# THE FRANCIS FORBES SOCIETY FOR AUSTRALIAN LEGAL HISTORY

**ABN 55 099 158 620**

# 2026 AUSTRALIAN LEGAL HISTORY ESSAY COMPETITION: CONDITIONS OF ENTRY AND GUIDELINES

## 1. COMPETITION OBJECTS:

(a) To promote interest in, and an awareness of, Australian legal history by encouraging students to develop a facility for describing historical events and for recognising their place in broader themes;
(b) To provide opportunities for educators and students (at several levels) to encounter Australian legal history through development of story-telling skills and exposure to broad themes; concepts underlying the general law; and particular cases of interest; and
(c) To recognise excellence in the study of Australian legal history.

## 2. THE TASK TO BE PERFORMED BY ESSAYISTS:

Entrants in the Competition may address **any** question on Australian legal history. Possible subject matters might include Australian Constitutional history, the development of Australian law (eg, Contract, Tort, Criminal Law, Property Law, Indigenous Law), Australian legal biography and stories about Australian law and society generally (including stories about colonial engagement with Aboriginal society, the development of parliamentary democracy in Australia, tales of Australian bushrangers and stories about Australian lawyers and their families in times of war).

Below is a series of questions that essayists may use as a guide. They are separated into 'Junior', 'Secondary' and 'Tertiary' categories, but that is only a guide. Any of the questions may be attempted by any essayist.

Junior

- Why is it important to study Australian legal history?
- Who Owns Australia? Examine the history of land rights and land titles to answer the question.
- Why were the Freedom Rides in the 1960s so important in the development of Indigenous awareness and action?
- What factors led to women getting 'the vote' in Australia?

- Explain the similarities between the CoVid pandemic and the events of 1918 – 1919 Flu epidemic?
- Can legal history give us examples of how people should respond to national challenges?

Secondary

- Should Australian citizenship be reserved for those born in Australia?
- Is it justified to restrict people's rights in times of national difficulty such as war or a pandemic?
- Can Australian history teach us anything about the role of altruism and personal responsibility in the law?
- What was the significance of the Mabo decision by the High Court of Australia in 1992?
- How did Papua New Guinea come into being as an independent nation and what changes did this involve in legal arrangements between Papua New Guinea and Australia?

Tertiary

- Can it be said that the injunction in s 92 of Constitution of the Commonwealth of Australia that 'trade, commerce and intercourse among the states… shall be absolutely free' was reflected in the national response to the Covid pandemic?
- How did changes in the interpretation of the taxation power contained in the Constitution affect the development of Australian society and legal arrangements between the Commonwealth and the states?
- Discuss whether Australian history has any lessons for us, today, about the meaning or significance of 'land ownership'. Do so by reference to one or more of: (a) Australia as a 'settled' or 'conquered' territory, and Aboriginal Land Rights; (b) the land titles system (known as the 'Torrens System') devised by Robert Richard Torrens; and/or (c) debate about whether Australia should, as a modern sovereign nation, be a republic.
- Examine the war crimes trials in the Pacific after the Second World War. Was Australia justified in prosecuting Japanese troops for their treatment of prisoners of war?

There are also opportunities for biographical research on people associated with the legal issues raised by these questions.

3. **COMPETITION CATEGORIES AND PRIZES**:

The Competition is open to all students enrolled, at any time during 2026, in an Australian secondary school or in an undergraduate or

graduate tertiary course, including a postgraduate practical skills course leading to admission to practice as a lawyer.

There are three categories of award: one for Tertiary Students, another for Senior Secondary School Students, and a third for Junior Secondary School Students.

**Tertiary Student Category**

Suggested essay length: 2000-4000 words approximately.

Essayist's Prize: $1,000.00

**Senior Secondary School Category (Years 11-12 in NSW, and Interstate Equivalents).**

Suggested essay length: 750-2000 words approximately.

Essayist's Prize: $250 and School Prize: $250

**Junior Secondary School Category (NSW Years 7-10 and Interstate Equivalents).**

Suggested essay length: 500-1,000 words approximately.

Essayist's Prize: $250 - School Prize: $250

Each essayist will receive a Certificate of Acknowledgement acknowledging participation in the Competition. At the discretion of the Society, Merit Certificates may be issued to selected essayists.

4. **ESSAY SUBMISSION DEADLINE**:

5.00 pm on Friday, 18 December 2026. Essays should be submitted by email to secretariat@forbessociety.org.au.

5. **ESSAY WINNERS ANNOUNCEMENT:**

The winners will be announced by 30 January 2027**.** The announcement will be made on the web site of the Forbes Society (www.forbessociety.org.au).

6. **CONDITIONS OF ENTRY:**

a) The Society is the sole judge of whether an essay satisfies the requirement that it be about "Australian legal history".

b) Each essayist must certify that his or her essay is his or her own original work.

c) The Society reserves a right (without obligation) to accept essays received after the submission deadline and before the announcement of prizes.

d) The Society reserves a right: (i) not to make any award if, in the opinion of the Council of the Society, no essay merits an award; and (ii) to award more than one prize in any Category (including prizes of lesser value for meritorious essays other than a winning essay) if the Council thinks fit.

e) The Society reserves a right to publish, or to cause to be published as it sees fit, any essay submitted and for that purpose to edit any essay. [The Society anticipates that some essays will be published on its web site, and might be published or extracted in a law journal or newspaper, but does not bind itself or anybody else to publish anything].

f) The decision of the Council of the Society is final on all questions relating to the Competition, including those relating to the conduct and outcome of the Competition, publication of essays and editorial work.

7. **ACKNOWLEDGEMENT OF SUPPORT:**

The Francis Forbes Society for Australian Legal History acknowledges the support for this Essay Competition it has received from Federation Press.