Phyllis has taken a vast range and variety of community work in her stride for many decades

Phyllis Gray OAM turned 92 on January 21 and a month later recited the Ode at the Order of Australia’s Remembrance ceremony at the Association’s annual conference in Brisbane.

Born in Naracoorte, Phyllis was a member of 30-plus community organisations, including several women’s professional groups, Red Cross, Legacy, Guide Dogs, Order of Australia Association, Crippled Children’s Association, Victoria League and Australian American Association.

She was awarded one of the first Order of Australia Medals in 1977 for her incredibly active community involvement.

She and husband Gordon, both active in Adelaide’s business and community groups, helped set up the International Hair Stylists and are still joint patrons of it.

In 1982 they retired to the Gold Coast, where Phyllis continued her community work with great commitment. She is still active in Zonta, Australian American Association, the Ionians and the Order of Australia Association.
A human rights act, a bill of rights and the Constitution

There’s nothing like the issue of “rights” — whether a bill of rights or a human rights act — to bring out the country’s debaters including, among others, former High Court judges, a priest and a TV presenter.

At present people are being asked to comment on the framing of a human rights act which could incorporate a “bill of rights” — with one important distinction.

An act of parliament can be changed by successive governments; a bill of rights (generally associated with the United States) is usually part of a country’s constitution and much more difficult to change.

One of the first questions about a human rights act of parliament was raised by former High Court Judge Michael McHugh AC who expressed doubts that elements of the proposed model were constitutionally valid.

To examine the issue of such an act’s validity and “to clear the air” the Australian Human Rights Commission recently held a round table, bringing together some of Australia’s leading constitutional and human-rights lawyers, including Mr McHugh and former Chief Justice Sir Anthony Mason AC KBE, to discuss the constitutional validity of a human rights act.

The principal concern had been that

it might be unconstitutional for a court to issue a declaration of incompatibility, a common feature of human rights acts elsewhere. It was suggested that an independent body such as the Australian Human Rights Commission could keep a watch on cases and notify the Parliament through the Attorney-General if a court were unable to interpret the legislation in a way that was compatible with the Human Rights Act.

According to the President of the Australian Human Rights Commission, Cathy Branson QC, the time is right for Australia to join other Western democracies in giving formal protection to human rights in Australia through a national human rights act. She said concerns that a national human rights act would fall foul of the Constitution can be put aside confidently.

Enter former High Court judge Ian Callinan AC. In a book of essays on the topic, he writes that a bill of rights risks politicising the court system and corrupting members of the judiciary with power, according to a report in the Sydney Morning Herald.

He says a bill of rights would outsource political power to the courts. “That is not good government and can be worse for the courts. Judges are not immune to the narcotic of power. Most but certainly not all avoid addiction.

“That some cannot, and then even those who do, have no choice under a bill of rights but to decide a vague rights question as best they can, are factors which influence me.”

Mr Callinan sounds his warning in a book published on May 25 in Sydney. Compiled by the Menzies Research Centre, a conservative think-tank, the book contains essays by 24 prominent Australians, including the former prime minister, John Howard, arguing against a bill of rights.

The Frank, Philip, Mary, Mick and Tammy show — and you

If you thought this debate was restricted to judges, lawyers and politicians think again. Everybody has the chance to have a say through the government-appointed independent committee to run the nationwide consultation. It consists of:

Father Frank Brennan AO, a committed advocate of human rights, having worked tirelessly for others for over 30 years and has won a number of human-rights awards. A Jesuit priest, he is a professor of law at the Australian Catholic University and Visiting Professorial Fellow at the University of NSW.

He was the founding Director of the University Social Justice Centre in Sydney. He has also written extensively on aboriginal land rights and, in 1995, he was awarded an Order of Australia for his services to indigenous Australians.

Philip Flood AO, a distinguished former diplomat and a former senior public servant. His career highlights include being Secretary of the Department of Foreign Affairs and Trade and High Commissioner to the United Kingdom. He was also Ambassador to Indonesia and Director-General of AusAID.

Since retiring from the diplomatic service in 2000 he has been actively involved with Care Australia, the Australia-Indonesia Institute and AsiaLink.

Mary Kostakidis, a well-known journalist and former television news presenter from Sydney. She has a long history of community service, working with organisations such as Drug and Alcohol Council of Australia, the Order of Australia Honours committee and the Advertising Standards Board.

She is on the board of the Fred Hollows Foundation. Previously she was a member of the Breast Cancer Council Advisory Committee, the Constitutional Centenary Foundation and the Republic Advisory Committee.

Michael (Mick) Palmer AO APM, a former Australian Federal Police Commissioner. He served for six years as Commissioner of the Northern Territory Police, Fire and Emergency Services. He is now the Inspector of Transport Security. A lawyer, he is an honours graduate of the Queensland Barristers Admission Board and in 1982 was admitted to practice as a barrister at law in Queensland.

In 1997 he became the first Australian to be appointed to the Executive Committee of Interpol. In 1998, Mick was appointed Deputy Chairman of the Australian National Council on Drugs.

He was also appointed by the former Prime Minister to oversee the inquiry into the Government’s handling of Cornelia Rau in 2005.

Well before her 20s Tammy Williams was a vocal spokeswoman for issues affecting young people in Australia. In 1996 she attended the Summit on Sustainable Development held in Durban, South Africa in 2001. She won her law degree at the Queensland University of Technology in 2001 and was admitted to practice as a barrister in Queensland in 2004.

She has worked as a prosecutor for the Commonwealth Director of Public Prosecutions and in 2003 was named the “Emergent Young Lawyer of the Year” by the Queensland Women’s Law Association.

She’s also one of the indigenous directors on the Board of Indigenous Enterprise Partnerships.

For more information about how to contribute to the human rights act consultation (deadline July 7), go to: www.humanrightsconsultation.gov.au/ www.nhrcc/nhrcc.nsf/page/home

The round-table statement concerning the constitutional validity of an Australian human rights act can be found at http://www.humanrights.gov.au/
Foundation's 10th anniversary winners

Twenty-year-old Rebecca Evans, of Darwin, Northern Territory, is enrolled for the degree of Bachelor of Teaching and Learning at Charles Darwin University. From an early age Rebecca has wanted to be a teacher because of an outstanding teacher she once had. She wants to be someone who will make a difference in the life of a child. She has held many teaching and caring positions — a child-care worker in an outside-school-hours program; night respite carer for a family for Family and Children’s Services; and in school sports and fete days. Her Student Teacher Bursary recognises her academic record and potential to become a teacher. With qualifications including Childcare Warden Emergency Management Procedures, St John Ambulance Senior First Aid and Epipen Administration, Asthma Foundation Emergency Treatment and Heart Aid and Epipen Administration, St John Ambulance Senior First Aid and Epipen Administration, Rebecca is gaining skills to back her voluntary work. Basketball is her favourite sport as both player and coach. She works to support herself so her week involves juggling lectures, research, travel, teaching practice and volunteer work but she continues to obtain high marks. She has chosen Primary Teaching as her field of study and is emphatic that she does not want to be a good teacher — but rather a teacher of excellence!

Twenty-year-old James Hicks, of Noorat, Victoria, is enrolled for the double Degree of Bachelor of Business (Management) and Bachelor of Engineering (Mechanical) at Swinburne University of Technology.

James completed secondary school at Terang College and was school captain and SRC president. In 2006 he was Lions Youth of the Year Regional winner. He excels in many other areas: — Scouting, receiving its highest award; debating, winning at the Warrnambool Eisteddfod; football, selected in the Geelong Falcons TAC cup squad; athletics, state triple jump champion; Duke of Edinburgh Award; music, outstanding on guitar; lifeguarding at the local pool; Conservation Volunteers Australia; and leadership, always being called on to represent groups or individuals to effect change in the community. He had a unique opportunity to work with Victorian State Government ministers to seek funds for a youth leadership program at Glenormiston College, Victoria.

He has always been interested in how things work and why things happen and wants to be the CEO of a major company and enter politics! He also hopes to study overseas.

Funding for this Scholarship was generously donated by Mr David Mandie AM OBE.

Twenty-two-year-old Jarrod Hodgson, of Melbourne, is enrolled for the double Degree of Bachelor of Arts and Bachelor of Science at Monash University.

He is studying the complementary areas of geography and conservation biology with a view to a future in environmental policy. After completing secondary school at Whitefriars College in 2005, where he was social justice captain, Jarrod spent six months in Kolkata (Calcutta), India, as a volunteer aid worker caring for the dying and destitute in both the medical and food programs.

Jarrod became a Queen’s Scout in 2005 and volunteers to work with a Melbourne Scout group for adolescents with disabilities. He recently led a 28-person Australian Scouting contingent to Kobe, Japan, where he was responsible for the Scouts and their carers.

At Monash University, Jarrod was the only undergraduate science student to be included in the Vice-Chancellor’s Student Leadership Program and then was selected to attend the Australian Davos Connection Future Summit.

Jarrod has a passion for the environment. His love of the outdoors and his academic interest in the natural world puts him on a path to leadership in the environmental sciences. Funding for this Scholarship was generously donated by The Finkel Foundation.

THE ORDER OF AUSTRALIA ASSOCIATION FOUNDATION
Summary of Foundation Awards 2004–2008

<table>
<thead>
<tr>
<th>Year</th>
<th>Awardee</th>
<th>Course of Study</th>
<th>Tertiary Institution</th>
<th>Mentor</th>
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<tbody>
<tr>
<td>2004</td>
<td>Rahul Khubchandani</td>
<td>Engineering &amp; Commerce</td>
<td>Uni of Western Australia</td>
<td>Mr Dennis Glennon AO</td>
</tr>
<tr>
<td></td>
<td>Felicia Ang</td>
<td>Commerce and Science</td>
<td>Uni of Melbourne</td>
<td>Prof. Adrienne Clarke AC</td>
</tr>
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<td></td>
<td>Natalie Rainger</td>
<td>Graduate Medical Degree</td>
<td>Uni of Sydney</td>
<td>Dr John Yu AC</td>
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<tr>
<td>2005</td>
<td>Melissa Bowtell</td>
<td>Occupational Therapy</td>
<td>Uni of Queensland</td>
<td>Dr Cherrell Hirst AO</td>
</tr>
<tr>
<td></td>
<td>Nicholas Clements</td>
<td>Arts</td>
<td>Uni of Tasmania</td>
<td>Dr Kaley Kruop OAM</td>
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<tr>
<td></td>
<td>Jason Ford</td>
<td>Advanced Dip of Eng (Civil)</td>
<td>Victoria Uni</td>
<td>Mr John B Laurie AC</td>
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<tr>
<td></td>
<td>Andrew Johnson</td>
<td>Advanced Dip of Arts (Graphic Design)</td>
<td>Victoria Uni</td>
<td>Mr Harold Mitchell AO</td>
</tr>
<tr>
<td></td>
<td>Emily Bond</td>
<td>Cert in Animal Technology</td>
<td>Victoria Uni</td>
<td>Prof. Wayne Morrison AM</td>
</tr>
<tr>
<td>2006</td>
<td>Ashley Hunt</td>
<td>Chemical Engineering</td>
<td>Curtin Uni</td>
<td>Mr Robert King OAM</td>
</tr>
<tr>
<td></td>
<td>Jarrod Cody</td>
<td>Electrical &amp; Mechatronic Eng</td>
<td>Uni of SA</td>
<td>Mr David Klingberg AM</td>
</tr>
<tr>
<td></td>
<td>Johanna Elms</td>
<td>Advanced Science (Pharm)</td>
<td>Uni of NSW</td>
<td>Prof. Sam O'Donnell AO</td>
</tr>
<tr>
<td></td>
<td>Laurie Pearcey</td>
<td>International Studies</td>
<td>Uni of NSW</td>
<td>Mr Sam Wong AM</td>
</tr>
<tr>
<td>2007</td>
<td>Sara Farnbach</td>
<td>Nursing</td>
<td>Uni of Canberra</td>
<td>Ms Kaye Hogan AM</td>
</tr>
<tr>
<td></td>
<td>Glen Smith</td>
<td>Commerce &amp; Law</td>
<td>Uni of Adelaide</td>
<td>Mr Ross Adler AC</td>
</tr>
<tr>
<td></td>
<td>Tom Molomby</td>
<td>Electrical Eng, Science</td>
<td>Uni of NSW</td>
<td>Dr Peter Farrell AM</td>
</tr>
<tr>
<td></td>
<td>Amelia Parker</td>
<td>Engineering (Biomedical)</td>
<td>Uni of Sydney</td>
<td>Prof. David Burke AO</td>
</tr>
<tr>
<td>2008</td>
<td>James Hicks</td>
<td>Business (Management)</td>
<td>Swinburne</td>
<td>TBA</td>
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<tr>
<td></td>
<td>Rebecca Evans</td>
<td>Teaching &amp; Learning</td>
<td>Charles Darwin</td>
<td>Mrs Wendy James OAM</td>
</tr>
<tr>
<td></td>
<td>Jarrod Hodgson</td>
<td>Arts/Science (Geography &amp; Conservation Biology)</td>
<td>Monash</td>
<td>Mr Chris Leptos AM</td>
</tr>
</tbody>
</table>
Roger Dace AM QGM is the new National Secretary of the Order of Australia Association, succeeding Jim Leedman AM.

After a varied and active career in the British Army, Colonel Dace resigned in 1982 to accept a commission in the Australian Army. He became an Australian citizen in 1982. Since arriving in Australia he has been based in Canberra in appointments that have brought him into close and regular contact with Australian industry.

Colonel Dace worked in the Army’s materiel area before being appointed Director of Value Management in 1989. In this appointment he was responsible for introducing value engineering and value management concepts into the Defence contracting arena. He was President of the Australian Institute of Value Management in 1991 and 1992.

He has been closely associated with the introduction of formal and informal partnering to Defence and the building industry.

Appointed Director of Industry Communication in 1993, he became responsible for the national Defence Procurement Conference, the Australian Defence Industry Quality & Achievement Awards, the Defence and Industry Study Course, Defence regional briefing programs and industry placement initiatives.

He was made a Member of the Order of Australia in the 1996 Australia Day Honours for his service to Defence and to Australian industry. In December 1997 he retired from full-time service with the ADF. He returned to part-time duty in February 1998 and had responsibility for managing the annual national Defence & Industry Conference and the Defence & Industry Study Course until July 2003.

Between 2002 and 2006 he served as Secretary of the ACT Branch of the Order of Australia Association. During 2007 he led the ACT team responsible for the 2008 OAA National Conference.

In April 2004 he was appointed a Visiting Fellow of the National Graduate School of Management, Australian National University. He discontinued this appointment in 2006.

His earlier career began when he enlisted in the British Army’s Intelligence Corps in 1961, where he served until commissioned in the Royal Army Ordnance Corps in 1964.

As a junior officer he served in a number of logistics appointments in the UK and overseas and was ADC to the Queen Mother for a short period. In 1967 he trained as an ammunition officer and spent two years doing bomb disposal in the north of England.

After a brief period in Malaysia, he was appointed in 1970 an instructor at the Royal Military Academy, Sandhurst, where he taught tactics and military law. While at Sandhurst he was appointed a national sailing coach of the Royal Yachting Association and was responsible for developing and delivering the first sailing training program for physically and intellectually handicapped children.

In 1974 he was posted to Northern Ireland on counter-terrorism duties, for which he was awarded the Queen’s Gallantry Medal. He later served in Hong Kong, where he was responsible for managing the initial rush of “boat people”.

Between 1978 and 1980 he worked in London as the British Government’s adviser on the use of high technology by criminal and terrorist groups. He then took up an academic appointment at the Royal Military College of Science, where he lectured in ammunition, explosives chemistry and guided weapons technology.

Help the OAA Foundation

Apply for your official Order of Australia Association plaque. See the other side of address sheet of The Order for more details and order form. The sale of plaques assists The Order of Australia Association Foundation’s fund-raising.

Words of eminent Australians

The Order of Australia Association’s booklet of Orations 2003–2007 records the words and opinions of some of Australia’s finest minds. It contains:

The 2007 Oration
Science, Education and the Australian Experience by Professor Peter Doherty AC

The 2006 Oration
Searching for the Real Australia by Dame Leonie Kramer AC DBE

The 2005 Oration
Advancing the National Interest and The Order of Australia by the Hon Sir James Gobbo AC CVO

The 2004 Oration
The Marginalisation of the Law in Australia by Sir Guy Green AC DBE

The 2003 Oration
Federal Renewal and Unity in Reconciliation – A Return to Government by the People by Lieutenant General John Sanderson AC

Price: $5.50 (incl GST) + postage.
To obtain a copy contact your local OAA Branch.
Pursuing new members

More than 220 members and guests attended the 23rd Annual National Conference in Brisbane in February. Given the economic downturn, the heat, the terrible bushfires in Victoria and the floods in Queensland it was not only a very good turn-out but enthusiastic too! The conference provided a pleasing balance of social, intellectual and administrative activities, a round-up of which, including the oration given by Justice Margaret McMurdo AC, can be found on our web site. On behalf of the members and the National Committee I extend our thanks to the Queensland Conference Committee for all the hard work that went into staging such a successful event. The South Australian team has now got the baton and plans are well under way for the 24th National Conference (which coincides with the Association’s 30th anniversary).

At the National Committee meeting in Brisbane the new guidelines for regional groups were adopted by the directors. This was the last stage in the updating of branch structure and governance — a crucial step towards meeting Strategic Plan Goal 2 (looking after the Association or what it does). The way is paved now for us to further the achievement of other goals in the plan.

The plan identifies attracting new members as an issue. This is a perennial problem that faces many organisations. At present, less than 50 per cent of recipients is an important tool for widening membership.

The Queensland Branch invited Australiania Day Honours recipients to attend the annual conference dinner and Foundation Scholarship presentation so that they could see the Association in action and meet the members informally. As I write this, the investitures of Australiania Day Honours recipients are happening across the country. I hope we will see a greater proportion of these new awardees join the Association as a result of our increased contact with them.

As we settle in to the year, with the challenges of our strategic vision before us, I would like to thank all branch and regional members and state committees for the zeal and energy they devote to the Association. I acknowledge particularly the re-elected executive subcommittee members who give so freely of their time and I welcome our new National Secretary, Colonel Roger Dace AM OGM, who has taken on the role with enthusiasm and efficiency.

I look forward to meeting many of you in my term as chairman and, of course, at the conference in Adelaide.

Replace lost insignia

If you have lost your Order of Australia insignia or lapel pins, you can obtain replacements from:

The Secretary,
The Order of Australia, Government House, Yarralumla ACT 2600
Telephone: (02) 6283 3533
email: honours@gg.gov.au

The Order of Australia Association cannot replace lost insignia or lapel pins.

Tell your own story

Contribute to The Quiet Australians project with your details on the pro-forma on our web site. It features 700 recipients’ histories: www.theorderofaustralia.asn.au

And send your news to:
The Editor, The Order, The Order of Australia Association, Old Parliament House, 18 King George Terrace, Parkes ACT 2600
oaasecretariat@ozemail.com.au

NATIONAL OFFICE BEARERS

National Office
The Order of Australia Association
Old Parliament House
King George Terrace, Parkes ACT 2600
oaasecretariat@ozemail.com.au
Phone: (02) 6273 0322
Fax: (02) 6273 0041

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Secretary: Mrs Colleen Wardell OAM
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weddiland@bigpond.com

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Secretary: Mrs Judy Cherrett
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South Central Suburbs, Central Western NSW
Chairman: Mr John Smith
Secretary: Mrs Masha Smit
PO Box 2171 Parramatta NSW 2150
Ph: (02) 9680 3017
m.asam@bigpond.com

Western Australia
Chairman: Mrs Pat Igoe AM
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Tasmania
Chairman: Mr John Smith
Secretary: Mrs Masha Smit
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lsgoodman@ozemail.com.au

Other branches:

Circular Head, South West, South East, Central West, Clarence/Richmond, Cooffs Coast, Dubbo, Far West, Hastings, Hunter, Illawarra, Manning, Muswellbrook/Scone, Nambucca/Macleay, New England, Riverina, Shoalhaven, South Coast, Southern Highlands, Southern Tablelands.

Queensland
Chairman: Mr Stephen Byers
Secretary: Mrs Christine Byers
PO Box 3525 Adelaide Terrace
Ph: (07) 3265 4734
pmorris@rcseng.ac.uk

By National Chairman
Dina Browne AO

The Order of Australia Association Foundation
Chairman: Hugh Morgan AC
Secretary: Adj Professor Brian O’Keefe AO
Treasurer: Darrell M Hutchinson AM
Old Parliament House
King George Terrace, Parkes ACT 2600
Phone/Fax: (02) 6273 5995
oaafoundation@theorderofaustralia.asn.au

REGIONAL GROUPS (Contact Branch Secretaries)

NSW
Blue Mountains/Hawkesbury/Nepean, Central Coast, Central West, Clarence/Richmond, Cooffs Coast, Dubbo, Far West, Hastings, Hunter, Illawarra, Manning, Muswellbrook/Scone, Nambucca/Macleay, New England, Riverina, Shoalhaven, South Coast, Southern Highlands, Southern Tablelands.

Queensland
Bundaberg, Darling Downs, Sunshine Coast, Gold Coast, Toowoomba, Central Qld, Far North Qld

South Australia
Barossa Valley, Fleurieu Peninsula, South East, Gawler & Districts, Kangaroo Island.

Tasmania
North-West, Northern, Southern

Victoria
Central Highlands, Goulburn Valley & North East, Loddon Campaspe, Mornington Peninsula, Eastern Suburbs, Western Suburbs, South Central Suburbs, Central Suburbs.

Western Australia
Great Southern (Albany), Lower South West, South West (Bunbury), Northern Territory

Dina Browne

www.theorderofaustralia.asn.au

The Order, Winter 2009
Justice Margaret A McMurdo AC, President of the Queensland Court of Appeal, gave the Order of Australia Association Oration at the National Conference in Brisbane in February. In her address, Optimism is Legal in Australia, she deplored the negativity in much of today’s news reports that ignore the often positive and reaffirming human and civic news. She traced both the history of the common law and the slow but now steady progress of women in the legal profession. She reviewed the march of universal suffrage, especially slow for indigenous Australians, and commented on the essential need for an independent judiciary. This is the price for any kind of a rule of law and the judiciary, on the vexed issue of sentencing and uninformal media comment.

In a democracy like Australia, an independent legal profession has the duty of ensuring that every citizen has access to the rule of law. The rule of law provides equal justice for all, regardless of gender, race, skin colour, or power. Power accounts.

High Court of Australia recognised in the Australian Communist Party case that "the essence of a modern democracy is the judicial independence, a person is beyond the reach of the law, and other rights. By ensuring that no changes to the law, media, especially TV and radio news, was low because of the distorted and sensational mis-message delivered by the media, especially TV and radio news and tabloid newspapers.

Chairmen Richard Ackland, in The Sydney Morning Herald, recently discussed this issue with perspicacity [after the publication] of the Bureau of Crime Statistics and Research’s report on public confidence in the criminal justice system. The report concluded that when it came to sentencing criminals, public confidence in the system was low because of the distorted and sensational mis-message delivered by the media, especially TV and radio news and tabloid newspapers.

A critical role of the judiciary is to interpret Australia’s Constitution. In 1951, the Court struck down Attorney General McCarthy’s anti-Communist Act. I am proud to say that the High Court rejected Prime Minister Gough Whitlam’s legislation to oppose a subversion of the Commonwealth and the Communist Party. I am also proud that the Australian people rejected the subsequent referendum to amend the Constitution to criminalise the Communist Party.

The theme of that classic Australian movie, The Castle, is not without some basis! These areas of equity and the common law, and the death sentence imposed upon the trial judge and defence counsel. Tragically, Tuckiar’s High Court victory was pyrrhic. Shortly after his release from custody, he disappeared.

Richard Ackland noted that “it was widely believed in Darwin that he was shot by police and his body dumped in the harbour”.

Sentencing

Sentencing decisions comprise about a third of the workload of the court over which I preside, the Court of Appeal, Supreme Court of Queensland. Our work is done in public. You are welcome to visit the courts. Our decisions are published and easily accessible on the court’s web site. If you are concerned about a sentence imposed in the Queensland Court of Ap- peal, the appeal can be lodged against the sentence here. Preliminary results from aca- demic surveys show that, when ordinary people are asked to decide what sentences for certain crimes should be, they make different decisions.

Richard Ackland, in The Sydney Morning Herald, recently discussed this issue with perspicacity [after the publication] of the Bureau of Crime Statistics and Research’s report on public confidence in the criminal justice system. The report concluded that when it came to sentencing criminals, public confidence in the system was low because of the distorted and sensational mis-message delivered by the media, especially TV and radio news and tabloid newspapers.

The Bureau [published] data to the media and the general public and their reactions to the media reports of judges’ sentencing decisions is the sentencing of offenders. The most common, and perhaps most closely scrutinised of these judicial discre- tion is the sentencing of offenders. The bulk of media reports of judges’ sentencing decisions are broadly reflective of the public’s view. There is no accurate but too often some elements of the media, like talk-back radio programs, report only selected aspects of the matter and whip some members of the public into an frenzy of rage against judges.

ordinary people given the rel- evant facts and law and asked to impose hypothetical sentences, theirs are the same, or lighter than, the sentences, their sentences are the same, or lighter than, those imposed by judges in the real case.

I turn now to the second way in which judges make law. It is in developing the common law and the law of equity through their application to novel factual circum- stances in individual cases. The modern law relating to contracts, unequal, and often unfair, treatment of the rich and the poor, the law of civil wrongs, known as torts, has been developed by judges in this way.

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Tracking regional group members

By Peter McDermott AM CSC
National Regional Groups Coordinator

Given changes in bylaws relating to regional groups, the Association is making a special effort to ensure that regional groups receive the support they need to keep track of their members.

New members are now being invited to nominate which regional group (new) and which state or territory (existing) they would like to be identified with when they join the Association. Membership forms reflect this choice.

There is a need, however, to ensure that existing members’ choices of regional group identification are recorded properly at national, branch and regional levels — a process not previously completed.

Members who have joined since Australia Day 2009 have recorded their preferences already. Existing members will follow this continuing process:

1. State or territory branch regional group coordinators will have a comprehensive list of all financial members in that branch;
2. Regional group conveners or committees should send their lists of regional group members to their branch regional group coordinators who, after confirming that those members are financial, will send a list for each regional group to the National Membership Secretary;
3. The National Membership Secretary will ensure that all members’ regional group identification is recorded in the National Membership Register and will return to every branch a soft copy list of financial members, complete with any regional group identifications. Branch regional group coordinators will then provide all regional group conveners or committees with current lists of financial members of their regional groups.
4. When this has been completed for the first time, branch and regional groups will have a comprehensive list of all members, grouped by regional groups. Members can check their details with their own regional group conveners or their branch regional group coordinators.

WA’s Constable Susan Smith earns Graduate of the Year award

The WA Branch of the Order of Australia Association is proud to support and sponsor the prestigious Police Graduate of the Year Award at the WA Police Academy.

The presentation of the award by Mr Clive Robartson OAM, Chairman of the WA Branch (pictured left), to Constable Susan Smith took place at a graduation at the academy last November 28.

As a trainee, Recruit Smith was elected Assistant Squad Leader as part of a rotation of the leadership role. A team player, she led by example and showed other recruits that she was prepared to undertake tasks. Her professionalism was displayed in her high standards, including those in punctuality, dress and dedication to study.

Three awards

Constable Smith’s attitude to study, discipline, maturity and determination to be a police officer resulted in her achieving the Dux Award, the Geoffrey Bowen Award and the Minister’s Award, all of which were presented to her on her graduation.

An honour board has been mounted in the Academy Learning Centre as a tribute to the winners.

The graduate of the year is selected from all recruits who have graduated from the WA Police Academy in that calendar year. Graduates are nominated by members of the academy staff and the winner is selected by a panel that includes a member of the Order of Australia Association.

Recruits are assessed for leadership, professionalism and intellect, ethical conduct, communications, motivation, commitment and determination, teamwork, attitude and self discipline.

New chairman for Northern Territory committee

A new committee of the Northern Territory Branch is headed by long-term territorIan Stewart Cox OAM. Stewart is well known in business and sporting circles in the Territory and was honoured to be asked to stand as chairman.

One of his ambitions is to see the Association’s annual conference being held in the Territory.

He expressed thanks on behalf of all members to the outgoing Chairman, Wendy James OAM, whose contribution to the Territory Branch has been significant.

Territorian wins OAA Scholarship

The Territory Branch is delighted at its success in nominating a candidate for one of the Association’s 2009 scholarships.

The nominee is Rebecca Evans, who will be studying for a degree in Teaching and Learning at Charles Darwin University. Rebecca was presented with her scholarship by Her Excellency Ms Penelope Wensley AO, Governor of Queensland, at the Annual Conference in Brisbane.

In her studies Rebecca will be mentored by Wendy James OAM, Sister Elizabeth Little OAM and Rosemary Burkitt OAM.

Meeting with the Alice Springs Mayor

In the course of a trip to Alice Springs in February, Stewart Cox and Secretary Michael Martin met the Alice Spring’s Mayor, Damian Ryan, to seek, successfully, his support for establishing a Central Australian Regional Group of the Association.

With the support of the Mayor and long-term centralian Ted Egan AO, the Committee is confident of establishing the group over the next 12 months.

Branch regional group coordinators

NSW: Rev Dr Douglas Parker OAM (02) 4869 1529/Mr Ronald Sharpe OAM (02) 4343 1011
VIC: Mr Kevin Howard OAM (03) 5722 2971 kmpro@v140.aone.net.au
Qld: Mr Ross Dwyer OAM (07) 3265 4734 HonSecOAA_Qld@aapt.net.au
SA: Mrs Margot Vowles OAM (08) 8344 7478 margot.vowles@internode.on.net
Tas: Ms Linley Grant OAM (03) 6234 6672 mgr70303@bigpond.net.au
WA: Mr Clive Robartson OAM (0419 048 556) crobarts@bigpond.net.au
NT: Mr Stewart Cox OAM (08) 8981 3882 stewart.cox@oamps.com.au

The OAA’s Clive Robartson OAM presents Constable Susan Smith with her award (see report above right).
The Marysville Bakery’s Lyn Phelps and Joan Noke, who call themselves The Two Fat Ladies, entertained members with a lunchtime address after the annual general meeting of the Order of Australia Association Victorian Branch Eastern Suburbs Regional Group held at the Templestowe RSL last September.

Sadly, the beautiful town of Marysville was all but destroyed in Victoria’s Black Saturday bushfires. One of the few buildings left standing was the bakery.

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A lecture by Kester Brown OAM on travels to the north and south polar regions was well-attended in February. Kester Brown, who was chief anaesthetist at the Royal Children’s Hospital, Melbourne, wrote a book on the development of anaesthesia in the 20th century as well as on his travel adventures.

His lecture on his extensive travels in the far north and far south of the world was accompanied by extraordinary images, both photos and paintings, of places few of us will ever get to see. It was a most interesting and informative presentation.

A civic reception, being planned by City of Whitehorse Mayor, Helen Harris OAM, will be to recognise recipients of Order of Australia awards in Whitehorse in 2009.

Other councils are being encouraged to acknowledge award recipients in their municipalities.

Notes from the Eastern Suburbs Regional Group in Victoria

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The Australian Century

In an address to the Royal Commonwealth Society, Perth, WA, on Australia Day this year, defence and strategy adviser to governments and heads of state Gregory R. Copley AM said, “We now face an age in human history in which — in the titanic upheavals and change now beginning — great things will be possible for societies who dare, who risk, and who strive in the rewarding selflessness of a vision of an harmonious, unified people.

“Equally, we face an age in which all manner of despair and decline is possible for those who fail to dare, who fail to risk or strive; for those who sit in silent and self-righteous expectation that the fruits of the world will be given to them...”

Gregory Copley, who serves as an adviser on strategic issues to a number of governments and leaders, is President of the International Strategic Studies Association (ISSA), based in Washington, DC. He is Editor-in-Chief of Defence & Foreign Affairs publications, and the Director of Intelligence at the Global Information System (GIS), an on-line, encrypted-access, global intelligence service that provides strategic current intelligence to governments.

He is a founding Director (and present Chairman of the Research Committee) of Future Directions International (FDI), the Australian strategic research institution. He has written numerous books and academic papers on defence and security for the future.

For a full text of his paper, email grcopley@aol.com.

The Order of Australia Association

Both the tie and the scarves are of new design. The scarves are made of polyester twill or polyester chiffon.

Please SEND ME:

No. ........ Tie @ $35.00 + $2 postage
...... Tie (original design) @ $35.00 + $2 postage
...... Scarf @ $27.50 + $2 postage
...... Pen @ $10.00 + $1 postage
...... Cufflinks (sets) @ $30.00 + $5 postage
...... Brooch @ $15.00 + $2 postage

...... Booklet Speeches to Members of the Association by Sir Zelman Cowen (Pictured opposite) @ $10.00 + $2 postage

☐ Cheque attached; or charge my ☐ Visa ☐ Mastercard

Card Number ........................................................................

Expiry Date ........................................................................

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Signature ........................................................................

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Fax or mail your order to:
Mr Richard Rozen OAM
National Merchandise Officer
The Order of Australia Association
3/144 Were Street, Brighton, Victoria 3186
Fax: (03) 9592 1767 Tel: (03) 9592 8068

NOTE: ONLY MEMBERS MAY WEAR TIES, SCARVES, BROOCHES, CUFFLINKS

Top brass at Australian War Memorial

Former Chief of the Defence Force General Peter Cosgrove AC MC (Retd), author Mr Les Carlyon and Major General Bill Crews AO (Retd) have been reappointed to the Australian War Memorial Council. All were first appointed in 2006. The part-time reappointments had been approved by Governor-General Her Excellency Ms Quentin Bryce AC.

General Cosgrove was elected Chairman in 2007 after being an ex-officio member in 2000–2002.

Les Carlyon has been reappointed until April 2012, as has General Cosgrove. A former editor of several metropolitan newspapers, Les twice won the Walkley Award and wrote the best-seller Gallipoli. His recent book The Great War was a joint winner of the Prime Minister’s award for Australian history.

Major-General Crews has been reappointed until April 2011. He has been National President of the Returned & Services League of Australia since 2003.

The Australian War Memorial Council comprises 10 part-time members and the Chiefs of Army, Navy and Air Force as ex-officio members.

Changes agreed on medals

The Parliamentary Secretary for Defence Support, Dr Mike Kelly AM, has accepted the recommendations of the Defence Honours and Awards Tribunal report of the inquiry into recognition of service by Australian military personnel who served with 4th Battalion, Royal Australian Regiment (4RAR), in Malaysia in 1966–67.

The tribunal has recommended that the end date for the Australian Active Service Medal (AASM) 1945–75 with Clasp “MALAYSIA” be extended to 14 September 1966 inclusive for service in Borneo.

He has accepted the tribunal’s recommendations on the eligibility criteria for the Australian Defence Medal which recognises Australian Defence Force regular and reserve personnel who have, within a set time, “demonstrated their commitment and contribution to the nation”, Dr Kelly said.

In particular, the report contains a recommendation that applications for the ADM by former serving members who were medically discharged without a compensable injury or illness be considered on a case-by-case basis.

The tribunal’s full report is available at www.defence-honours-tribunal.gov.au. Further information on Defence honours and awards is at: www.defence.gov.au/medals/
National Executive expenditure review

We are all aware that, despite the recession, some costs continue to increase and the Order of Australia Association is not immune from these pressures. We are conducting a continuing review to identify areas of activity where we can achieve savings without reducing services to members. At this stage, two areas of our operation can be modified to achieve greater efficiencies:

1. AGM Management

In 2008–9 the cost of distribution of papers relevant to the AGM exceeded $25,000, yet fewer than 150 members attended the AGM.

The Corporations Act 2001 requires that all members must have access to a range of documents associated with the AGM. However, Section 316 of the Act advises that members may elect to receive or not receive the documents. The law does not permit us to presume that you don't want them.

To allow you to make that choice we have included a reply-paid declaration with this issue of The Order. We ask you to seriously consider if you need the documents in advance of the AGM.

To help you decide, please note that:

- Downloadable copies of all AGM documents will be available through the Association’s web site at least 21 days before the AGM.
- Copies of all documents will be available at the AGM to all members who have advised an intention to attend it.

2. The Order

The Order is published twice a year and generally runs to about 12 pages. It costs in excess of $50,000 a year to provide. As a means of communicating with members it is complemented by branch newsletters.

Funeral notices

OAA members, their families and friends are advised that the Association’s logo can be used in obituaries and funeral notices of members. The Australian Association of Funeral Directors has been advised and local branches may be contacted by those who would like to use it.

Forum gives members a voice

For the last few years, the Order of Australia Association has conducted a forum for members of regional groups to raise and discuss issues relating to their operations.

In 2008, a comprehensive review of all rules and procedures was conducted, significant potential benefits arising in the way in which the Association will support its members at the branch and regional group levels. All bylaws have been reviewed and reissued, with particular emphasis on the bylaw relating to regional groups.

New management guidelines have also been developed and now give branches and their subordinate regional groups clear guidance on how to manage their activities. This new guidance resulted in solving many of the problems that had beset regional groups.

The National Committee decided, in mid-2008, to expand the scope of the annual regional group meeting to allow for matters of wider interest to be discussed, and to commence an annual informal dialogue between the OAA leadership and its members.

The aim of this new Members’ Forum was to give all members attending the National Conference the opportunity to discuss any and all issues relating to OAA activities.

This year’s Brisbane conference provided a great opportunity to introduce this initiative.

I brought together branch chairmen (who, as members of the National Committee, are closest to the delivery of services) and members from across the organisation.

The forum was moderated and introduced by me as the Deputy National Chairman (and National Regional Groups Coordinator).

First I provided an overview of the way we manage the association, speaking of our vision and goals, of the new management guidelines and our new strategic plan.

The plan reminds us that we do three things in the OAA — look after:

- our members;
- our Association; and
- the communities we serve.

I explained how these new and revised documents give us clear direction in the things we do, making us a more attractive and dynamic organisation and one that members are proud to belong to and new recipients are proud to join.

Branch directors echoed these themes in their individual presentations, speaking of the way branches have folded — and will fold — their regional groups more closely into their branches.

Members had much to say and their concerns and plaudits were recorded and will be acted upon as appropriate by the Executive.

A consistent theme was the nature of the conference and its structure. All agreed that the forum was a great success, improving dialogue between the regional groups of the branches, the branches and the National Committee.

The forum will be a focus of future conferences.

Wanted: Honorary Legal Adviser

From time to time (but infrequently) we need to seek advice on the application of the Corporations Act 2001 to our Association and any subsequent implications for our Memorandum and Articles of Association. The Association would be grateful for an offer of pro bono support by a legally qualified member of the Association. If you are willing to help, please contact the National Secretary on oaasecretariat@ozemail.com.au.
Sir William Refshauge 1913–2009

Major-General Sir William Refshauge AC CBE ED died on May 27, aged 96. He was made a Companion in the Order of Australia in 1980, having been knighted in 1966. An obstetrician, surgeon, physician and medical administrator, “Bill” Refshauge pioneered many aspects of medical science in the military and after he had left the Army. Among his many appointments he was Secretary-General of the World Medical Association 1973–76, President of the World Health Assembly 1971 and chairman of the WHO executive board 1969–70.

Big bucks — daily

Major-General Peter Abigail AO (Rtd), as Director of the Australian Strategic Policy Institute, is responsible for the publication of a regularly published book with, arguably, the longest title. Seventy-two million, nine hundred & ninety thousand, three hundred & seventy-five dollars & thirty-four cents per day is just part of the title of the Institute’s Defence Budget Brief 2009–2019, The Cost of Defence. Its team of writers analyses the cost of Australia’s defence, from equipment costing billions to ASPI’s own contribution to the daily cost — a mere $7,827.45 a day.

Stanley Clarence Chiccott OAM, the founder of Temcare, was awarded the Order of Australia Medal in the Australia Day honours and received it in a rare and early ceremony just before he died this year. For 40 years Temcare has offered respite and mentoring for children up to 15 years and helping families in the community. Mr Chiccott, with advanced cancer, was in palliative care at Calvary Health Care Bethlehem, Caulfield, Victoria, when the honour was announced. The general investiture was to be held in March, so plans were made to hold it at Bethlehem early. The medal was sent to Melbourne and Nancy Price (right, above), who nominated Stan for the award, presented it to him on January 29. He is survived by his wife, Barbara.

Preserve the memory and acknowledge the support of others

We can help you preserve the memory of your Investiture and acknowledge the support of family and associates who contributed to your award.

We offer to:
• supply you with a high-quality replica of your medal, with the appropriate ribbon;
• copy your Warrant;
• supply a plate with the details of your award;
• prepare a display frame with two of your photographs from your Investiture day, as illustrated, or to your individual design.

We offer other display options too, such as a smaller frame with a replica medal, ribbon and plate. If you use a replica medal in a frame you can display the original in its box.
You might also consider having additional displays made for family members or for your supporters.