

THEMIS

JUSTICE AND THE LAW



JATL

Gender Equality

Social Justice

**Professional
Education**

Email: themiseditor@justiceandthelaw.org

**Website:
www.justiceandthelaw.org**

**Find us at: Room 104
Colin Clark Building
(39) - near the BEL Col-
laborative Learning
Centre, University of
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Welcome to the first edition of Themis for 2014. Continuing from the thematic style of the previous edition, the focus of this edition is on environmental law. The submissions received for this edition have been varied, and as such each speaks to different aspects of environmental law in practice.

In their submission, Emily Anderson-James and Bianca Shaw discuss their experiences interning at NTSCORP and Chalk & Fitzgerald respectively. While their work predominantly concerned native title, they soon discovered that it also entailed an intimate knowledge of environmental and planning legislation at the federal and state level. Their submission highlights what those who have not studied environmental and planning law previously often find surprising (and to those who have, challenging): the complex web of legislation and areas of law that can be encompassed within the broader term of 'environmental law'.

This too was discussed by Amy Quinton in her submission regarding her time volunteering at the Environmental Defender's Office ('the EDO'). Amy also brought attention to the important work of the EDO, and how it is suffering at the hands of drastic cuts in government funding. In this way her submission highlights the deep connection between environmental issues and politics. Here, what may seem to be a simple government measure to cut expenditure is shown to have profoundly negative implications for environmental protection.

(Continued...)

FOREWORD



Unfortunately, this is not the only way in which the decisions of the current government have had negative effects on the environment. Rana Koroglu, the Law Reform Solicitor for the EDO, and Paul Perovic, the Law Communications and Fundraising Officer at the EDO, join the conversation within this edition in commenting on further ways in which recent government reforms have undermined environmental protection measures in Queensland. As they discuss, the principle of environmentally sustainable development ('ESD') is one which is deeply rooted in environmental protection legislation both within Australia and internationally, and is also one which the Newman government seeks to weaken. While not only resulting in another backward step compared to the rest of the world, functionally it results in a reduction in the circumstances in which decision-makers and planners are required to take account of environmental considerations.

In this way, the government seems to be tipping the scales in favour of economic rather than environmental factors in the development and decision-making process by subverting or removing the need for environmental considerations. This is developed further in a submission by our law school's own Dr Justine Bell, where she discusses plans by the government to further dampen the need for developers to take responsibility for the environmental impacts of their activities.

Overall, the image of environmental law issues painted by this edition is a dire one. Owing to a political, if not ideological, shift in Australian politics environmental considerations are rapidly becoming overridden by economic concerns. This speaks again to the complicated matrix within which environmental laws are situated. There is no doubt that the construction of Australian and international society demands that economic considerations be important. Nonetheless, ethical questions must be raised as to whether emphasis must be placed on them to the exclusion of all others. These ethical considerations are contentious, as discussed within Joanne Lee's submission below. However, this need not be framed in merely an ethical light, as damage to the non-human environment often has immediate and latent impacts upon the human environment and economy as well.

We are constantly exposed in the media to the apparent floundering state of the Australian economy, and how the solution to this is linked to development projects which are often inescapably environmentally hazardous. Mining is a prominent example of this. Nonetheless, discussions of how to balance the economic gain of development projects against damage to the environment must confront the awkward question of how to deal with the incommensurability of these two considerations. How are we to compare economic gain to environmental loss? What is the value of a species of flora or fauna? The answer to this question is complicated, given environmental damage is often difficult to quantify in terms of its value to the human and non-human environment. The purpose of environmental legislation is to attempt to strike a balance between the two. Without strong mechanisms to enforce this balance, we cannot even begin to try.

Regardless, the stance of our current government is clear. As discussed by Rana Koroglu, Paul Perovic and Dr Bell, legislative provisions making developers and decision-makers responsible to the environment that their actions affect are slowly declining. This, coupled with a weakening of the prime enforcers of environmental protection in Queensland (the EDO), is particularly troubling given that the exact consequences of environmental damage are infamously difficult to predict. As such, the exact implications of current reforms to the law remain unknown, and by the time at which they can be known it may be too late.

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FOREWORD



As young law students we are in a particularly privileged demographic empowered to make a positive difference in some way to the problems of the future. If the environmental issues discussed within this issue interest you, you might wish to consider applying to become a student volunteer at the EDO. You can find more information [here](#). Otherwise, our careers portfolio has recently created a document summarising many of the volunteering opportunities available to law students in Brisbane, which can be found [here](#).

From the JATL team, we hope you find this edition enlightening. In addition to the submissions discussed above, the edition also features profiles of our new executive team for 2014. We hope to see you at our next social justice forum on anti-discrimination law, as well as our major networking event 'Wigs at the Bar'; information about which will be posted on our [Facebook page](#) in the coming weeks.



Sean Goodwin

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THEMIS SUBMISSIONS



CALL FOR SUBMISSIONS

Are you an aspiring writer interested in having your opinion heard on topical social justice issues? If so, JATL wants you!

Every Themis publication aims to feature several student submissions. The theme of the next edition will be focused on the legal issues faced by indigenous Australians. More information will be posted on our [Facebook page](#) soon.

Submissions should be send to:

themiseditor@justiceandthelaw.org

We look forward to hearing from you!

Don't hesitate to email us with any questions.

JUSTICE AND THE LAW SOCIETY

WHO WE ARE & WHAT WE DO

JATL is a not-for-profit student organisation that operates under the auspices of the University of Queensland's TC Beirne School of Law.

We provide a social and professional network between students and the legal community and increase awareness of the social justice implications of the law, especially with regard to gender equality and discrimination issues. Under the patronage of the Honourable Justice Debra Mullins of the Supreme Court of Queensland, JATL is proud to comprise a diverse membership base including students, legal professionals, academics and members of the wider community.

JATL'S AIMS AND OBJECTIVES INCLUDE:

- * Investigating, publicising and providing information about social justice issues affecting the community;
- * Increasing awareness of social implications of laws and policies and ensuring that legal education is situated within a social context; and
- * Fostering networks among members, students, the legal profession and existing professional associations.

OUR ACTIVITIES COVER THREE BROAD CATEGORIES:

—JUSTICE—

A legal perspective on social justice issues is something that underpins all JATL's activities. We run a number of Social Justice Seminars each year focusing on the legal and social justice implications of current topical issues.

—EDUCATION—

JATL runs a host of programs and events aimed to inform students of their career options, especially (but not limited to) those with a social justice element. These include the Magistrates Work Experience Program, and its related publication *Pandora's Box*; networking events including *Speed Networking* and *Justice in Action*

—SOCIAL—

JATL provides a unique opportunity for law students to meet other students as well as a diverse array of professionals and facilitates social occasions such as the *Welcome Dinner* and the *Annual Professional Breakfast*.

We welcome anyone with an interest in law and justice, as well as those just keen to find out more.

THEEXECUTIVE

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JATL

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SUBMISSIONS—Testimonials



The Aurora Project

Bianca Shaw & Emily Anderson

Law is a powerful tool that can be used to build stronger relationships between people and the land. This is one of the key functions of native title law, achieved by granting recognition of the traditional owners of the land. Undertaking an Aurora Native Title internship was not only an interesting insight into this process, but also an unexpected education in environmental law and its many applications. This reflective piece aims to shed some light on two different sides of the native title process and how our experiences as interns through the Aurora Project increased our understanding of this interdisciplinary legal niche, with a focus on environmental law. Bianca Shaw is a 6th year LLB/BA student who enjoyed a month long placement in at Chalk & Fitzgerald, a reputable Sydney commercial firm specialising in native title law. Emily Anderson-James is a 6th year LLB/BA student, recently returned from five weeks in the legal team at NTSCORP in Sydney, the native title service provider for New South Wales and the ACT.

Bianca Shaw's Chalk & Fitzgerald experience:

During 2013 I undertook a Clinical Legal Education role at The Environmental Defender's Office (EDO) in Brisbane where one of my roles was monitoring mining application approvals. My internship at Chalk and Fitzgerald unexpectedly saw me confronted with many of the same mining projects, only now I was approaching my work from yet another angle. I was pleasantly surprised with the amount of environmental law knowledge I was required to employ in my role at Chalk and Fitzgerald. Particularly when dealing with mining and urban development projects, I was required to analyse them with regards to the myriad of planning and environment legislation at both a state and federal level. This required me to build on my previous understanding and experience with planning and environmental legislation from my studies of Environmental Law at UQ and my time spent at EDO. What is unique to native title in addition to this framework is the need to protect Aboriginal culture and heritage in relation to the pre-existing planning and environmental legislation.

Environmental law isn't always about forests, wetlands and national parks. Often we will be required to call on planning and environment legislation when dealing with heritage buildings, urban development, and transport corridors, to name but a few applications. Native title claims, land claims and land use and development will no doubt call on an understanding of environmental law at some stage.

Emily Anderson-James' NTSCORP placement:

During my time at NTSCORP, I was privileged to be involved in the busy daily activities of a native title representative body. I began my internship with little knowledge of the native title system beyond two lectures with Associate Professor Margaret Stevenson, and admittedly low expectations. What I discovered was eye-opening, rewarding, and genuinely interesting.

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SUBMISSIONS—Testimonials



My placement was in the legal team of NTSCORP which deals with the processing and negotiation of native title claims on behalf of aboriginal claim groups. The legal team works in conjunction with lawyers in the Strategic Development Unit who deal largely with negotiations with mining companies over developments and the future act process. I felt privileged to be involved in the work of the legal team which involved legal research, attending court hearings and mediations, drafting correspondence and legal documents as well as general administrative duties. Despite being in the legal team, I was exposed to the work of the entire organisation which adopts a necessarily collaborative approach between lawyers involved in claim work and strategic development, as well as anthropologists and community facilitators.

The aim of the legal team at NTSCORP is to negotiate native title with the NSW State Government to have the Applicant's traditional ownership over land and waters declared over their country pursuant to the Native Title Act. This internship enlightened me to the extent of the intersection of native title with environmental law, property law, Aboriginal land law, and mining and resource development law and interests.

Summary

Native title law will always have a different priority depending on the particular client. Whether that priority is given to financial development or environmental and cultural conservation will be dependent on a broad spectrum of legal as well as cultural factors. The complex legal, political and cultural environment in which native title law finds itself certainly leads to an interesting work environment.

As mentioned, our internships were facilitated through The Aurora Project, a body established in 2006 to address the professional development needs of lawyers at Native Title Representative Bodies. The Aurora Native Title Internship Program arranges placements between students and graduates for 5 to 6 week unpaid internships, supporting legal and research staff at the 15 Native Title Representative Bodies (NTRBs) as well as at a broad range of Indigenous organisations working in policy development, social justice and human rights around Australia. The Aurora Project offers placements to legal interns, anthropology interns, social science interns and business interns. The social science placements reportedly offer an emphasis on environmental management. The diversity of the placements corresponds with the broad scope of native title law.

Whether you are passionate about native title law, social justice more generally or simply seeking further legal experience, we believe our internship experiences speak for themselves.

If you are interested in taking part in the internship in the future, please visit www.auroraproject.com.au/nativetitleinternshipprogram for more information.

SUBMISSIONS—Testimonials



Providing Access to Environmental Justice

A Volunteer's Experience at the Environmental Defenders Office Queensland

Amy Quinton



As a UQ law student with a strong interest in Environmental Law, I have been fortunate to spend two semesters volunteering at the Environmental Defenders Office (Qld) (**EDO Qld**). At EDO Qld, I worked with experienced and dedicated solicitors, gained exposure to a wide range of Environmental Law areas, assisted with law reform submissions, community education, client advice and litigation matters, attended court proceedings and sat in on post-court barrister debriefs. These experiences have been invaluable to my legal education and professional development, and have opened my eyes to the important role that EDO plays in facilitating access to justice.

For those unaware, EDO Qld is part of a national network of nine EDOs providing legal and education services to thousands of Australians and community groups who can't afford commercial legal services. EDO also undertakes key law reform and policy work. Over the years, EDO has gained a reputation for providing high quality and professional legal work: a reputation that certainly stood up during my time as a volunteer.

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SUBMISSIONS—Testimonials



As an EDO volunteer, I gained an appreciation for the complexity and every-changing nature of Environmental Law. Such complexity, combined with the cost of legal services can be a significant barrier to accessing justice for many Australians. Recognizing this, EDO provides simple, meaningful and affordable legal information and services for the community. Through volunteering, I was able to assist in this process, providing legal research and written work informing legal factsheets, books, advice lines run by volunteer lawyers, public workshops and seminars. These services are the only avenue for many community groups and individual's to adequately address their environmental concerns. I now realize the significant gap that would be left in the community's ability to access environmental justice if EDO could no longer perform its functions due to lack of resources.

As experienced environmental lawyers, EDO solicitors provide valuable environmental law reform and policy information to decision makers. Because EDO only works on public interest matters, they are in a privileged position to focus on and identify how proposed law reform may impact the environment and community, and to advise on best practice approaches to Environmental Law developments. As a volunteer, I undertook legal research for several written submissions relating to issues including public participation in environmental decision making and the potential environmental impacts of policies aiming to 'cut green tape'. Through this process I observed EDO's commitment to making well-researched and informed submissions, backed by sound legal reasoning, precedent, and public interest concerns. These submissions are a valuable source of information for policy and decision makers, which often counterbalance submissions from strong private economic interests.

When I started volunteering at the beginning of 2012, I took it for granted that the EDO would receive government funding for its important and widely recognized community legal work. However, many will be aware that this assumption was naïve, as EDO has since experienced severe funding cuts at both State and Federal levels. In 2012, the Newman Government terminated all EDO State funding. In December 2013, the Federal Government announced that it will cut approximately \$10 million in funding across Australia's EDOs, and end long standing bipartisan annual payments of between \$90,000-100,000. These sudden and drastic funding cuts could potentially damage the community's ability to have their concerns addressed through the legal system, especially if several EDO's are forced to close as a result. The EDO is concerned that vested interests have influenced the Federal Government's decision, and has recently lodged a freedom of information request for any written representations to the Federal Government over funding cuts.

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SUBMISSIONS—Testimonials



My experience at EDO has shown me first hand the valuable role EDO plays in promoting the public interest on legal environmental matters and facilitating community access to justice. Without EDOs, communities will lose a vital resource for protecting the places they love and decision and policy makers will lose a valuable source of information on environmental law and policy. As a consequence, there will be an increased risk of weaker environmental laws, loose approval conditions for major developments, and ultimately, breaches of environmental justice.

Despite recent challenges, EDO's resilience and ongoing commitment to facilitating environmental justice is inspiring. It is also encouraging to see the strong community support for EDO that has arisen since the Government funding cuts. If you are interested in finding out more about EDO's important work, donating to or volunteering at EDO, you can visit EDO Qld's website [here](#).





Let's Unite and Overthrow... The Humans

Joanne Lee

People of the modern world love to speak about liberation. It seems that now animals also have a liberation movement started by humans. In Switzerland, plants have legal standing to make a claim against harassment. Animals in some US jurisdictions have legal standing to sue humans. Whether one believes animals having standing to sue is outrageous or not, the question is whether animals should be treated 'equally' to humans, and hence whether animals should be owed the same legal status as humans. This piece will question the moral underpinnings of modern environmental legislation in relation to how animals are treated. In doing so it will be argued that while morally the equal treatment of animals may be questionably explained, it may nonetheless be a noble goal in practice.

To determine whether animals should be treated equally to humans, the purpose of animals needs to be defined. This purpose can be analysed from the scientific perspective. While some may classify humans to be part of the animal kingdom, this is a mere taxonomy used in science to classify animals to advance the scientific narrative. This narrative speaks to the differences between the inherent capacities that humans and animals possess. The scientific perspective highlights the differences between animals and humans, as opposed to ideological beliefs which tend to be based on how animals and humans are valued differently on a social, cultural and economic level. This ideological view is not without its critics.

Criticisms of how animals are valued by society and at law have been pioneered by animal liberation theorists such as Peter Singer. He argues that because some animals can do what some humans cannot do, and most animals can do what most humans can do, animals therefore are to be treated as the same as humans. Therefore, to treat humans as inherently different from animals is speciesism – a form of discrimination. This argument, however, is flawed. Merely because two things share some capabilities does not mean that they are the same. Similarly, the proportion of subjects in a lower-status group (in this case, the animals) that is capable of being higher than that of a higher-status group (the humans) does not render them the 'same', and hence provides no grounds for more rights to be conferred to the 'lower-status' group.

Humans possess a moral conscience, free will and ability for critical and complex thinking, whereas animals on the other hand, do not. This, however, is not to say that humans have any right to abuse animals. The term 'abuse' means to not use something for its correct or rightful purpose. For example, substance abuse is the use of substances in an irresponsible manner such that one is harmed as a result. Thus, one must enquire into the purpose of the existence of animals.

(Continued...)

SUBMISSIONS



From the economic perspective, it is to provide a means for trading commodities that have a demand. From the scientific perspective, animals are part of a food chain which needs to be in balance to ensure that humans have food to eat. Plants are the ultimate food source being autotrophs (organisms that can independently synthesise their own food from sunlight). Animals and humans are not autotrophs and rely on plants to survive. To maintain the food chain, the populations of animals and plants in relation to each other needs to be balanced ecologically such that each can survive. Thus, it appears that because humans have a capability of maintaining this ecological balance, they have a responsibility to do so. To exercise such responsibility, humans need to exercise dominion over animals and plants which comprise the environment.

As much as I do not appreciate animals being abused, I believe that animals are not equal to humans in moral status. On the other hand, dominion over animals does not equate to abuse of animals. I believe that elevating the status of animals to that of humans would lead to the justification that humans should be eliminated on the grounds of overpopulation.

We live in a strange world indeed, with people of a whole range of beliefs. Whichever way one looks at it, animals are not the same as humans. Humans are capable of a moral understanding and thus should act in a morally responsible manner, unlike animals. Thus, it seems that the purpose of environmental law is to foster responsibility in human use of natural resources, rather than to give animals and plants equal moral standing to humans.



SUBMISSIONS— From the Law School



'Offsetting' environmental harm – or paying for it?

Justine Bell

One of the more controversial aspects of environmental law in recent times has been the ability given to proponents to 'offset' negative impacts on the environment. In a standard environmental impact assessment process, the proponent and the decision-maker will identify potential negative environmental impacts, and propose mechanisms for avoiding, minimising or mitigating these impacts. In contrast, an offset condition allows for a negative environmental impact to occur, with the impacts at the project site (the 'impact site') compensated for through activities at another site (the 'offset site') (1). For example, a proponent may be permitted to clear a substantial amount of vegetation at the impact site, and in turn required to replant vegetation elsewhere. Generally, offsets are used as a last resort, where practicable measures to reduce and minimise harm have been exhausted.

Where an offset is used, the aim is often described as 'no net loss'. (2) For example, although vegetation is cleared at one site, enough trees are planted at another site to retain the same environmental benefit. Because activities like replanting may not be successful, offsets usually involve a multiplier: that is, a proponent may be required to plant two or three times as many trees as they cleared. More recently, some offset policies have required a positive impact or 'net gain'. (3) Therefore the action at the offset site must result in enhanced environmental values. Irrespective of these safeguards, there is always a risk that offsets will not succeed, and important environmental values will be lost.

The application of offsets in Australia has, in the past, been relatively ad-hoc. To address this, a comprehensive offsets policy was introduced at the Federal level in 2012, (4) and an offsets Bill was introduced before Queensland Parliament in February 2014. (5)

Consistent with general practice, the Commonwealth policy requires the majority of an offset to be delivered through direct measure: that is, the proponent undertakes work themselves, or engages a third party to do so. However, 10% of the offset may consist of 'compensatory measures', such as funding for research. (6)

The Bill introduced in Queensland adopts a fundamentally different approach. If an offset is imposed as a condition of development approval, a proponent may choose whether to deliver the offset condition through action, by a payment to government, or by a combination of both. In effect, a proponent can fulfil their entire offset requirement through payment of money. (7) This money is paid to government, and the government agency may contract with a third party to deliver the offset. (8)

(Continued...)

(1) Maron M et al, "Faustian bargains? Restoration realities in the context of biodiversity offset policies" (2012) 155 *Biological Conservation* 141 at 142

(2) Kate K, Bishop J and Bayon R, Biodiversity Offsets: views, experiences, and the business case (2004) at 6, <http://cmsdata.iucn.org/downloads/bdoffsets.pdf>.

(3) Ibid.

(4) Australian Government Department of Sustainability, Environment, Water, Population and Communities, Environment Protection and Biodiversity Conservation Act 1999: Environmental Offsets Policy (2012) <http://www.environment.gov.au/epbc/publications/pubs/offsets-policy.pdf>.

(5) Environmental Offsets Bill 2014 (Qld).

(6) Australian Government Department of Sustainability, Environment, Water, Population and Communities, n 5 at 9.

(7) Environmental Offsets Bill 2014 (Qld), cl 18.

(8) Environmental Offsets Bill 2014 (Qld), cl 25.

SUBMISSIONS— From the Law School



The Bill does not make it entirely clear how the proceeds of the funds will be spent, although the explanatory notes indicate that these funds will be channeled into 'offsets that benefit the matter impacted'. (9) For example, if the action involves clearing a particular species of tree, theoretically the funds will be used to protect or enhance the environment of the same species.

This is an approach with clear benefits for proponents of projects. Being able to acquit offset obligations through payment of a fee to government is much simpler than proponents having to arrange offsetting activities themselves. However, the question must be asked whether this is a satisfactory way to achieve environmental goals. Even if the funds are indeed channeled into appropriate offset activities, there may still be a perception that a proponent can buy their way out of having to pursue environmental protection activities. For large commercial operators, an additional payment to government for offset activities may not be a significant financial burden. Environmental laws and policies should ensure that proponents are aware of, and required to confront, the environmental consequences of their actions.

Offset policies can be an extremely useful component of environmental regulation, as they can offer proponents flexibility in meeting environmental protection targets. However any approach that allows for environmentally harmful practices to occur in return for financial payment should be seriously questioned.

(9) Explanatory notes, Environmental Offsets Bill 2014 (Qld) 2.



SUBMISSIONS— From the Profession



Ecological Sustainable Development (ESD) in Queensland

Rana Koroglu & Paul Perovic



The Queensland Government's approach to the principles of Ecological Sustainable Development (ESD) is troubling. While ESD is a concept which has been well embedded in State and Commonwealth laws in Australia since 1992, the State Government has recently made a deliberate move to reshape the language of environmental policy away from ESD, which is seen to 'stifle' development.

While there is no universally accepted definition of ESD, Australia's National Strategy for Ecologically Sustainable Development, endorsed by all Australian jurisdictions in 1992, defines the goal of ESD as: *"using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased"*.

The principles of ESD have since been further developed in Australian law and are now embedded in five key principles under section 3A of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act):

- decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations;
- if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- the principle of inter-generational equity--that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;
- the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making;
- improved valuation, pricing and incentive mechanisms should be promoted.

Under the long standing Intergovernmental Agreement on the Environment, the Queensland Government must use ESD principles to inform its own policy making and program implementation. As such, ESD principles have been incorporated into State and Commonwealth legislation since 1992. However, since coming to office in March 2012, the Queensland Government has omitted and removed references to, and undermined the application of, ESD principles in their entirety.

While there is still legislation in Queensland (mostly drafted in the early 1990s) that requires the State to apply some (but not all) of the principles of ESD, such as the *Sustainable Planning Act 2009* and the *Environmental Protection Act 1994* there has been a failure to introduce and implement ESD in all other planning legislation and an active removal of ESD principles from existing legislation. For example:

(Continued...)

SUBMISSIONS— From the Profession



- Recent changes to the *Nature Conservation Act 1992* (Qld) removed ‘ecologically sustainable use’ of nature as the objects of that act.
- For most major development projects (i.e. port expansions, dredging, infrastructure, large scale development such as resorts or casinos etc.), the prevailing legislation is the *State Development and Public Works Organisation Act 1971* (Qld). This Act grants the unfettered power to a senior public servant, the Coordinator-General, to approve projects, impose conditions and fast-track development applications, all without being required to consider or implement the principles of ESD.
- The *Transport Infrastructure Act 1994* (Qld), the main Act dealing with Priority Port infrastructure (including ports on the Great Barrier Reef), does not have ESD as the object of the legislation. In fact, the word ‘sustainability’ does not appear once in the entire Act.
- There are no ESD principles expressed in either in the new *State Planning Policy* (SPP) which forms the basis for all regional and local planning instruments that guide where development can occur. ESD is not mentioned once in the entire SPP, despite a ‘requirement’ that the SPP advance the purposes of *Sustainable Planning Act* which include ‘ecological sustainability’.
- The *Regional Planning Interests Act 2014* (Qld) which seeks to balance competing land uses of mining and CSG development with agricultural and environmental priorities, does not reference ESD, nor does it practically give effect to the principles of ESD, especially the precautionary principle.
- Queensland’s current *Sustainable Planning Act 2009* (Qld) is due to be replaced in July 2014 and the proposed *Planning for Queensland’s Development Act* has removed the principles of ESD, focussing instead on ‘planning for economic development’.
- The Queensland Government has recently announced a review of the *Water Act 2000* (Qld), with a view to removing ESD principles from the current objects of that Act.

Simply having ‘economic development’ as the principal consideration in environment and planning decision making will result in the continuing trend of decreases in Queensland’s unique biodiversity due to the failure to address the environmental impacts of development. In order to balance social, economic and environmental objectives, decision-making on development is best guided by the long-established principles of ESD.



MEET OUR EXECUTIVE TEAM



Sam Walpole

Position

President.

Degree/Year?

4th year LLB/BA.

What is your favourite law pun or pick up line?

Being a bit of an admin law nerd I think I have to go with: 'I don't know if I have standing, but I'd love to court you.'

I'm still concerned about the Central Queensland Speological Society lacking standing.

Who is your favourite fictional lawyer?

As much as I enjoy the hilarious havoc of Cleaver Greene, I would say I aspire more to one day be like Mr Hammill QC in The Castle (for those that don't know the characters by name: he's the retired silk who saves the Kerrigan home).



Shane Montgomery

Position

Vice-president—Admin.

Degree/Year?

4th year LLB/BA.

What is your go-to method of procrastination?

Watching reruns of Rake because lets face it, it sort of counts as study.

Who is your favourite fictional lawyer?

Sam Seaborn dressed in Harvey Specter's suit.

If you came with a warning label what would it be?

Contents under pressure: do not shake. Mostly harmless.



MEET OUR EXECUTIVE TEAM



Position

Treasurer

Degree/Year?

4th year law/commerce.

What is your go-to method of procrastination?

Reading, watching YouTube and online shopping!

What is your favourite law pun or pick up line?

My friend over there thinks I would be liable for negligence if I neglected to come over and talk to you.

Christine Chang

Position

Secretary

Degree/Year?

4th year Law/Arts (Japanese)

What is your go-to method of procrastination?

I like to convince myself that because I speed up my lecture recordings, I earned myself some time on the internet, and do some online shopping and go on Tumblr.

If you came with a warning label what would it be?

- Will never miss an opportunity to sing what can be spoken. This is coupled with a dangerously low level of hand-eye coordination. Keep at a safe distance to avoid getting hurt -



MEET OUR EXECUTIVE TEAM



Lisa Lee

Position

Vice-president—Careers

Degree/Year?

5th year LLM/BBusMan.

What is your go-to method of procrastination?

Brew a cup of tea and hunt down quality dark chocolate.

If you came with a warning label what would it be?

Warning: can be painstakingly meticulous (even when all, including her, are stressed).

Jessica White

Position

Vice-president—Social Justice

Degree/Year?

6th year Law/Science (Genetics)

What is your go-to method of procrastination?

I procrastinate by the reliable method of making tea every time I study and then continuously getting up to get more tea. I also intersperse this with checking if the fridge contents have changed and if anyone has sent me stuff on facebook.

Who is your favourite fictional lawyer?

Elle Woods. Bubbly and always well dressed. She is an amazing lawyer because she cares about people and the truth.



MEET OUR EXECUTIVE TEAM



Myrella-Jane Byron

Position

Careers officer.

Degree/Year?

4th year law/arts.

What is your go-to method of procrastination?

Naptimes. I love naptimes. And baking. Together they are amazing.

What is your favourite law pun or pick up line?

"I don't know if I have standing, but I'd love to court you".

Stephanie Calquhoun

Position

Careers officer.

Degree/Year?

6th year LLB/BSc and Dip.Lang. (German).

What is your go-to method of procrastination?

I love to either plan my next holiday or trip, or watch documentaries online.

Who is your favourite fictional lawyer?

It is hard to go past Mr Specter with his 'ball busting' attitude. It's a shame there are not any lawyers in Harry Potter, magic and law would have been a fantastic combination.



MEET OUR EXECUTIVE TEAM



Otis Platt

Position

Social Justice Officer.

Degree/Year?

3rd year Law/Arts (International Relations and History).

What is your go-to method of procrastination?

Facebook. Hands down. Followed closely by Youtube and reading non-study related non-fiction.

What is your favourite law pun or pick up line?

"Assault & Battery Fish n Chips", a Devereux classic.

Who is your favourite fictional lawyer?

Esther Randolph from Boardwalk Empire. She just seems like the only character on the show who isn't crooked by the standards of its Prohibition Era setting. She's also a badass public prosecutor.

Clare Manton

Position

Social Justice Officer.

Degree/Year?

5th year law/arts.

What is your go-to method of procrastination?

Tumblr, BuzzFeed, 2048 (horribly addictive) and blindly taking on more responsibility!

What is your favourite law pun or pick up line?

Hey girl, I'm no Jarrod Bleijie, I'll keep all our dealings confidential.

Who is your favourite fictional lawyer?

Miranda from Sex and the City: a Harvard Law graduate, sarcastic to a fault and perpetually underwhelmed by the actions of misogynists. She's everything I want to be.



MEET OUR EXECUTIVE TEAM



Tristan Pagliano

Degree/Year?

4th year Bachelor of Laws.

What is your go-to method of procrastination?

In this order based on level of desperation: Facebook, Twitter, Youtube, the Guardian, Crikey, Brisbane Times, ABC News, The Telegraph, The Herald Sun, Fox News Online, The Courier Mail, The Australian, LinkedIn and, finally, if I'm really running low on material, Obiter.

What is your favourite law pun or pick up line?

"Santa Claus, the tooth fairy, an honest lawyer and an old drunk are walking down the street together when they simultaneously spot a hundred dollar bill. Who gets it? The old drunk, of course, the other three are fantasy creatures."

Alasdair McCallum

Degree/Year?

5th year Law/Arts.

What is your go-to method of procrastination?

It's hard to beat Wiki's daily featured article. There is nothing like reading about Disco Demolition Night and lists of aquatic mammals until your eyes bleed.

Who is your favourite fictional lawyer?

Sandy Cohen from the OC. A lot of the characters in that show were kind of immature and confused about life but Sandy always seemed to have some advice to make everything right. I feel like he served as the moral compass for a generation.

If you came with a warning label what would it be?

Batmask and body armour are not protective. Batcape does not allow user to fly.



MEET OUR EXECUTIVE TEAM



Pui-Chi Cheung

Position

Social Media & Marketing Officer.

Degree/Year?

6th year Law/Commerce.

What is your go-to method of procrastination?

This beautiful thing called watching countless hours of a show you never knew you needed to watch countless hours of. Just one more episode?

What is your favourite law pun or pick up line?

I haven't misbehaved and we don't need no supervision, so can I get specific performance (I won't judge)?

If you came with a warning label what would it be?

Prone to feminist rants, fangirl squees and caffeine induced D&Ms.

Steph Enarbia

Position

Communications officer.

Degree/Year?

4th year Law/Journalism.

What is your go-to method of procrastination?

Procaffination. I don't start anything until I've had a cup of coffee.

Who is your favourite fictional lawyer?

3. Denny Crane. "Denny Crane."

2. Marshall Eriksen. "LAWYERED."

1. Harvey Dent. ""You believe in the justice system, don't you, Vernon? You didn't spend all those years in Law School for nothing, right? Then you know, justice has two sides. Innocent or guilty. Like this coin. One side clean. The other side scarred." (Batman: The Long Halloween)



MEET OUR EXECUTIVE TEAM



Sean Goodwin

Position?

Themis editor.

Degree/Year?

5th year Law/Arts (Chinese)/Diploma of Global Issues.

What is your go-to method of procrastination?

Trying to make my cat love me, and getting lost in Tamriel.

What is your favourite law pun or pick up line?

Judicial mandate.

Who is your favourite fictional lawyer?

The good wife!

Magan Goh

Position

Committee member.

Degree/Year?

4th year Bachelor of Business Management/Law.

What is your go-to method of procrastination?

Watching Youtube vlogs of how people enjoy life outside of law school (Haha!). Or just going out for a quick workout always helps!

What is your favourite law pun or pick up line?

Lawyers "pick... up"? You mean like pick up cases?



MEET OUR EXECUTIVE TEAM



Samantha Chai

Position

Committee member.

Degree/Year?

4th year Bachelor of Business Management/Bachelor of Laws.

What is your go-to method of procrastination?

Instagram.

Who is your favourite fictional lawyer?

Harvey Specter.

May-Ann Chen

Position

Committee member.

Degree/Year?

4th year Arts/Law.

What is your go-to method of procrastination?

Buying weirdly flavoured chocolate or eating Nutella out of the jar. Or both at the same time.

What is your favourite law pun or pick up line?

No pick up line could do you... justice.



MEET OUR EXECUTIVE TEAM



Amber Black

Position

Committee member.

Degree/Year?

4th year Law/Arts.

What is your go-to method of procrastination?

Watching Friends, Scrubs... any slightly older American sitcom really.

If you came with a warning label what would it be?

Danger: Obsessive about detail!

Wendy Pei

Position

Committee member.

Degree/Year?

4th year Law/Arts.

What is your go-to method of procrastination?

Watching videos of baby sloths on YouTube.

What is your favourite law pun or pick up line?

A Salt and Battery. (Excellent fish and chip shop down Hawken Drive)



MEET OUR EXECUTIVE TEAM



Samuel Lui

Position

Committee member.

Degree/Year?

4th year Bachelor of Commerce/Laws.

What is your go-to method of procrastination?

I will browse the internet to look for and read news/journal articles on any topic that is unrelated to the subjects I am doing in that semester.

Who is your favourite fictional lawyer?

Myself - I'm making undertakings to escape 'fictional lawyer' status, though!

If you came with a warning label what would it be?

Contents may be hot, but probably not to a reasonable person.

HIGHLIGHTS FROM THIS YEAR



JUSTICE IN ACTION



