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COMPENSATION FOR MARINE POLLUTION

Justice R S French

Mechanisms for the protection of the world's oceans from pollution and to compensate governments and private parties affected by it have only been developed at international law since the middle of the 20th century. There is now a complex array of treaties and agreements in place. In Australia these are reflected in a number of Commonwealth and State statutes. This article provides an overview of the history and nature of the international arrangements and relevant Australian laws. 527

ABOLISHING THE CRIME OF SEDITION: PART 1

Graham McBain

Previous articles by the author ("Abolishing the Crime of Treason" (2007) 81 ALJ 94 and "Abolishing the Crime of Treason Felony" (2007) 81 ALJ 812) have advocated the abolition of the crimes of treason and treason felony. These offences are obsolete, being satisfactorily covered by more modern offences. Closely allied to these is the crime of sedition. It is to be found in many legal jurisdictions – including most Commonwealth countries – and it invariably derives from English law. However, the cases under English law are obscure, the legal texts old and difficult to get hold off. Further, there has been no comprehensive analysis of the subject in a chronological and historical context for, at least, 100 years. This article is designed to remedy the position, in order to enable non-English lawyers to consider the continued merits of this offence in their own legal jurisdictions. The conclusion of the article is that the crime of sedition should be abolished; it is adequately covered by more modern offences. As such, this article endorses the recent recommendation of the New Zealand Law Commission that this crime be abolished. It also endorses the recent recommendation of the Australian Law Reform Commission that the concept of sedition be dropped from the federal statute book. This article is divided into two parts; Part 1 considers the law of sedition up to 1792. 543

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