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CURRENT ISSUES – Editor: Justice François Kunc

Pell v The Queen	403
Other Things Go On	406
New Corporations and Securities Law Section Editor	406
Envisioning a Model for a Voice to the Parliament for Aboriginal and Torres Strait Islander Peoples	406
The Curated Page	410

CORPORATIONS AND SECURITIES – Section Editor: Beth Nosworthy

The Corporations Act and Climate Change – Appetite for Change?	411
--	-----

FAMILY LAW – Editor: Richard Ingleby

Can a Family Court Judge Use the Associated Jurisdiction to Hear an Appeal against a Departure Prohibition Order?	418
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INTERNATIONAL FOCUS – Editor: Professor Stuart Kaye

Port Access and Assistance to Cruise Ships during the COVID-19 Pandemic	420
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ARTICLES

REGULATING FORENSIC SCIENCE AND MEDICINE EVIDENCE AT TRIAL: IT'S TIME FOR A WALL, A GATE AND SOME GATEKEEPING

Gary Edmond

This article provides a brief review of the admissibility standards governing forensic science and medicine evidence in Australian criminal proceedings. Drawing upon scientific research and reviewing a decade of empirical study and commentary, it explains the need for a formal reliability standard, attentiveness to scientific research and advice, and a willingness to exclude some of the expert opinion evidence currently adduced by prosecutors and admitted at trial.	427
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DETOURING “BUSINESS AS USUAL”: ALTERNATIVE PATHWAYS THROUGH THE AUSTRALIAN LEGAL SYSTEM FOR INDIVIDUALS AND COMMUNITIES SEEKING ACTION ON CLIMATE CHANGE

Jordan Elliott and Amy Maguire

Many individuals and communities in Australia are concerned for the future of the environment, as they observe worsening climate change impacts and inadequate emissions reduction efforts from States and the international community. It is challenging for individuals or communities to identify means by which they might influence national government policies or international climate governance regimes. Yet the Australian legal system offers means by which people may generate action on climate change at sub-national and local levels. This article considers the potential assertion of environmental and climate rights through human rights frameworks at sub-national levels in Australia. It then examines prospects for climate action at the more local level, through initiatives driven by cities and local governments. Finally, this article explores the growing relevance of environmental rights to judicial and quasi-judicial decisions relating to land use and development in Australia. Although States and the international community bear the weight of responsibility for climate governance, it is worthwhile to also consider the prospects of incremental, community-driven climate action. 439

THE FIRST 24 YEARS OF THE VICTORIAN COURT OF APPEAL IN CRIME

Gavin Silbert QC

The Victorian Court of Appeal was established in 1995. The Full Court of the Supreme Court, which it replaced, had an outstanding reputation as a court of criminal appeal. The first 10 years of the Court of Appeal in its criminal jurisdiction saw its judgments affirmed on 10 occasions and reversed twice by the High Court which disapproved of two authorities. The next 14 years have seen the Court of Appeal’s judgments reversed 16 times and affirmed on six occasions with a large number of its decisions criticised, particularly in the area of sentencing. 455

BOOKS RECEIVED – Editor: Angelina A Gomez 472

Australian Law Journal Reports

HIGH COURT REPORTS – Staff of Thomson Reuters

DECISIONS RECEIVED IN MARCH/APRIL 2020

Bussa v Minister for Immigration, Citizenship, Migration Services and Multicultural Affairs (<i>Citizenship and Migration; High Court and Federal Court</i>) ([2020] HCA 18)	497
Commonwealth v Helicopter Resources Pty Ltd (<i>Criminal Law; Evidence</i>) ([2020] HCA 16)	466
Coughlan v The Queen (<i>Criminal Law</i>) ([2020] HCA 15)	455
KMC v Director of Public Prosecutions (SA) (<i>Criminal Law</i>) ([2020] HCA 6).....	415
Moore v Scenic Tours Pty Ltd (<i>Damages; Trade and Commerce</i>) ([2020] HCA 17)	481
State Revenue (WA), Commissioner of v Rojoda Pty Ltd (<i>Equity; Partnership; Taxes and Duties</i>) ([2020] HCA 7)	423
Young, Re (<i>High Court and Federal Court</i>) ([2020] HCA 13)	448