



Annual Report

2010-11

**Queensland
Law Reform Commission**

**Annual Report
2010–11**

November 2011

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COMMISSION MEMBERS¹

Chairperson:	The Hon Justice RG Atkinson
Full-time member:	Assoc Prof TCM Hutchinson*
Part-time members:	Mr JK Bond SC Prof BF Fitzgerald* Mr BJ Herd Mrs SM Ryan* Ms RM Treston* Assoc Prof BP White*

SECRETARIAT²

Director:	Ms CE Riethmuller
Assistant Director:	Mrs CA Green
Commission Secretary:	Mrs JA Manthey
Legal Officers:	Ms AL Galeazzi Ms PL Rogers
Administrative Officers:	Ms KS Giles Mrs A Lathouras

¹ An asterisk indicates that the member held the relevant office for part of the reporting period only.

² As at 30 June 2011.



15 November 2011

ABN: 13 846 673 994

The Honourable Paul Lucas MP
Attorney-General, Minister for Local Government
and Special Minister of State
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Dear Attorney

I have pleasure in presenting the Commission's Annual Report for the financial year ending 30 June 2011.

During the reporting period, the Commission completed two reviews.

In September 2010, the Commission completed the final Report for stage two of the Guardianship Review. The Report makes wide-ranging recommendations to improve the State's guardianship system and to promote and safeguard the rights and interests of adults with impaired capacity.

In February 2011, the Commission completed the final Report for the Review of Jury Selection. The Report makes recommendations to enhance the representative nature of juries, while ensuring that jurors continue to be independent, impartial and competent.

These reviews are discussed in greater detail later in this Annual Report.

As Chairperson, I would like to acknowledge the dedication shown by the members and staff of the Commission over the last year. I would also like to acknowledge the valuable contribution made by the Commission's two outgoing part-time members, Ms Rebecca Treston and Associate Professor Ben White, over the last three years.

Yours sincerely

The Hon Justice Roslyn Atkinson
Chairperson

Table of contents

OVERVIEW OF THE COMMISSION	1
CONSTITUTION OF THE COMMISSION	1
FUNCTION OF THE COMMISSION	1
ORGANISATIONAL OBJECTIVES	1
COMMISSION MEMBERS AND STAFF OF THE SECRETARIAT	1
Commission members	1
Secretariat	2
Organisational chart	2
THE WORK OF THE COMMISSION	2
RECENT PUBLICATIONS OF THE COMMISSION	2
MEETINGS OF THE COMMISSION	3
REMUNERATION	3
RIGHT TO INFORMATION	3
CURRENT AND RECENTLY-COMPLETED REVIEWS	4
THE GUARDIANSHIP REVIEW.....	4
Stage one	4
Stage two	4
A REVIEW OF JURY SELECTION	9
Discussion Paper	9
Final Report.....	10
A REVIEW OF THE LAW IN RELATION TO THE FINAL DISPOSAL OF A DEAD BODY.....	13
WHO'S WHO AT THE COMMISSION	16
COMMISSION MEMBERS.....	16
SECRETARIAT	19
APPENDIX 1	21
ORGANISATIONAL CHART	21
APPENDIX 2	22
LEGISLATIVE ACTION ON REPORTS	22
APPENDIX 3	31
HOLDERS OF OFFICE UNDER THE <i>LAW REFORM COMMISSION ACT 1968</i>	31
CHAIRPERSONS.....	31
FULL-TIME MEMBERS.....	31
PART-TIME MEMBERS.....	32

Overview of the Commission

CONSTITUTION OF THE COMMISSION

The Queensland Law Reform Commission is an independent statutory body, and is constituted under the *Law Reform Commission Act 1968* (Qld).

FUNCTION OF THE COMMISSION

The function of the Commission, as provided in section 10(1) of the *Law Reform Commission Act 1968* (Qld), is to review the law applicable to Queensland with a view to its systematic development and reform, including, in particular:

- (a) the codification of such law; and
- (b) the elimination of anomalies; and
- (c) the repeal of obsolete and unnecessary enactments; and
- (d) the reduction of the number of separate enactments; and
- (e) generally the simplification and modernisation of the law.

ORGANISATIONAL OBJECTIVES

The Commission aims to meet the needs of the Queensland community by reviewing areas of the law in need of reform, and making recommendations for reform. These recommendations are based on extensive research, public consultation, and the principles of impartiality, equity and social justice. The Commission's recommendations are published in its final Reports, which are presented to the Attorney-General for tabling in Parliament in accordance with the requirements of section 16 of the *Law Reform Commission Act 1968* (Qld).

COMMISSION MEMBERS AND STAFF OF THE SECRETARIAT

Commission members

Members of the Commission are appointed by the Governor in Council on the advice of the Attorney-General. The *Law Reform Commission Act 1968* (Qld) provides that the Commission must consist of at least three members, who may be full-time or part-time members. Each person appointed to be a Commission member must be a person appearing to the Governor in Council to be suitably qualified by the holding of judicial office or by experience as a barrister or as a solicitor or as a teacher of law in a University.

The Commission has five part-time members (including the Chairperson) and one full-time member.

Secretariat

The establishment of the Secretariat of the Queensland Law Reform Commission is comprised of the Director, the Assistant Director, two Legal Officers, the Commission Secretary and one Administrative Officer. Staff are employed by the Department of Justice and Attorney-General under the *Public Service Act 2008* (Qld).

The staff of the Secretariat, together with the full-time member, have the day-to-day responsibility for the carriage of the Commission's reviews. The Secretariat also provides the Commission with administrative and secretarial support. This includes the management of corporate governance, human resources and financial matters relating to the Commission and the staff of the Secretariat.

Organisational chart

An organisational chart of the Commission and the Secretariat is included in Appendix 1 to this Annual Report.

THE WORK OF THE COMMISSION

The Commission reviews areas of the law referred to it by the Attorney-General. During the reporting period, the Commission undertook work on the following reviews:

- The Guardianship Review;
- The Jury Selection Review; and
- The Review of the Law in Relation to the Final Disposal of a Dead Body.

These reviews are discussed in greater detail later in this Annual Report.

RECENT PUBLICATIONS OF THE COMMISSION

The Commission completed two publications during the reporting period:

- *A Review of Queensland's Guardianship Laws*, Report No 67, Volumes 1–4 (September 2010); and
- *A Review of Jury Selection*, Report No 68 (February 2011).

A list of all of the Commission's Reports, Working Papers and Miscellaneous Papers is available on its website at <<http://www qlrc.qld.gov.au/publications.htm>>. Copies of the Commission's current and recent publications, and many of its older publications, are also available on its website.

MEETINGS OF THE COMMISSION

During the reporting period, the Commission held 19 Commission meetings.

REMUNERATION

The remuneration for the part-time members of the Commission during the reporting period was \$20 856 per annum.³

RIGHT TO INFORMATION

In accordance with the requirements of the *Right to Information Act 2009* (Qld) the Commission has published a Publication Scheme on its website. The Publication Scheme describes and categorises information that is routinely available from the Commission and the terms on which it will make the information available.

³

The Chairperson of the Commission, as a judicial member, does not receive remuneration for holding the office of Chairperson.

Current and Recently-completed Reviews

THE GUARDIANSHIP REVIEW

In September 2010, the Commission completed its review of Queensland's guardianship legislation — the *Guardianship and Administration Act 2000* (Qld) and the *Powers of Attorney Act 1998* (Qld). Together, those Acts regulate substitute decision-making by, and for, adults with impaired decision-making capacity.

Stage one

The terms of reference required the Commission to conduct the review in two stages. The Commission completed stage one of the review in mid-2007, with the production of its final Report on confidentiality in the guardianship system. The Commission's recommendations were implemented, with minor modification, by the *Guardianship and Administration and Other Acts Amendment Act 2008* (Qld). That Act amended the *Guardianship and Administration Act 2000* (Qld) to provide for four new types of 'limitation orders' that could be made in relation to guardianship and administration hearings: adult evidence orders, closure orders, non-publication orders and confidentiality orders.

Stage two

Stage two of the review required a consideration of the balance of the guardianship legislation. The Commission published two Discussion Papers (September 2008 and October 2009), before completing its final Report in September 2010.

Consultation

During stage two of the review, the Commission held meetings with the Reference Group to seek input on the issues raised in the two Discussion Papers. The Reference Group, whose members represented a cross-section of people who are affected by, administer, or are otherwise interested in, the guardianship legislation, was established during stage one of the review. The purpose of forming the Reference Group was to have access to the expertise and experience of the members in relation to their broad range of different interests.

Further, similar to the process undertaken during stage one of the review, the Commission held a series of community forums around the State following the release of the 2008 and 2009 Discussion Papers. The Commission also held a number of consultation meetings with stakeholders.

The review attracted a very high level of community interest. The Commission received 245 submissions from 181 respondents during stage two of the review. This was in addition to the 262 submissions received from 157 respondents during stage one of the review, many of which concerned issues relating to the second stage of the review.

The Commission would like to thank the members of the Reference Group and the many respondents to the review for their input, which was critical to the development of the Commission's recommendations.

Recommendations

The Commission's final Report contains recommendations about a wide range of issues. The key recommendations are outlined below.

General Principles and Health Care Principle

The Commission recommended the redrafting of the General Principles and the Health Care Principle, which underpin decision-making and the exercise of power under the guardianship legislation. The Report included redrafted principles that reflect more closely the relevant articles of the United Nations *Convention on the Rights of Persons with Disabilities*.

Decision-making capacity

The Commission made recommendations in relation to the threshold issue of 'capacity' under the guardianship legislation, including:

- clarifying how the presumption of capacity is to be applied by a person or entity under the guardianship legislation;
- retaining the current test under the guardianship legislation for determining whether a person has 'capacity' (with one minor amendment); and
- requiring the Minister responsible for administering the guardianship legislation to prepare and issue guidelines for assessing capacity by way of subordinate legislation.

Health care

The Commission made a number of recommendations about advance health directives, including that:

- a direction in an advance health directive should not operate if the direction is uncertain or if circumstances, including advances in medical science, have changed to the extent that the adult, if he or she had known of the change in circumstances, would have considered that the terms of the direction are inappropriate;
- section 36(2) of the *Powers of Attorney Act 1998* (Qld), which limits the circumstances in which a direction to withhold or withdraw a life-sustaining measure may operate, should be omitted; and
- the *Powers of Attorney Act 1998* (Qld) should provide that an advance health directive must be made in the approved form.

The Commission also made recommendations to ensure that the *Guardianship and Administration Act 2000* (Qld) and the *Powers of Attorney Act 1998* (Qld) do not affect the operation of instructions that would otherwise be recognised at common law as being an effective consent to, or refusal of, health care.

The Report also included detailed recommendations about:

- the current eligibility requirements for a statutory health attorney;
- the withholding or withdrawal of life-sustaining measures (including medically futile treatment);
- the effect of an adult's objection to health care; and
- the approval of special medical research or experimental health care by the Queensland Civil and Administrative Tribunal ('QCAT').

The appointment of guardians and administrators

The Commission made recommendations to strengthen the eligibility requirements for guardians and administrators, and to improve the way in which family conflict is dealt with in proceedings for the appointment of a guardian or an administrator.

The Commission also recommended that section 14 of the *Guardianship and Administration Act 2000* (Qld) should be amended to provide that the Tribunal may appoint the Public Trustee as administrator only if there is no other person who is appropriate and available for appointment as administrator. This mirrors the current test for the appointment of the Adult Guardian as guardian. It also recommended that a similar test should apply on the review of an appointment.

Review of appointments

The Commission recommended that the *Guardianship and Administration Act 2000* (Qld) should be amended to provide that:

- an initial appointment of a guardian or an administrator must be reviewed within two years of the order making the appointment; and
- an appointment of the Public Trustee or a trustee company as an administrator should be subject to the same review mechanisms as any other administrator, including the requirement for periodic review.

Enduring powers of attorney

The Commission made a range of recommendations to help prevent abuse in the creation of enduring powers of attorney and the improper use of enduring powers of attorney, including:

- clarifying and strengthening the test of capacity for making an enduring document under the *Powers of Attorney Act 1998* (Qld);

- amending the *Powers of Attorney Act 1998* (Qld) to exclude a person from being eligible to be an attorney if the person has been a paid carer for the principal within the previous three years or convicted on indictment for an offence involving personal violence or dishonesty in the previous 10 years;
- redrafting the approved forms for an enduring power of attorney to explain more clearly the key features of an enduring power of attorney and the role, powers and duties of an attorney;
- providing information in the approved forms for an enduring power of attorney to explain that the principal may elect to nominate particular persons who must be notified of the activation of the power of attorney; and
- giving attorneys adequate support and training to assist them in fulfilling their role, and educating the wider community about the use and operation of enduring powers of attorney.

The Commission recommended against enacting a legislative requirement that all enduring powers of attorney be registered, as it considered that the burdens of mandatory registration would likely outweigh its benefits.

Conflict transactions

To address the problem of financial abuse by administrators and attorneys, the Commission made recommendations about the duty imposed on administrators and attorneys to avoid conflict transactions, including:

- clarifying the scope of the duty to avoid conflict transactions to ensure that the guardianship legislation deals appropriately with the types of conflict situations that commonly arise, particularly in family situations;
- expanding the legislative remedies available for non-compliance with the duty to avoid conflict transactions; and
- amending section 408C of the Criminal Code (Qld) to provide for an increased penalty for fraud committed by an adult's attorney or an administrator against the adult.

The Commission also recommended that consideration be given, as a matter of priority, to the development of a new criminal offence dealing with the financial abuse and exploitation of vulnerable persons.

The Queensland Civil and Administrative Tribunal

The Commission made recommendations clarifying the circumstances in which particular powers of the Tribunal may be exercised, and the conferral of a limited number of new powers on the Tribunal.

To improve safeguards for adults with impaired capacity and to promote fairness, openness and accountability in the guardianship system, the Report made

recommendations about various aspects of guardianship proceedings in the Tribunal, including:

- that the adult concerned in the proceeding should be entitled to be represented without the need to be given leave by the Tribunal;
- that, despite section 43(1)–(3) of the *Queensland Civil and Administrative Tribunal Act 2009* (Qld) ('the QCAT Act'), an active party, other than the adult concerned, may be represented by a lawyer or agent, unless the Tribunal considers that it is appropriate in the circumstances for that person not to be represented; and
- clarifying the entitlement of an active party in a guardianship proceeding and a non-party to a proceeding to access, and obtain a copy of, a document in the Tribunal files.

Adult Guardian and Public Trustee

The Commission recommended that personal decisions made by the Adult Guardian as an adult's guardian or attorney and financial decisions made by the Public Trustee as an adult's administrator or attorney should be 'reviewable decisions' for the purposes of QCAT's review jurisdiction. This would enable a person to apply to the Tribunal for a review of those decisions.

The Commission considered that this approach would have two advantages.

First, because of the requirements that the QCAT Act imposes on decision-makers of reviewable decisions, it would create greater transparency in relation to the decision-making processes of the Adult Guardian and the Public Trustee and, as a result, foster public confidence in the guardianship system.

Secondly, the QCAT Act provides that the Tribunal, in exercising its review jurisdiction, may make written recommendations to the chief executive of the entity in which the reviewable decision was made 'about the policies, practices and procedures applying to reviewable decisions of the same kind'. The Commission considered that this power, which is similar to the Ombudsman's power to make recommendations to an agency, has the potential to enhance the quality of the Adult Guardian's and Public Trustee's decision-making in a systemic way, which is not necessarily possible when the Tribunal's power is limited to giving directions about an individual decision made by the Adult Guardian or the Public Trustee in a particular matter.

Community visitors

The Commission made recommendations to widen the places prescribed as 'visitable sites' under the *Guardianship and Administration Regulation 2000* (Qld) and the categories of persons who are entitled to receive a copy of a community visitor report.

Whistleblower protection

The Commission recommended that protection from liability should be provided in relation to a wider range of disclosures. It also recommended that the *Guardianship and Administration Act 2000* (Qld) should include provisions to make it an offence for a person to take a reprisal against a person because, or in the belief that, someone has made a disclosure under the whistleblower provisions of the Act.

Legal proceedings involving adults with impaired capacity

The Commission made recommendations about a number of issues that arise when adults with impaired capacity are involved in legal proceedings, including:

- amending the *Public Trustee Act 1978* (Qld) to ensure that the Public Trustee's consent is not required for the Public Trustee to be appointed as a litigation guardian under rule 95 of the *Uniform Civil Procedure Rules 1999* (Qld); and
- amending the *Uniform Civil Procedure Rules 1999* (Qld) to provide that a litigation guardian for a defendant or respondent is not liable for any costs in a proceeding unless the costs are incurred because of the litigation guardian's negligence or misconduct.

Miscellaneous

The Commission made recommendations about a number of other issues arising under the guardianship system, including:

- amending the *Guardianship and Administration Act 2000* (Qld) to include a new legislative provision to deal with the power of an adult with impaired capacity to enter into a contract in relation to his or her property and the consequences of the entry into that contract; and
- amending the *Guardianship and Administration Act 2000* (Qld) to facilitate access to information by an adult's substitute decision-maker or informal decision-maker.

A REVIEW OF JURY SELECTION

In April 2008, the Commission received terms of reference to review the operation and effectiveness of the provisions of the *Jury Act 1995* (Qld) relating to the selection, participation, qualification and excusal of jurors.

Discussion Paper

In June 2010, the Commission released a Discussion Paper outlining the existing arrangements governing jury selection in Queensland. The Discussion Paper identified the Commission's guiding principles and outlined a number of proposals for reform on which it sought submissions.

The Commission consulted widely and received submissions from a number of interested organisations and individuals, including the Queensland Law Society, the Bar Association of Queensland, the Office of the Director of Public Prosecutions, Legal Aid Queensland and Queensland Advocacy Incorporated.

Final Report

The Commission completed its final Report for the review in February 2011.

The Report made a number of recommendations to ensure that the pool of prospective jurors is as large as principle and circumstance permit and that the burdens and benefits of jury service are shared as widely and fairly as possible. In formulating its recommendations, the Commission was guided by the following principles:

- the right of a defendant to a fair trial;
- the independence, impartiality and competence of jurors;
- the representativeness and non-specialist composition of the jury; and
- the importance of non-discrimination in juror selection.

Limiting the criminal history exclusion

In all of the Australian states and territories, people may be disqualified from serving on a jury if they have a criminal record. At present, the Queensland disqualification is the widest, excluding persons who have, at any time, been convicted of an indictable offence or sentenced to imprisonment. The Report recommended changes to the disqualifying effect of a person's criminal history by providing that:

- a conviction for an indictable offence does not exclude a person from jury service if the person was convicted in a summary proceeding (that is, a proceeding before a magistrate, rather than a judge and jury);
- a conviction for an indictable offence does not exclude a person from jury service if it is a spent conviction under the *Criminal Law (Rehabilitation of Offenders) Act 1986* (Qld); and
- a sentence of imprisonment that the person has already served does not exclude the person if the conviction for which it was imposed is a spent conviction under the *Criminal Law (Rehabilitation of Offenders) Act 1986* (Qld).

Confining the occupational exclusions

Many of the existing bases for excluding a person from jury service relate to a person's occupation, profession or office. This has the potential to undermine the representativeness of the jury and the fair sharing of jury service among members

of the community. On the other hand, the Commission recognised that some exclusions are necessary to safeguard the jury's independence, impartiality and non-specialist composition.

In balancing these tensions, the Commission recommended that occupational ineligibility should be confined to those categories of people whose presence on a jury would, or could be seen to, compromise:

- the independence of the jury from the executive, legislative and judicial arms of government because of their special or personal duties to the state; or
- the impartiality and non-specialist composition of the jury because of their employment or engagement in law enforcement, criminal investigation, the provision of legal services in criminal cases, or the administration of criminal justice or penal administration.

Applying these criteria, the Commission recommended that some of the existing exclusions should be removed or narrowed, some should continue, and a limited number of new exclusions should be introduced:

- the Governor, Members of Parliament, judges and magistrates, police officers, detention centre employees and corrective services officers should continue to be ineligible for jury service;
- local government mayors and councillors should become eligible for jury service;
- as a general class, lawyers should become eligible for jury service, but specified lawyers who perform special legal services for the state or are engaged in criminal practice should continue to be ineligible;
- certain other lawyers who are employed or engaged in the provision of legal services in criminal cases should be eligible but entitled to be excused from jury service;
- for a civil jury trial, certain lawyers who are employed or engaged in the provision of legal services in civil cases should be eligible but entitled to be excused from jury service; and
- members and officers of a court of record, public service employees whose functions include the supervision of young persons who are subject to non-custodial court orders, Parole Board members, Commissioners of the Crime and Misconduct Commission, persons employed or engaged by the Crime and Misconduct Commission other than in a clerical, administrative or support staff role, and appointed 'justices of the peace (magistrates court)' should be made ineligible for jury service.

The Commission also recommended that there should no longer be any categories of permanent exclusion on the basis of occupation. Instead, certain persons who are ineligible whilst holding a specified office or working in a particular occupation — including judges and magistrates, police officers, detention centre employees

and corrective services officers — should remain ineligible only for a further three years after leaving that office or profession.

Reducing the exclusions based on personal attributes

To ensure that exclusions from jury service are based, not on the existence of a particular attribute, but on the person's inability to perform the duties of a juror, the Commission recommended changes to the scope of the existing categories of ineligibility:

- a person who is 70 years or older should be eligible for jury service, but entitled to be excused without having to show special cause;
- a person who is unable to understand, and communicate in, English well enough to enable the person to discharge the duties of a juror should be ineligible for jury service;
- a person who has a physical disability should be eligible for jury service; prospective jurors should be required to inform the Sheriff of any physical disabilities and special needs they have; and, after receiving such information, the Sheriff should be required to consider the facilities that are required and can be made available to accommodate the person's disability;
- a person who has an intellectual, psychiatric, cognitive, or neurological impairment that makes the person incapable of effectively performing the functions of a juror should be ineligible for jury service; and
- the Sheriff or a judge should be able to excuse a person from attendance if it appears that, having regard to specified matters, the person is unable to perform the functions of a juror effectively.

Introducing deferral of jury service

The Commission recommended that a system of deferral should be introduced in Queensland to deal with valid, but temporary reasons, why a person is unable to perform jury service. The Sheriff or a judge should be empowered to defer a person's service to a jury service period, within the following 12 months, that the person has indicated would be a more convenient time.

Increasing Indigenous participation on juries

Because many Indigenous communities fall outside the boundaries of existing jury districts, members of those communities are not eligible for jury service. The Commission recommended that the Department of Justice and Attorney-General should review the current jury districts with a view to increasing the representativeness of juries and including additional Indigenous communities.

The Commission also made a number of other recommendations to increase Indigenous participation in the jury system, including that:

- if public or private transport is not reasonably available or cannot reasonably be used, the Sheriff should, if necessary, make arrangements in advance to assist people from Indigenous communities to attend court when summoned for jury service, and should meet the cost of those arrangements; and
- if it is not reasonably practicable for a person from an Indigenous community to travel each day to attend court for jury service, accommodation should be arranged and funded to enable the person to attend.

Improving the conditions of jury service

To improve the conditions of jury service and reflect the contribution that jurors and prospective jurors make to the justice system, the Commission recommended that:

- the prospective juror notice should indicate if there is a possibility that the prospective juror may be required to serve for longer than the standard two-week period and elicit information about whether the person is prepared to serve on a jury for that extended period;
- the daily remuneration paid to jurors should be based on the National Minimum Wage, and the additional remuneration paid to jurors who serve on long trials should apply after the 10th weekday of service, rather than the 20th weekday; and
- jurors should be entitled to the reimbursement of reasonable out-of-pocket child care and family care expenses incurred as a result of attending court in answer to a juror summons.

Encouraging compliance with the prospective juror notice

Although it is an offence under the *Jury Act 1995* (Qld) to fail to respond to the prospective juror notice, data provided by the Department of Justice and Attorney-General show that a substantial number of people do not comply.

The Commission made a number of recommendations to encourage compliance with the prospective juror notice, and to bring the system in line with the penalty system that applies under the *Electoral Act 1992* (Qld).

A REVIEW OF THE LAW IN RELATION TO THE FINAL DISPOSAL OF A DEAD BODY

In December 2003, the Commission received terms of reference to review the law in relation to the final disposal of a dead body, including, but not limited to:

- a. whether, and to what extent, a comprehensive legislative framework is required; and
- b. whether any new legislation should provide for an easily accessible mechanism to deal with disputes and, if so, the nature of such a mechanism.

The terms of reference also require the Commission to have regard to:

- the fact that at common law the executor (or person having the highest claim to administer the estate of the deceased person) has the duty and the right to arrange for the final lawful disposal of the deceased person's body including, probably, the disposal of the deceased person's ashes; and
- the fact that at common law the wishes of the personal representative or person who has the duty and the right to dispose of the body are regarded as paramount with respect to the disposal; and
- the extent to which this common law position is or may be amended by the *Cremations Act 2003* and the current provisions governing cremations contained in the *Coroners Act 1958*, or by any other Queensland laws; and
- the many and varied cultural and spiritual beliefs and practices in relation to the disposal of bodies; and
- the fact that from time to time questions arise regarding:
 - whether a person who may have caused the death should be allowed to arrange for the final disposal of the body; and
 - what methods of final disposal of a body are lawful in Queensland; and
- the fact that from time to time disputes arise regarding:
 - to whom a body is to be released (for example by a hospital or, where relevant, a coroner) for final disposal; and
 - the method of final disposal of the body in a particular case; and
 - the place for the final disposal of the body or ashes;

In June 2004, the Commission published an Information Paper, *A Review of the Law in Relation to the Final Disposal of a Dead Body* (WP No 58), for consultation purposes. The Information Paper outlined the legal rights and obligations, and the common practices, in relation to the disposal of dead bodies in Queensland. It also considered issues such as:

- whether diverse beliefs and customs are able to be sufficiently accommodated in the disposal of dead bodies in Queensland;
- how disputes about the disposal of a dead body should be determined; and
- the right to dispose of the ashes remaining after a cremation.

Work on this review was placed substantially on hold in October 2005 when the Commission received the terms of reference for the Guardianship Review. The Commission undertook some additional consultation with key stakeholders during

2009–10, and resumed work on the review in March 2011 following the completion of the Jury Selection Review.

The Commission expects to complete the final Report for this review during 2011–12.

Who's Who at the Commission

COMMISSION MEMBERS

The Hon Justice RG Atkinson BA (Hons) BEd St LLB (Hons)—Chairperson

1 January 2002–20 December 2013

Justice Atkinson was admitted to the Bar in 1987 and had a broad general public and private litigation practice in courts and tribunals including constitutional, administrative, corporate and industrial cases.

While in practice at the Bar, her Honour was also the first member, and then the first President, of the Queensland Anti-Discrimination Tribunal, a member, and then Deputy Chairperson, of the Queensland Law Reform Commission, a Hearing Commissioner for the Human Rights and Equal Opportunity Commission, and a member of the Social Security Appeals Tribunal.

Her Honour was appointed a Judge of the Supreme Court of Queensland on 3 September 1998. She is also President of the International Commission of Jurists (Qld branch) and a member of the Queensland University of Technology Faculty Advisory Committee for Law Courses.

Mr JK Bond SC BCom LLB (Hons)

17 March 2005–20 December 2013

Mr Bond was admitted to the Queensland Bar in 1987. He has been in private practice at the Queensland Bar since then. He was appointed as a Senior Counsel for the State of Queensland in 1999. He has also been admitted to practice in New South Wales, South Australia, Western Australia and the Northern Territory. He is entitled to practise in the Federal and High Courts.

Mr Bond's practice is in the area of commercial litigation and advice. Within that context, areas in which he has advised or appeared have concerned, inter alia, administrative law, arbitration, banking and finance, building and construction contracts, constitutional law, contract law, corporations law, insurance, leases, mining, native title, professional liability, trade practices, trusts and equity.

Prof BF Fitzgerald BA (Griff) LLB (Hons) (QUT) BCL (Oxon) LLM (Harv) PhD (Griff)

21 December 2010–20 December 2013

Professor Fitzgerald studied law at the Queensland University of Technology ('QUT'), graduating as a University Medallist in Law. He holds postgraduate degrees in law from Oxford University and Harvard University. He is well known in the areas of intellectual property and internet law, and has worked closely with Australian governments on facilitating access to public sector information.

From 1998 to 2002 Professor Fitzgerald was Head of the School of Law and Justice at Southern Cross University in New South Wales, and from January 2002 to January 2007 was appointed as Head of the School of Law at QUT. He is currently a specialist Research Professor in Intellectual Property and Innovation at QUT and a Chief Investigator in the Australian Research Council Centre of Excellence for Creative Industries and Innovation. In 2009, Professor Fitzgerald was appointed to the Australian Government's 'Government 2.0 Taskforce' and to the Advisory Council on Intellectual Property.

Mr BJ Herd BA LLB (Hons)

15 November 2002–20 December 2013

Mr Herd was admitted as a solicitor in 1983 and has been in private practice since then.

For many years he has practised in the area of commercial law and litigation but has, in the last few years, concentrated on the area of elder law, or law for older people, encompassing estate and life planning, guardianship and administration, family and business succession and lifestyle options, including aged care and retirement.

He has prepared and presented numerous papers and seminars on aspects of elder law and is Chair of the Queensland Law Society's Elder Law Committee and a member of the National Academy of Elder Law Attorneys of America.

Assoc Prof TCM Hutchinson BA LLB (Qld) DipLib (UNSW) MLP (QUT) PhD (Griff)

1 February 2011–31 January 2014

Associate Professor Hutchinson was admitted as a solicitor in 1986, and held the position of Law Librarian in the Faculty of Law at the Queensland University of Technology for six years, before joining the Law School teaching staff in 1994. She taught criminal law and legal research, and has published widely in the areas of youth justice and postgraduate legal research training, including *Researching and Writing in Law* (Thomson Reuters, 3rd ed, 2010).

Associate Professor Hutchinson has been a member and chair of the Queensland Law Society's Equalising Opportunities in the Law Committee from 2002, and is a member of the Law Council of Australia's Equalising Opportunities in the Law Committee. She was a member of the Australasian Law Teachers' Association Executive from 2005 to 2011, and served as Editor in Chief and Associate Editor of the peer-reviewed *Legal Education Review* from 2004 to 2011.

Mrs SM Ryan BCom LLB (Hons)

21 December 2010–20 December 2013

Mrs Ryan was admitted as a barrister in 1991, and practises mainly in criminal law. She has worked as a Crown Prosecutor at the Office of the Director of Public Prosecutions and as counsel at Legal Aid Queensland. In 2010, Mrs Ryan entered private practice.

Mrs Ryan taught evidence for several years at the University of Queensland and is one of the current authors of *Carter's Criminal Law of Queensland*. In 2008, Mrs Ryan assisted the Queensland Law Reform Commission in its review of the excuse of accident and the defence of provocation.

Ms RM Treston LLB (Hons)

21 December 2007–20 December 2010

Ms Treston was admitted as a solicitor in 1991. In 1996, she was admitted to the Queensland Bar, where she has remained in private practice ever since. She is also admitted to practice in the ACT and Vanuatu. She is entitled to practise in the Federal and High Courts.

Ms Treston's practice is in civil litigation and advice. In particular she specialises in estate litigation, insurance, contractual and commercial disputes, professional liability, trusts and equity, and personal injuries.

Ms Treston has presented numerous papers on succession and estate litigation and personal injuries litigation. She was a member of the Queensland Bar Council in 2001 and 2002.

Assoc Prof BP White LLB (Hons) (QUT) DPhil (Oxon)

21 December 2007–20 December 2010

Associate Professor White is a member of the Health Law Research Program at the Queensland University of Technology Faculty of Law. His research interests lie in this area, and in guardianship law. He has taught health and guardianship law at both undergraduate and postgraduate levels and has also published a number of articles on these topics.

Associate Professor White graduated with First Class Honours and a University Medal in law from the Queensland University of Technology. He then worked as a Judge's Associate at the Supreme Court of Queensland and at Legal Aid Queensland, and was admitted as a barrister of the Supreme Court of Queensland. Associate Professor White won a Rhodes Scholarship to complete a Doctor of Philosophy at Oxford University, where his doctoral thesis investigated the role that consultation plays in the law reform processes of the Australian Law Reform Commission and the Law Commission of England and Wales.

Associate Professor White also served as the Commission's full-time member from 5 September 2005 to 2 November 2007.

SECRETARIAT

Claire Riethmuller BA LLB (Hons)—Director

Ms Riethmuller graduated with First Class Honours in Law from the University of Queensland in 1986, and was admitted to practice as a solicitor of the Supreme Court of Queensland in 1988.

She worked as a solicitor at Minter Ellison, practising in the areas of commercial litigation and professional indemnity litigation, before commencing work with the Commission in 1994.

From 2004 to 2008, Ms Riethmuller was a member of the Human Research Ethics Committee of the Queensland Institute of Medical Research.

Cathy Green BSc LLB—Assistant Director

Mrs Green served two periods of secondment at the Commission before being appointed as a Legal Officer on a permanent basis in 2002. In 2005, Mrs Green was appointed as the Commission's Principal Legal Officer and, in 2008, as the Commission's Assistant Director.

Mrs Green graduated with a Bachelor of Science degree from the University of Queensland in 1984, and from 1984 until early 1990 she worked as a research scientist at the Queensland Institute of Medical Research.

Mrs Green graduated with a Bachelor of Laws degree from the Queensland University of Technology in 1996. She was admitted to practice as a barrister of the Supreme Court of Queensland in 1996. Mrs Green previously worked in the Office of the Director of Public Prosecutions and as a research officer at the Queensland Parliamentary Library.

Mrs Green is the Commission's Right to Information and Information Privacy Officer.

Anita Galeazzi BA LLB (Hons) GDLP—Legal Officer

Ms Galeazzi graduated with Honours in Law from the University of Queensland in 2006.

Ms Galeazzi worked as a research officer at the Supreme Court of Queensland Library, before completing the Graduate Diploma in Legal Practice through the Australian National University. She was admitted to the legal profession in Queensland as a lawyer in 2010.

Ms Galeazzi commenced work at the Commission in January 2011.

Paula Rogers BA LLB (Hons)—Legal Officer

Ms Rogers graduated with First Class Honours in Law from Griffith University in 2003, having been awarded the University Medal and the Arts Medal, and was admitted as a legal practitioner of the Supreme Court of Queensland in January 2005.

Ms Rogers worked as a Judge's Associate at the Supreme Court of Queensland in 2003. She completed her articles of clerkship at Allens Arthur Robinson during 2004, where she worked in the energy and resources practice group.

Ms Rogers commenced work at the Commission in 2005.

Jenny Manthey BSc (Hons) Cert III Bus (Office Admin)—Commission Secretary

Mrs Manthey graduated with a Bachelor of Science from the University of Queensland in 1993. She worked as a Scientific Technician from 1992 to 1995 at CSIRO Long Pocket Laboratories, and completed her Honours degree in 1998.

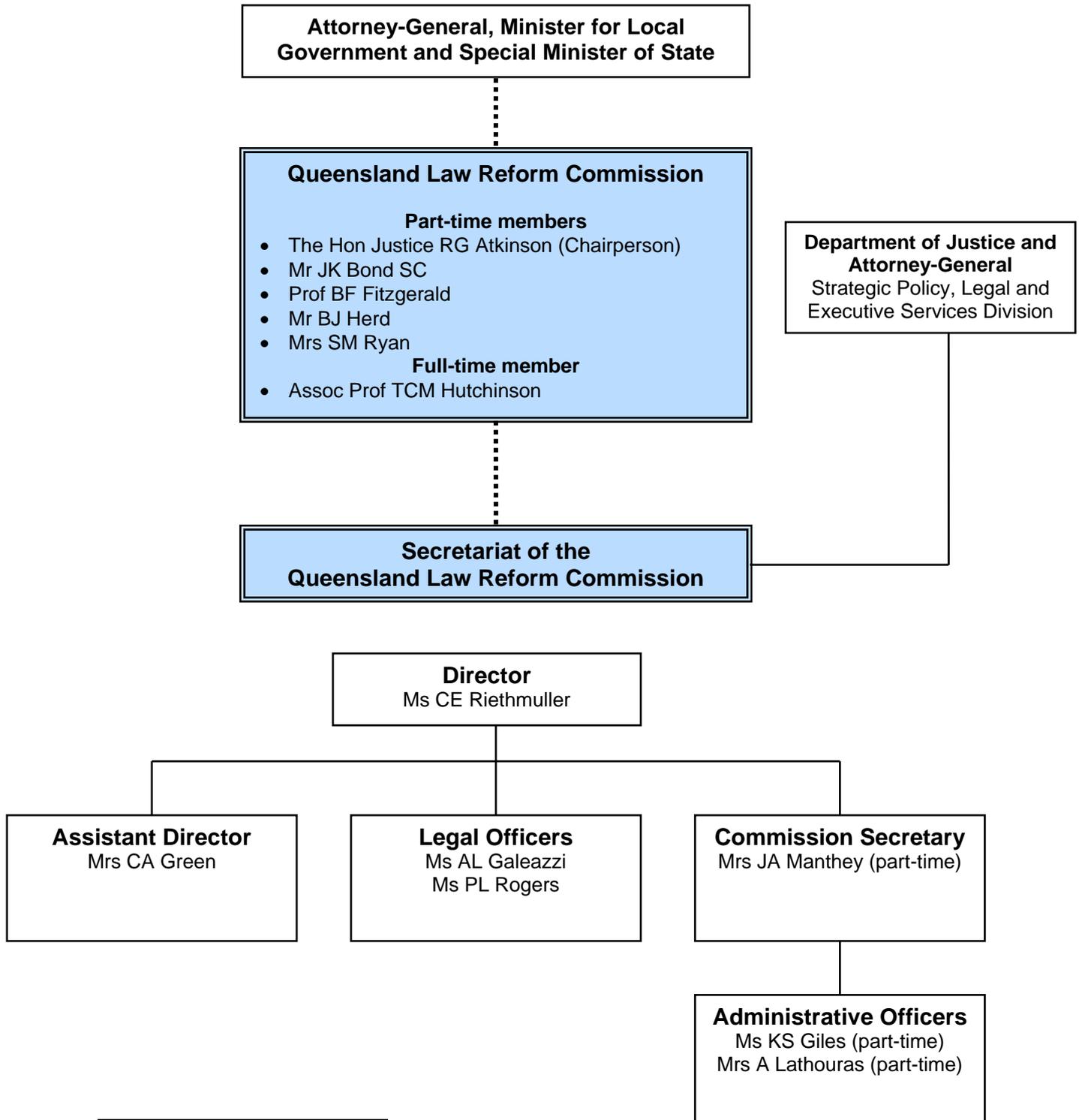
After gaining qualifications in Office Administration in 2000, Mrs Manthey was employed in a variety of administrative roles before commencing work at the Commission in January 2004.

Kahren Giles BA, Anna Lathouras—Administrative Officers

Ms Giles and Mrs Lathouras are responsible for a wide range of secretarial and administrative functions within the Commission.

Appendix 1

Organisational Chart⁴



Appendix 2

Legislative Action on Reports

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 68	A Review of Jury Selection	February 2011	01.07.11	WP 69 2010	
R 67	A Review of Queensland's Guardianship Laws, vols 1-4	September 2010	12.11.10	WP 68 2009 WP 65 2008 WP 64 2008	
R 66	A Review of Jury Directions, vols 1-2	December 2009	14.04.10	WP 66 2009 WP 67 2009	
R 65	Administration of Estates of Deceased Persons: Report of the National Committee for Uniform Succession Laws to the Standing Committee of Attorneys General, vols 1-4	April 2009	07.07.09	WP 55 2001 MP 37 1999	
R 64	A review of the excuse of accident and the defence of provocation	September 2008	01.10.08	WP 63 2008 WP 62 2008	<i>Criminal Code and Other Legislation Amendment Act 2011</i>
R 63	A review of the <i>Peace and Good Behaviour Act 1982</i> , vols 1-2	December 2007	25.08.08	WP 59 2005	

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 62	Public Justice, Private Lives: A New Approach to Confidentiality in the Guardianship System, vol 2 Public Justice, Private Lives: A New Approach to Confidentiality in the Guardianship System, vol 1	July 2007 June 2007	12.10.07	WP 62 2006 WP 61 2006 WP 60 2006 MP 38 2006 MP 39 2006	<i>Guardianship and Administration and Other Acts Amendment Act 2008</i>
R 61	Wills: The Anti-lapse Rule — Supplementary Report to the Standing Committee of Attorneys General	March 2006	22.06.06	MP 29 1997 R 52 1997	<i>Succession Amendment Act 2006</i>
R 60	A Review of the Uniform Evidence Acts	September 2005	28.10.05	Nil	
R 59	The Abrogation of the Privilege Against Self-incrimination	December 2004	08.03.05	WP 57 2003	
R 58	Family Provision: Supplementary Report to the Standing Committee of Attorneys General	July 2004	22.09.04	MP 28 1997 WP 47 1995	
R 57	Damages in an Action for Wrongful Death: The effect of entering into, or the prospect of entering into, a financially supportive cohabitation relationship, and the effect of the likelihood of divorce or separation on the assessment of damages in a wrongful death claim	November 2003	19.12.03	WP 56 2002	<i>Justice and Other Legislation Amendment Act 2004, Part 24</i>
R 56	Vicarious Liability	December 2001	11.04.02	WP 48 1995	<i>Justice and Other Legislation Amendment Act 2004, Part 19</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 55	The Receipt of Evidence by Queensland Courts: The Evidence of Children (Part 2) The Receipt of Evidence by Queensland Courts: The Evidence of Children (Part 2A) — Summary of Recommendations	December 2000	05.04.01	WP 53 1998	<i>Evidence (Protection of Children) Amendment Act 2003</i>
R 55	The Receipt of Evidence by Queensland Courts: The Evidence of Children (Part 1)	June 2000	03.07.00	WP 53 1998	<i>Criminal Law Amendment Act 2000</i>
R 54	The Role of Justices of the Peace in Queensland	December 1999	31.05.00	WP 51 1998 WP 54 1999	
R 53	Review of the <i>Limitation of Actions Act 1974</i> (Qld)	September 1998	22.12.98	WP 49 1997 WP 50 1997	
R 52	The Law of Wills	December 1997	23.12.97	MP 10 1994 WP 46 1995	<i>Succession Amendment Act 2006</i>
R 51	Consent to Health Care of Young People, vols 1–3	December 1996	30.04.97	MP 2 1993 MP 6 1993 MP 7 1993 WP 42 1994 MP 14 1995 WP 44 1995 WP 44A 1995 MP 17 1996	
R 50	Minors' Civil Law Capacity	December 1996	25.03.97	WP 45 1995	<i>Residential Tenancies Amendment Act 1998</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 49	Assisted and Substituted Decisions: Decision-Making by and for People with a Decision-Making Disability, vols 1–3	June 1996	07.08.96	WP 43 1995 WP 43A 1995 WP 38 1992 MP 1 1991	<i>Powers of Attorney Act 1998</i> <i>Guardianship and Administration Act 2000</i>
R 48	De Facto Relationships: Claims by Surviving De Facto Partners under the <i>Common Law Practice Act 1867</i> for Damages for Wrongful Death	November 1994	25.11.94	MP 8 1994	<i>Common Law Practice and Workers' Compensation Amendment Act 1994</i>
R 47	Female Genital Mutilation	16.09.94	18.10.94	MP 7 1993 WP 42 1994	<i>Criminal Law Amendment Act 2000</i>
R 46	The <i>Freedom of Information Act 1992</i> Review of Secrecy Provision Exemption	22.03.94	22.03.94	MP 3 1993	<i>Freedom of Information (Review of Secrecy Provisions Exemption) Amendment Act 1994</i>
R 45	The Assessment of Damages in Personal Injury and Wrongful Death Litigation: <i>Griffiths v Kerkemeyer</i> , Section 15C <i>Common Law Practice Act 1867</i>	08.10.93	16.11.93	MP 4 1993 MP 5 1993	No changes recommended
R 44	De Facto Relationships	30.06.93	15.07.93	WP 36 1991 WP 40 1992	<i>Property Law Amendment Act 1989</i>
R 43	The <i>Bail Act 1980</i>	28.06.93	15.07.93	WP 35 1991 WP 41 1993	
R 42	Intestacy Rules	07.06.93	15.07.93	WP 37 1992	<i>Succession Amendment Act 1997</i>
R 41	The Protection of Statements Made to Religiously Ordained Officials	02.04.91	09.04.91	Nil	

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 40	Consolidation of <i>Real Property Acts</i>	March 1991	07.04.91	WP 32 1990	<i>Land Title Act 1994</i>
R 39	Henry VIII Clauses	29.06.90	05.12.90	WP 33 1990	<i>Legislative Standards Act 1992</i>
R 38	Report on the <i>Oaths Act</i>	31.03.89	07.06.90	WP 31 1988	
R 37	Report on a Bill to Amend the <i>Property Law Act 1974</i>	17.09.87	07.06.90	WP 30 1986	<i>Property Law Act Amendment Act</i>
R 36	Report on a Bill to Alter the Civil Jurisdiction of the District Court of Queensland	20.12.85	07.06.90	WP 29 1985	<i>District Courts Act and Other Acts Amendment Act 1989</i>
R 35	Report on a Bill to Amend and Reform the <i>Jury Act</i> , the <i>Justices Act</i> and the Criminal Code insofar as those Acts Relate to Committal Proceedings and Trial by Jury in Criminal Courts	25.10.85	07.06.90	WP 28 1984	
R 34	Report on a Bill to Establish Limited Liability Partnerships	22.01.85	07.06.90	WP 27 1984	<i>Partnership (Limited Liability) Act 1988</i>
R 33	Report on a Bill to Prevent the Avoidance of Civil Liability in Cases of Death or Personal Injury Caused by Negligence	26.10.84	07.06.90	WP 26 1984	
R 32	Report on a Bill to Consolidate, Amend and Reform the <i>Supreme Court Acts</i> and Ancillary Acts Regulating Civil Proceedings in the Supreme Court	1982	07.06.90	WP 24 1982	
R 31	Report on an Examination of the Imperial Statutes in Force in Queensland	23.09.81	07.06.90	WP 23 1979	<i>Imperial Acts Application Act 1984</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 30	Report on a Draft Associations Incorporation Act	01.02.80	07.06.90	WP 22 1978	<i>Associations Incorporation Act 1981</i>
R 29	Report on A Bill to Repeal <i>The Second-Hand Wares Act of 1921</i> and to Update Legislation Concerning Dealers and Collectors	03.01.80	07.06.90	WP 21 1978	<i>Second Hand Dealers and Collectors Act 1984</i>
R 28	Report on Matters Arising out of the Report of the Committee of Inquiry into the Enforcement of the Criminal Law in Queensland (The Lucas Inquiry)	17.05.79	07.06.90	Nil	
R 27	Proposals to Amend Practices of Criminal Courts	08.12.78	07.06.90	WP 19 1977	
R 26	Report on an Examination of the Procedure and Practice in Children's Courts and on a Bill to Amend the <i>Children's Services Act 1965–1977</i>	30.08.78	07.06.90	WP 15 1976	
R 25	Report on an Examination of the Law Relating to Bail in Criminal Proceedings	10.08.78	20.09.78	WP 20 1978	<i>Bail Act 1980</i>
R 24	Report on the Law Relating to Actions Against the Crown	17.04.78	12.09.79	WP 17 1977	<i>Crown Proceedings Act 1980</i>
R 23	Report on a Review of the <i>Pawnbrokers Act 1849–1971</i>	24.02.78	13.03.79	WP 16 1976	<i>Pawnbrokers Act 1984</i>
R 22	Report on the Law Relating to Succession	24.02.78	09.10.79	WP 14 1975	<i>Succession Act 1981</i>
R 21	Reform of the Law of Rape	13.08.76	07.06.90	Nil	
R 20	Report on the Law of Succession and Other Allied Considerations in Relation to Illegitimate Persons	18.12.75	11.03.76	Nil	<i>Status of Children Act 1978</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 19	Report on the Law Relating to Evidence	14.11.75	11.03.76	WP 13 1975	<i>Evidence Act 1977</i>
R 18	The Commission's Third Report on Statute Law Revision	17.03.75	22.03.75	Nil	<i>Acts Repeal Act 1975</i>
R 17	Report on a Bill to Amend the Criminal Code in Certain Particulars	19.12.74	27.02.75	WP 12 1974	<i>The Criminal Code and the Justices Act Amendment Act 1975</i>
R 16	Report on a Bill to Consolidate, Amend and Reform the Law Relating to Conveyancing, Property, and Contract and to Terminate the Application of Certain Imperial Statutes	28.02.73	07.06.90	WP 10 1972	<i>Property Law Act 1974</i>
R 15	The Commission's Second Report on Statute Law Revision	22.12.72	20.03.73	Nil	<i>Acts Repeal Act 1973</i>
R 14	Report on a Bill to Amend and Consolidate the Law Relating to Limitation of Actions	02.10.72	20.03.73	WP 11 1972	<i>Limitation of Actions Act 1974</i>
R 13	Report on a Bill to Consolidate and Amend the Law Relating to Money Lending	24.04.72	09.08.72	WP 8 1971	<i>The Money Lenders Act 1916 was repealed (from May 1989) by the Credit Act 1987</i>
R 12	Report on a Bill to Establish an Appeal Costs Fund	21.04.72	09.08.72	Nil	<i>Appeal Costs Fund Act 1973</i>
R 11	Report on Statute Law Revision	21.04.72	09.08.72	Nil	<i>New South Wales (Termination of Application) Acts 1973</i>
R 10	Report in Relation to an Examination of the Law Relating to Interest on Damages	10.09.71	09.08.72	WP 6 1971	<i>Common Law Practice Act Amendment Act 1972</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 9	Report in Relation to an Examination of the Provisions of the <i>Fatal Accidents Acts</i> with a View to the Elimination of Anomalies	10.09.70	09.08.72	WP 7 1971	<i>Common Law Practice Act Amendment Act 1972</i>
R 8	Report on the Law Relating to Trusts, Trustees, Settled Land and Charities	16.06.71	09.08.72	WP 5 1970	<i>Trusts Act 1973</i>
R 7	Report on the Law Relating to Perpetuities and Accumulations	24.05.71	26.08.71	WP 9 1971	<i>Perpetuities and Accumulations Act 1972</i> (later incorporated into the <i>Property Law Act 1974</i>)
R 6	Report on a Review of: <i>The Statute of Frauds, 1677</i> (29 Car II c 3); <i>The Statute of Frauds Amendment Act, 1828</i> (9 Geo IV c 14); <i>The Statute of Frauds and Limitations of 1867</i> (Qld) (31 Vic No 22); <i>The Sale of Goods Act of 1896</i> (Qld) (60 Vic No 6) (Sect 7)	08.06.70	26.08.71	WP 4 1970	<i>Statute of Frauds 1972</i> (later incorporated into the <i>Property Law Act 1974</i>)
R 5	Report on a Bill to Make Provision for the Abatement of Litter and Other Purposes	08.06.70	07.06.90	Nil	<i>Litter Act 1971</i>
R 4	Report on a Bill to Consolidate the Law Relating to Arbitration	08.06.70	26.08.71	WP 2 1969	<i>Arbitration Act 1973</i>
R 3	<i>The Common Law Practice Acts, 1867 to 1964</i> (Section 2): Illegitimate Children	20.03.70	08.09.70	Nil	<i>Common Law Practice Act Amendment Act 1970</i>
R 2	Abolition of the Distinction between Wilful Murder and Murder	16.03.70	08.09.70	WP 3 1969	<i>The Criminal Code and the Offenders Probation and Parole Act Amendment Act 1971</i>

No.	Title	Date of Report	Date Report Tabled	Background Papers	Legislation Implementing the Commission's Recommendations (in whole, in part, or with alterations)
R 1	Report on the Law Relating to Relief from Forfeiture of Leases and to Relief from Forfeiture of an Option to Renew and Certain Aspects of the Law Relating to Landlord and Tenant	26.02.70	07.06.90	WP 1 1969	

Current and recent publications, and many of the Commission's older publications, are available on the Commission's website at <http://www qlrc.qld.gov.au/publications.htm>.

Appendix 3

Holders of Office under the *Law Reform Commission Act 1968*⁵

CHAIRPERSONS

The Honourable Mr Justice WB Campbell (later Chief Justice and Governor of Queensland)	01.03.69–01.03.73
The Honourable Mr Justice GL Hart	01.03.73–15.05.73
The Honourable Mr Justice DG Andrews (later Chief Justice of Queensland)	26.05.73–17.09.82
The Honourable Mr Justice BH McPherson CBE*	20.09.82–31.12.91
The Honourable Justice RE Cooper*	01.01.92–30.06.93
The Honourable Justice GN Williams*	01.07.93–30.06.96
The Honourable Justice P de Jersey (later Chief Justice of Queensland)	12.07.96–19.03.98
The Honourable Justice JDM Muir	20.03.98–19.03.01 15.06.01–31.12.01
The Honourable Justice RG Atkinson*	01.01.02–20.12.13

FULL-TIME MEMBERS

Dr JM Morris	01.06.73–30.06.80
Prof KW Ryan CBE QC* (later the Honourable Mr Justice KW Ryan CBE)	01.11.80–31.10.82
Mr FJ Gaffy QC*	01.10.83–16.10.84 10.12.84–31.05.89
Mr AA Preece	05.01.87–30.06.90
Ms L Willmott*	17.09.90–31.10.92
Ms C Richards	24.09.90–24.04.92

⁵

An asterisk indicates that the member has been appointed to more than one Queensland Law Reform Commission position.

Mr WG Briscoe*	04.01.93–04.06.99
Mr J Herlihy	04.01.93–10.09.93
Ms PA Cooper	09.05.94–31.07.97
Assoc Prof PJM MacFarlane	10.01.00–28.12.01
Ms RA Hill	30.09.02–10.03.05
Dr BP White*	05.09.05–02.11.07
Mr IP Davis	17.07.08–15.05.10
Assoc Prof TCM Hutchinson	01.02.11–31.01.14

PART-TIME MEMBERS

Mr BH McPherson QC* (later the Honourable Mr Justice BH McPherson CBE)	01.03.69–31.12.81
Sir John Rowell CBE	01.03.69–31.12.89
Mr PR Smith	01.03.69–08.07.76
Sir John Nosworthy CBE	01.01.76–31.12.87
Mr GN Williams QC* (later the Honourable Justice GN Williams)	09.08.76–06.04.82 17.01.83–16.03.89
Prof KW Ryan CBE QC* (later the Honourable Mr Justice KW Ryan CBE)	05.07.80–31.10.80 01.11.82–10.02.84
Mr RE Cooper QC* (later the Honourable Justice RE Cooper)	14.06.82–02.02.89 03.02.89–31.12.89
Mr MO Klug	01.01.88–31.12.89
Mr FJ Gaffy QC*	01.06.89–30.09.89
Ms H O'Sullivan (later Her Honour Judge H O'Sullivan)	01.05.90–08.04.91 09.04.91–29.08.94
Ms RG Atkinson* (later the Honourable Justice RG Atkinson)	01.05.90–30.06.96
Mr PA Keane QC (later Chief Justice of the Federal Court of Australia)	01.05.90–12.02.92
Mr WA Lee	01.07.90–30.06.96

Mr RS O'Regan QC	11.05.92–23.11.92
Ms L Willmott*	15.03.93–15.03.94
Dr JA Devereux	29.08.94–28.08.97
Mr PD McMurdo QC (later the Honourable Justice PD McMurdo)	22.05.95–21.05.01
Mrs DA Mullins SC (later the Honourable Justice DA Mullins)	12.07.96–11.07.99 01.10.99–30.09.02
Mr PM McDermott RFD	12.07.96–11.07.99
Prof WD Duncan	26.09.97–25.09.00
Ms SC Sheridan	26.09.97–25.09.00
Mr WG Briscoe*	04.02.00–30.08.01
Mr PDT Applegarth SC (later the Honourable Justice PDT Applegarth)	21.12.01–20.12.04
Ms A Colvin	21.12.01–31.12.05
Mr GW O'Grady	21.12.01–20.12.07
Dr HA Douglas	21.12.01–20.12.07
Mr BJ Herd	15.11.02–20.12.13
Mr JK Bond SC	17.03.05–20.12.13
Ms RM Treston	21.12.07–20.12.10
Assoc Prof BP White*	21.12.07–20.12.10
Prof BF Fitzgerald	21.12.10–20.12.13
Mrs SM Ryan	21.12.10–20.12.13