The 30th Annual Conference of the Australian and New Zealand Law and History Society will be held in Brisbane on the 12-13 December 2011. Hosted by the TC Beirne School of Law at UQ with the support of Griffith Law School, this year’s conference will be held at Customs House on Monday, 12 December and Griffith Southbank Graduate Centre on Tuesday, 13 December 2011.

Highlights of this year’s conference will include keynote addresses by Professor John McLaren, University of Victoria, Canada, who will open and close the conference. There will also be a keynote address by Professor Rosalind Croucher, President of the Australian Law Reform Commission at the conference dinner at Customs House on the evening of December 12th. Please refer to the registration form for payment details for the conference and/or conference dinner.

The conference theme, “Private Law, Public Lives,” examines the historical role of private law in social life. A noted feature of the conference will be the number of international delegates in attendance, including a keynote panel by the American Society for Legal History.

**PROGRAM**

**Monday, 12 December 2011**

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<tr>
<th>Time</th>
<th>Session</th>
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<tr>
<td>8:15 - 9:15</td>
<td>Coffee and Registration</td>
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<tr>
<td>9:15 - 9:30</td>
<td>Welcome and Introductory Comments by Professor David Williams, President of the Australian and New Zealand Law and History Society.</td>
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| 9:30 – 10:45| **Plenary 1:** Professor John McLaren, Emeritus Professor of Law, University of Victoria, Canada  
**Imperial legal history, its promises and challenges: Charting new dimensions.** |
| 10:45 - 11:15| Morning Tea                                                             |
| 11:15 - 12:30| **Breakout Sessions:**  
1: Histories of the Legal Profession  
Professor Jeremy Finn, Uni. of Canterbury, NZ. *The First Decade of the New Zealand Legal Profession: the first cohort of lawyers 1841-1851.*  
Ms Joanne Boyd, Victoria Supreme Court. *Commemorating Judges: Portraits, Busts and Street Names.*  
2: Maori in Law and History  
Professor David Williams, Uni. of Auckland, NZ. *“What to do about ‘private rights’ in the Crown’s redress for historical grievances of Maori in New Zealand?”*  
Mr Wayne Rumbles, Uni. of Waikato, NZ. *Who’s Savage? Representations of Maori and Europeans Living in New Zealand 1814-1841.*  
3: Lawyers vs Lawyers  
Mr Peter Moore. *R v Smith, 1877: Public law, private lives.*  
| 12:30 – 13:30| Lunch                                                                   |
13:30 - 15:00  | Breakout Sessions:
1: Gender and the Courts
Professor Lyndsay Campbell, Uni. of Calgary. *Women’s recourse to libel law Massachusetts and Nova Scotia, 1820-1840.*
Professor Mark Finnane, Griffith Uni. *Wives, husbands and compellable witnesses – Aboriginal evidence and Australian criminal law reform in the 1930s.*
Professor Bettina Bradbury, York Uni. Canada. *Rhodes versus Rhodes: A daughter of mixed descent asserts her interpretation of her father’s will.*
2: Policing Australia
Dr Libby Connors, Uni. of Southern Queensland. *Aboriginal Capture and Police Rewards on the Australian Frontier.*
Ms Sue Milne and Dr David Plater, Uni. South Australia. *The Implementation of the Death Penalty in early colonial Australia: Random Lottery or Calculated Process?*
3: Legal Transitions
Professor Mark Lunney, Australian National Uni. *Legal Émigrés in Australian Private Law*

15:00- 15:30  | Afternoon Tea

15:30-16:00  | Plenary 2: *The Australasian Legal History Library*
Mr Andrew Mowbray, AUSTLii, *The Australasian Legal History Library: a report.*

16:00 - 17:00  | Breakout Sessions:
1: Jurisdiction and Subjecthood
Dr Lisa Ford, Uni. New South Wales. *Jurisdiction and Subjecthood in British Settler Empire after 1800.*
Ms Jenny Jeppeson, Uni. of Melbourne. *Legal Oppression of Convicts and Indentured Servants in Colonial Chesapeake.*
2: Legal Order
David Anthony, Uni. of Melbourne. *‘Executive Detention and the Rule of Law in Britain during the Second World War’.*
Professor Diane Kirkby, La Trobe Uni. *‘A ship is a special category .... in industry’: Federal Regulation of the Maritime Workplace, the Cold War and the Australian Navigation Act 1912.*
3: Family and Government Intervention
Ms Jennifer Anderson, Lawyer. *‘Deserving widows and Deserted Wives’: The Neglected Children’s Act 1890 and ‘Respectable’ Motherhood in Victoria, 1890-1910.*
Dr Shelley Bielefeld, Southern Cross Uni. *Income Management in Australia: An Historical Anachronism given Contemporary Currency.*

6:30pm-10pm  | Conference Dinner: Art Gallery, Customs House, 399 Queen Street

Keynote address by Professor Rosalind Croucher – *‘A Lament for the Lost Footnotes of Legal History’.*

Professor Rosalind Croucher is the President of the Australian Law Reform Commission and a noted legal historian who has published widely on succession, property and religion and the law. Her many books include *Succession: Families, Property and Death* (2003) and *Religion and the Law* (2007). She is also the author of a number of articles on the history of women’s legal rights and women in the legal profession.

(Attendance at the dinner earns one accredited CPD point in the non-allocated strand).
PRIVATE LAW
PUBLIC LIVES

DAY TWO: 13 DECEMBER 2011, GRIFFITH SOUTH BANK GRADUATE CENTRE, 226 GREY ST, SOUTH BANK, LEVEL 1 – ROOM S07_1.23 (LECTURE THEATRE).

Directions to Griffith University South Bank campus with link to campus map http://www.griffith.edu.au/about-griffith/campuses/south-bank-campus/how-get-griffith

The close of day two of the ANZLHS Conference sees the launch of the Griffith Law School's Legal History Seminar Series ("LHSS"). The LHSS aims to showcase interdisciplinary turns and new directions in domestic and comparative legal history. Its inaugural seminar, centering on ‘The Comparative Turn’ in legal history, will be delivered by the distinguished Canadian scholar and leading legal history light, Professor John McLaren, professor emeritus at the University of Victoria, British Columbia.

PROGRAM

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<tr>
<td>08:30-09:00</td>
<td>Arrival Coffee</td>
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<td>09:00-10:30</td>
<td>Breakout Sessions: 1: Constructing the Criminal</td>
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<td>Dr Marilyn McMahon, La Trobe Uni. Constructing the Recidivist: From Habitual Criminals to Dangerous Offenders.</td>
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<td>Ms Susan Priest, Uni. of Canberra and Ms Wendy Kukulies-Smith, Australian National Uni. ‘No hope of mercy’ for the Borgia of Botany Bay: Louisa Collins, the last woman executed in NSW, 1889.</td>
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<td>10:30-11:00</td>
<td>Morning Tea</td>
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<td>11:00-12:30</td>
<td>Breakout Sessions: 1: Legal Capacity and Consent</td>
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<td>Dr Yorick Smaal, Griffith Uni. Consent and Capacity: Boys, sex and the law in the British World.</td>
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<td>Mrs Frances Wright, Uni. of New England. From Fear to Fraternity: Law, history and attitudes towards intellectual disability.</td>
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<td>A/Professor Joel Butler, Bond Uni. Early NSW governors and the rule of law: Bentham’s thesis that Governors were autocratic despots.</td>
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<td>2: American Histories</td>
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<td>Dr Christopher Curtis, Claflin Uni. Church Property Rights in Disestablished Virginia.</td>
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<td>Dr Yvonne Pitts, Purdue Uni. Sex, Death and Insanity: Female Sexuality and Evidence of Mental Unsoundness in 19th Century American Inheritance Disputes.</td>
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<td>12:30 – 13:45</td>
<td>Lunch – (Annual General Meeting)</td>
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13:45 – 14:45

**Breakout Sessions:**
1: **Property: Thinking Outside the Box**
   - A/Professor John Page, Bond Uni. *The abstraction of property and its implications for land stewardship: four vignettes from history.*

2: **Problems of Legal Authority**
   - Mr Benjamin Rankin. *Competing Ideals, Dueling Objectives – Water Legislation in Victoria.*

3: **Environment and the Law**
   - Mr Benjamin Rankin. *Competing Ideals, Dueling Objectives – Water Legislation in Victoria.*

14:45– 15:15

**Afternoon Tea**

15:15 -17:00

**American Society for Legal History Plenary Panel**

*Imagining law within history: Empirical and theoretical explorations in the North American field.*

- Professor Constance Backhouse, Uni. of Ottawa, Canada. *Comparative Women's Legal History: The Doctrine of Corroboration in Sexual Assault Trials in Early Twentieth Century Canada and Australia.*
- Professor Kunal M. Parker, Uni. of Miami. *The Cake of Custom.*
- Dr Hilary Soderland. *A 'Burden of Affiliation': Repatriation and Indigeneity within United States Archaeology.*
- Professor Chris Tomlins, Uni. of California Irvine. *After Critical Legal History: Scope, Scale and Structure.*

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**Griffith Law School’s Legal History Seminar Series**

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| 5.30pm for a 6.00pm start | **Professor John McLaren**  
*Widening the Lens from Local to Comparative Colonial Legal History: The Growth of Legal Cultures in Australia and Canada*  

**Griffith Law School’s Legal History Seminar Series**

The inaugural presentation in the new seminar series hosted by Griffith Law School is on the theme of ‘The Comparative Turn’ in legal history. Professor McLaren, one of the world’s foremost legal historians, will speak on the legal empire in the former colonies of the British empire in the 19th century.

The seminar will welcome practitioners, judges, students, academics and members of the public who have an interest in new directions in legal history, while providing the coda for Conference delegates. Seating will be available from 5.30 for a 6.00 pm start, and there will be light refreshments to follow the hour-long seminar and questions. Online registration is available at [www.griffith.edu.au/legal-history-seminar-series](http://www.griffith.edu.au/legal-history-seminar-series)

**Ship Inn Function Room, Cnr Stanley and Sidon Streets, Griffith University South Bank campus (entry via SO7, Griffith South Bank Graduate Centre, Level 2).**


Note: as at 29 Nov 2011 - subject to change