

Mahla Pearlman Oration 2016 Chair Remarks

Welcome to Country

Before we commence tonight's Oration it is important to acknowledge the traditional custodians and owners of the land on which we meet today: the Gadigal People of the Eora Nation. I pay respect to their elders both past and present and extend that respect to other Indigenous Australians here today.

Welcome to Attendees

To begin with, I would like to welcome the Hon Rob Stokes MP, Minister for Planning, members of the judiciary, distinguished guests, the 2016 Mahla Pearlman Orator, Prof Jacqueline Peel, and most importantly, the family and friends of the late Hon Mahla Pearlman AO, who continue to honour us with their presence.

I acknowledge the apologies of Chief Justice Allsop of the Federal Court of Australia, whom I thank for generously providing the venue for tonight's oration. Mr Richard Lancaster SC, President of EPLA, who is presently overseas, also sends his apologies.

Thank You

I must also specifically thank Justice Anna Katzman of the Federal Court. It was because of her gentle pestering on a walk around the Botanic Gardens over five years ago, concerning the need to organise something to honour the significant contribution that Mahla Pearlman had made to the law, and in particular, planning and environmental law, that the idea to create this event was conceived.

And while I am at it, I would like to express my profound gratitude to Justice Terry Sheahan, EPLA (particularly, Michele Kearns), and the Law Council of Australia (particularly Maureen Peatman), for their considerable ongoing support, both financial and non-financial, for the Oration. Without it the event would neither have come to fruition nor have continued.

Opening Remarks About the Late Hon Mahla Pearlman AO

It is a little over 22 years ago that I found myself in the cavernous space of Llewellen Hall in Canberra to attend the ceremony for the conferral of my law degree from the Australian National University.

While, with the passage of time, the precise content of the conferral speech has been forgotten, the passion of its delivery and the inspirational qualities of the speaker, remain vivid to this day.

And the speaker was truly inspirational.

She was the first female President of the New South Wales Law Society; the first female President of the Law Council of Australia, and the first female to be appointed to a head of jurisdiction of a superior court of record in Australia (the Land and Environment Court of NSW). Indeed, to this day she remains the only female head of jurisdiction appointed in New South Wales.

In addition, she was the Deputy Secretary-General of the International Bar Association and was tipped to have become the first Australian, and the first female, Secretary-General of the IBA, but for the intervention of judicial office.

She was the Chairman of the Board of Governors of the College of Law, Chairman of the Guardian Trust Australia Limited, and member of the Police Board of NSW.

Rumour has it that in 2001 the then Premier of NSW, the Hon Bob Carr MP, seriously considered nominating her for the appointment of Governor of the State.

I could go on, such were her achievements.

Indeed so significant was her contribution to the legal profession, and to the wider community, that she was named a Member of the Order of Australia (AM) in 1985; was awarded a Centenary Medal in 2003; and was awarded the Order of Australia (AO) in 2004.

I am, of course, referring to the late Hon Mahla Pearlman AO, whose influence was to inspire a generation (or more) of environmental lawyers, and a generation (or more) of women lawyers.

Both of which are true in my case.

It is therefore an enormous privilege to stand here today, as a member of her Court, to chair the Mahla Pearlman Oration for 2016 and to welcome our distinguished speaker, Prof Jacqueline Peel.

Biographical Details for Prof Peel

Prof Jacqueline Peel is a Professor of Law at the Melbourne Law School, University of Melbourne, where she has taught for the past 14 years.

Prof Peel's expertise lies in the areas of environmental law, climate change law and risk regulation.

She has published widely on these topics including books on *The Precautionary Principle in Practice*, *Environmental Law: Scientific, Policy and Regulatory Dimensions* (with L Godden); *Science and Risk Regulation in International Law*; *Principles of International Environmental Law* (3rd ed, with P Sands); *Australian Climate Law in Global Context* (with A Zahar and L Godden) and *Climate Change Litigation: Regulatory Pathways to a Cleaner Energy Future* (with H Osofsky).

During 2013-2015 Prof Peel was a Visiting Scholar with the Stanford 'Water in the West' program at Stanford University, working on topics related to climate change adaptation governance and law reform.

She is also one of the current elected co-chairs of the International Environmental Law Interest Group of the American Society of International Law.

Prior to taking up an academic position at the Melbourne Law School, Prof Peel served as an intern to Special Rapporteur James Crawford on the UN International Law Commission and practiced as an environmental and natural resources lawyer in Australia.

She holds a Bachelor of Science and Bachelor of Laws (Hon I) from the University of Queensland, a Master of Laws from New York University Law School, and a PhD in Law from the University of Melbourne.

Could you please make welcome Prof Jacqueline Peel who will talk to us tonight on the intersection, or perhaps collision, between “Human Rights and Climate Change in the Courts”.