996) 187 CLR 1.

¹⁰ Letter from Sir Gerard Brennan to Tim Fischer, 3 January 1997, reproduced in H P Lee and Enid Campbell (eds) *The Australian Judiciary* (Cambridge University Press, 2nd ed, 2012) 72–3.

¹¹ See generally Haig Pantapin, *Judging Democracy: The New Politics of the High Court of Australia* (Cambridge University Press, 2000) 165–8.

Daryl Williams now Commonwealth Attorney-General maintained the position that it was not part of his function to spring to the defence of courts against his political colleagues. In a paper delivered on 1 May 1997, he encouraged judges to take more responsibility for defending themselves and their courts against criticism although in so doing he acknowledged that the judiciary might well have doubts about when it was appropriate for courts or individual judges to respond to public criticism.¹² He repeated his view of the limited function of the Attorney-General in the context of political criticism of the judiciary. However he qualified it to an extent when he said:

The political arena ... is one where circumstances will dictate that a defence of the judiciary must, on occasion, be mounted. Sustained political attacks capable of undermining public confidence in the judiciary may call for defence by the Attorney-General.¹³

Sir Anthony Mason, in an address in October 1997, accepted that no-one would expect an Attorney to respond to every criticism of the judges and even allowed that an Attorney might have justification for voicing criticism himself. However he argued that because the Attorney has a responsibility to uphold the rule of law as administered by an independent judiciary, there would be occasions when he should respond to irresponsible criticisms which threatened to undermine public confidence in the judiciary. In such a case nothing short of a defence by the Attorney would attract prominent attention and counter-balance adverse publicity.¹⁴ Daryl Williams in reply reiterated his view that an Attorney-General, who was a politician, simply could not abandon that role and expect to stand as an entirely independent defender of the judiciary. He again qualified that observation in the case of political attacks capable of undermining public confidence in the judiciary. The debate following the *Wik* decision however fell 'well short' of that threshold.¹⁵

The role of the Attorney-General in its historical perspective, with reflections on the debate about defence of the judiciary, was set out in a comprehensive paper delivered by the

¹² Daryl Williams, 'Judicial Independence and the High Court' (1997) 27 *University of Western Australia Law Review* 140, 151.

¹³ Ibid.

¹⁴ Sir Anthony Mason, 'No place in a modern democratic society for a supine judiciary' (1997) 35(11) *Law Society Journal* 51, 53.

¹⁵ Daryl Williams, 'Judicial Independence' (1998) 36(3) *Law Society Journal* 50, 51.

late Len King, Chief Justice of South Australia and a former Attorney-General for that State. The paper was presented to the Fourth Annual Colloquium of the JCA in Melbourne on 13 November 1999.¹⁶ Chief Justice King remarked, correctly I think, that upon close analysis the difference between Sir Anthony Mason and Daryl Williams was 'one of emphasis rather than principle' and, to some extent, one of different interpretation of the concrete situation which followed the *Wik* decision. He agreed with Mr Williams' emphasis on the political nature of the office and the primacy of the Attorney-General's responsibilities as a member of the government. Nevertheless, he maintained the unique character of the ministerial role of the Attorney-General as the political guardian of the administration of justice in his relations with Cabinet, his party colleagues, the parliament and the public. Chief Justice King said:

This role is as important as it ever was. An aspect of it is to defend the integrity of the system of justice against attacks which threaten public confidence in it, even, if necessary, against political colleagues.¹⁷

While he accepted that judges can do much and should do more as the Attorney suggested to explain matters themselves, the damaging effects of attacks by senior ministers 'could only be effectively neutralised by appropriate responses made in the political arena by the law minister.'¹⁸

Those debates, intense as they were at the time, have wandered off on to the field of old unhappy far-off things and battles long ago. The judiciary today expects, and is expected, to stand up for itself as the third branch of government distinctive and independent in its functions. That distinctiveness and independence is supported not only by the doctrine of separation of powers in relation to federal courts but also by the implications which have been drawn from Chapter III of the Constitution in relation to the institutional integrity of the courts of the States and the Territories. The JCA, in its public advocacy role, plays an important part in maintaining awareness and acceptance of that institutional distinctiveness.

¹⁶ LJ King, 'The Attorney-General, Politics and the Judiciary' (2000) 74 *Australian Law Journal* 444.

¹⁷ *Ibid* 457.

¹⁸ *Ibid*.

There has been a corresponding evolution in the role of the Council of Chief Justices which, from time to time but in different ways, communicates with government on matters of significance to the Australian judiciary as a whole.

The origins of the CCJ go back to 1962 when a Conference of the Chief Justices of the Supreme Courts of the States of Australia was established. At the 17th meeting of that Conference in 1993, it was decided to reconstitute it as the CCJ and to invite the Chief Justice of the High Court to become a member and its permanent chairman. That invitation was accepted by Sir Anthony Mason. The CCJ has continued to be chaired by the Chief Justice of Australia since then and has met twice yearly. It comprises the Chief Justices of the States and Territories and of the Federal and Family Courts together with the Chief Justice of New Zealand.

The CCJ began as a forum for exchange of information between its members and continues to carry out that function. It has promoted the formation and development of the National Judicial College of Australia, which is presently chaired by Chief Justice Murrell of the Australian Capital Territory and from which the CCJ receives regular reports. It supported the formation of the Judicial Council on Cultural Diversity, which is presently chaired by Chief Justice Wayne Martin of Western Australia and which also reports to the CCJ. It receives reports on matters relating to admissions, practical legal training and legal education from the Law Admissions Consultative Committee, which is chaired by Emeritus Professor Sandford Clark. The CCJ also has a Harmonisation Committee, chaired by Justice Nye Perram, which works on harmonisation of court rules and practice in particular areas according to referrals from the CCJ.

The CCJ has a Working Protocol which reflects its evolved character and which it adopted in 2009. Its stated objects are:

1. To provide a forum within which its members may discuss matters of common concern and exchange information and advice.
2. To advance and maintain the rule of law and the independence of the judiciary in Australia and New Zealand.
3. To advance and maintain the principle that Australian courts together constitute a national judicial system operating within a federal framework.

4. To ensure that its members are aware of proposals by and developments within governments and the legal profession relevant to the preceding objects.

In 2014, the CCJ adopted a set of *Guidelines for Communications and Relationships between the Judicial Branch of Government and the Legislative and Executive Branches*.¹⁹ They were provided to the Commonwealth Attorney-General and the Attorneys-General for the States and Territories. They identify categories of legislative and executive action which may affect courts and upon which it is appropriate for courts to be invited to offer their views and respond. The categories of legislative action covered by the Guidelines include proposed laws abolishing or creating courts or significantly affecting their jurisdiction and powers or the appointment, removal, obligations, continuing education and discipline of judicial officers. They extend to laws affecting the judicial function, by imposition of mandatory procedures, by the creation of exclusionary rules in relation to evidence, and by directing particular ways of taking evidence or by prescribing matters to be taken into account in making certain kinds of judicial decisions. They also cover laws affecting the administration of courts and their distinctive character including laws which lump courts in with agencies or authorities of the Executive Government or which confer on the courts functions of an executive character. The Guidelines are designed to put courts and heads of jurisdiction on the front foot and in a position to assert, within a framework generally accepted by their judicial colleagues, their legitimate expectations of the other branches of government in relation to matters affecting the judiciary.

It is not assumed that courts would automatically oppose laws in any of the categories I have mentioned. The Guidelines simply say:

It is appropriate for the courts to expect, and to respond to, consultation by the executive branch of government in relation to the above categories of proposed laws.²⁰

¹⁹ Council of Chief Justices of Australia and New Zealand, *Guidelines for Communications and Relationships between the Judicial Branch of Government and the Legislative and Executive Branches* (23 April 2014).

²⁰ Ibid [5].

Such responses should be given by the head of jurisdiction, preferably after consultation with the members of his or her court. The Guidelines caution against offering interpretations of a proposed law or opinions about its validity as those might be matters which could come before the court. Nor should the courts engage in public policy debates save to the extent necessary to protect their legitimate institutional interests.

The Guidelines also deal with criticism of courts and funding of the courts. They caution restraint by heads of jurisdiction in responding to criticism of the institution or individual judges. It is generally undesirable for a head of jurisdiction to become involved in public exchanges with members of the Executive or of the Parliament in relation to such criticism. If a public response is necessary, the better course is a formal statement by the head of jurisdiction on behalf of the court. All of that of course accepts that both courts and judges are subject to scrutiny and criticism as with any other public institution or official. The Guidelines do not rest upon any different assumption.

Communication between the courts and the Executive in relation to matters affecting funding and judicial remuneration is essential. It is best that it not be conducted as a public debate unless the head of jurisdiction considers it necessary to do so in order to protect the legitimate interests of the court.

The Guidelines were used recently by Chief Justice Warren of the Supreme Court of Victoria in formulating a Memorandum of Understanding between the Executive Government of that State and the Courts Council which is the governing body of Court Services Victoria. The Memorandum sets out processes for consultation between the courts and government and, in relation to proposed legislation, adopts the categories set out in the Guidelines.

In October 2013, the CCJ suggested a Protocol be established between it and the Law, Crime and Community Safety Council ('LCCSC'), which comprises the Attorneys-General of the Commonwealth and of the States and Territories. Under the Protocol, the LCCSC would refer to the CCJ matters likely to affect the Australian judiciary in whole or in part. The Protocol was agreed to at the inaugural meeting of the LCCSC on 4 July 2014 and incorporated into its operating procedures. Its use is discretionary. However, it did mark a step forward as a collective acknowledgement by the Attorneys-General of the position of the Australian judiciary as the third branch of government.

All that being said, there is a distinction between the limited classes of communication with government which the CCJ undertakes on behalf of the courts as a whole and the wider-ranging public communications that the JCA undertakes on behalf of judicial officers generally or in particular.

By way of example, and there are not many, the CCJ has made some specific representations to government in recent times. It supported Australia's accession to the *Hague Convention on Choice of Court Agreements*. Last year the Commonwealth Attorney-General advised the CCJ that he proposed to develop legislation to implement that Convention and the Hague Principles on Choice of Law in International Commercial Contracts. He requested the assistance of the CCJ in developing model rules of court to give effect to the Convention and Principles. The Harmonisation Committee of the CCJ has agreed to provide assistance in the preparation of Model Rules.

The CCJ wrote to the Attorney-General some time ago asking that, in the negotiation of free trade agreements to which Australia is a party, provisions for investor/State dispute settlement should be framed so as to avoid or minimise the risk that the authority and finality of decisions of Australian courts are allowed to be put in issue in such processes by contentions that they constituted a breach of the relevant treaty or agreement or by otherwise reviewing their correctness.

The Australian judiciary today communicates with government and the public in a variety of ways and at a variety of levels. There is the kind of limited collective institutional communication undertaken by the CCJ of which I have given examples. There is the collective voice of judicial officers who make up the membership of the JCA and then the particular interventions of heads of jurisdiction on matters of local significance which do not require the engagement of national bodies. Beyond that, there is now a well-established tradition of judges delivering lectures, participating in seminars and talking to a variety of groups in the wider community on a range of topics explaining the functions of the courts, the idea of the rule of law, the nature of judicial work and the relationships between the judiciary and other branches of government.

It is of course of paramount importance that, allowing for appropriate diversity, there should be a broad common understanding among judicial officers and heads of jurisdiction about the limits of extra-curial communications whether institutional or individual. That

broad common understanding should be an element of the culture of what we can properly call Australia's national integrated judicial system. The growth of that culture is enhanced by the coming together of Australian judges in a variety of settings, including the Annual Colloquium of the JCA and the Annual Supreme and Federal Courts Judges' Conference and other forums in which such matters can be discussed, both formally and informally.

The sense of the Australian judiciary as a national integrated judiciary with a common culture may also enhance its capacity to engage internationally and, in particular, in our region. Two weeks ago I led an Australian judicial delegation to Beijing and Shanghai at the invitation of the President of the Supreme People's Court of the People's Republic of China. Other members of the delegation included Justice Susan Kiefel of the High Court, Chief Justice James Allsop of the Federal Court and Fiona McLeod SC, the President-Elect of the Law Council of Australia. Also in attendance was Mr Andrew Phelan, who is not only Chief Executive and Principal Registrar of the High Court, but also serves as Secretary to the CCJ. In meeting with the Supreme People's Court, the President of that Court and myself signed a Letter of Exchange for judicial exchange and cooperation. It was expressed to be a Letter between the High Court and the Supreme People's Court but it included the following provision:

The Chief Justice of the High Court of Australia will request the Council of Chief Justices of Australia and New Zealand to explore opportunities for the development of mutual understanding, education and cooperation, where appropriate, between the judiciaries of the two countries.

This reflects a principle to which I attach some importance: namely, that regional and larger international engagements between our judiciaries, while they may involve initiatives by particular courts, are ultimately a matter in which the whole of the Australian judiciary should be able to play a part.

The Australian judiciary has gone a long way in the direction of unification since the 1990s. I do, however, have one lament. In 2005 as a Judge of the Federal Court, I spoke at this Colloquium on the topic of judicial exchange between Australian courts, at least at the appellate level, if not at the trial level. I proposed the development of a comprehensive

system of horizontal and vertical judicial exchanges throughout Australia with a view to advancing:

1. individual judicial performance;
2. the performance of the courts as institutions;
3. the allocation of national judicial resources to areas of local need including the need for specific expertise;
4. the attractiveness of judicial appointment in all jurisdictions;
5. consistent Australia-wide approaches to the administration of justice while maintaining healthy institutional pluralism; and
6. national collegiality between Australian judges.

I followed up the paper with a proposed protocol for exchanges between jurisdictions, which was eventually adopted with some modification by the CCJ. Unfortunately, the practice of judicial exchange has been limited generally to cases in which, by reason of a short-term need for additional judicial resources or because of potential local conflicts, it is necessary to import judges from one State or Territory to another. This means that exchanges tended to happen on a fairly ad hoc basis and not unusually involve the use of retired judges. A relatively recent example was the hearing of the *Bell* appeal in the Court of Appeal of the Supreme Court of Western Australia in which three retired Federal Court judges sat to hear and determine the matter.²¹ More recently, retired judicial officers sat on an appeal in the Northern Territory.²²

The implementation of the scheme which I proposed has run up against a combination of limited resources and limited political and institutional will. I do not wish to expound upon the proposal at any length beyond saying that it should not be beyond the wit of the entire Australian judiciary to propose a more regular and systematic process, perhaps led by a

²¹ *Westpac Banking Corporation v Bell Group Ltd (in lid) [No 3]* (2012) 44 WAR 1 (Lee, Drummond and Carr AJJA).

²² *Lawrie v Lawler [No 2]* [2016] NTCA 4 (Doyle, Duggan and Henan AJJ).

pilot experiment, for judicial exchange between Australian jurisdictions. The ultimate purpose of any such process must be to enrich and enhance the performance of the Australian judiciary and to act as a unifying mechanism by providing opportunities for its members to work together across State and Territory boundaries.

Returning to the perspective of my impending constitutional senescence, my proposal for exchange is no doubt one of those dreams spoken of in Scripture in *Acts* Chapter 2 where it is said: 'your young men will see visions; your old men will dream dreams.'²³ Perhaps my dream may be some younger person's vision.

²³ *Acts* (King James Version, 2005 ed) 2:17.