

Perth/WA, 20th May 2021

To: Hon. Kevin Andrews MP, Chair of the Joint Select Committee on Australia's Family Law System
From: Professor Augusto Zimmermann

LETTER OF COMPLAINT

Dear Chair,

I am writing to manifest my protest against the appalling behaviour of a member of your Joint Committee during yesterday's public hearing.

Mr Graham Perrett MP has treated me disrespectfully and discourteously. I demand an apology.

Almost every single question made by him demonstrated animosity and a lack of interest in addressing the terms of reference leading to the present inquiry.

I was not expecting to receive this sort of abusive treatment. Rather than being focused on the subject of the inquiry, Mr Perrett aggressively challenged my academic credentials and the credibility of my institution of higher education.

Indeed, he was more focused on attacking Sheridan than being focused on discussing the subject of the inquiry.

Since Mr Perrett, a school teacher and the author of several erotic fantasy novels, even dared to question my academic credentials, below is a short account of my academic and administrative accomplishments.

Also attached, for your appreciation, is documentary evidence confirming the information provided.

Professor Augusto Zimmermann LLB LLM (cum laude) PhD (Monash) DipEd CIArb is currently Professor of Law at Sheridan Institute of Higher Education in Perth, Western Australia, and also Professor of Law (adjunct) at the University of Notre Dame Australia, Sydney campus.

He is the Founder and President of the Western Australian Legal Theory Association, the Founder and Editor-in-Chief of The Western Australian Jurist law journal, an Elected Fellow at the

International Academy for the Study of the Jurisprudence of the Family, and a former Vice-President of the Australasian Society of Legal Philosophy.

Professor Zimmermann was awarded the 2012 Vice Chancellor's Award for Excellence in Research, as well as two Law School Dean's Research Awards, in 2010 and 2011.

Professor Zimmermann has received several nominations to the Vice-Chancellor's Teaching and Learning Award at Murdoch University. He received the 2013 Law Lecturer of the Year Award from the Murdoch Student Law Society (MSLS).

During his time as Associate Dean for Research (2009-2012) at Murdoch University's School of Law, Dr Zimmermann was responsible for increasing the School's research output. The School's ERA ranking increased from C to B.

Professor Zimmermann is an experienced postgraduate supervisor of several LLM., MPhil, and PhD students. He was the Law School's Director of Postgraduate Research at Murdoch University and also a member of the Research Degree and Scholarships Committee.

While working at Murdoch University, Professor Zimmermann served on numerous academic bodies, including: the Vice Chancellor's Awards and Citations Committee; the Academic Council's Freedom of Speech in Policies and Procedures Advisory Group; the Academic Staff Collective Workplace Agreement Advisory Group; the Academic Staff Promotions Advisory Committee; and a couple of ad hoc committees for the selection of academic staff, including the committee that selected the Dean of Law.

From 2012 to 2017 Professor Zimmermann served as a Law Reform Commissioner with the Law Reform Commission of Western Australia. As a Law Reform Commissioner he assisted in keeping the law in Western Australia up-to-date and relevant to the needs of society by making recommendations for the reform of areas of law referred to it by the State Attorney-General.

Throughout his career Professor Zimmermann has written a PhD thesis, a LLM thesis, a LLB Honours thesis, 13 academic books, 21 academic book chapters, 2 book prefaces, 52 law journal articles, 82 non-law journal academic articles, 26 government submissions, 11 law reform commission reports, and 150 articles for newspapers and magazines (The Australian, The Spectator, Quadrant, etc.)

His academic work is published in leading law journals and publishing houses, including Springer, Cambridge University Press, Edward Elgar, Monash University Law Review, International Journal of

Constitutional Law (I.CON), Brigham Young University Law Review, The University of Queensland Law Journal, etc.

In January 2015, Professor Zimmermann was invited by the Tasmanian Chief Justice Alan Blow to address the Opening of the Legal Year in Tasmania. As the sole speaker, his presentation was attended by the Governor of Tasmania, the Premier of Tasmania, the Leader of the Opposition, the State Attorney-General, judges, lawyers and numerous other members of the legal profession from all parts of Tasmania. The service was followed by a reception at the Supreme Court where Professor Zimmermann was received as the Guest of Honour by the President of the Tasmanian Bar.

Professor Zimmermann is the only speaker to ever receive a standing ovation at a conference held by the Samuel Griffith Society – a learned legal society founded by former Chief Justice Sir Harry Gibbs and named after Sir Samuel Walker Griffith, the First Justice of the High Court of Australia. Some of the speakers at Samuel Griffith Society conferences include: 5 Governors-General and Governors, 5 Chief Justices of the High Court of Australia, 5 Justices of the High Court of Australia, 2 Prime Ministers, 6 Chief Justices of the States, 5 Justices of the Federal Court of Australia, 8 State Attorneys-General, and numerous other distinguished speakers.

Professor Zimmermann is a leading expert on the concept of The Rule of Law. He is the author of numerous articles and book chapters on the subject. He contributed a Chapter for the seminal book on the rule of law edited by the President of the American Bar Association (ABA). Titled 'The Legal Doctrines of the Rule of Law and the Legal State' (Springer, 2014), this book is a major reference on the subject, containing contributions of the world's leading academics in the field, including Professor Zimmermann himself.

Professor Zimmermann chaired numerous international conferences. For example, in June 2019, he was the chair of the organising committee for a major conference held at Sheridan on religious freedom in the context of other human rights in general. Participating as moderator was the Hon. John Gilmour QC, and five members, both past and present, of the Western Australian Parliament, including former speaker Michael Sutherland. The Patron for that conference was former Prime Minister John Howard OM, AC.

This is just a very small sample of my numerous academic activities, achievements and accomplishments.

The above profile is, indeed, very far from exhaustive.

As mentioned, Mr Perrett dared also to challenge the credibility of my institution of higher education. He was obsessed with attempting to discredit Sheridan and did not focus his attention entirely on the subject of the inquiry.

This is absolutely reprehensible and Mr Perrett needs to understand that I left a comfortable tenured position at Murdoch University to be engaged in the exciting project of developing a new tertiary education provider in Western Australia.

Sheridan is a higher education institution grounded in the Baptist academic tradition. Baptists have a rich inheritance in higher education and were involved in the establishment of a number of independent colleges in England, including founding Bristol College (1679).

Several major higher education institutions in the United States also share a distinct Baptist heritage. The University of Chicago, Brown University and Temple University were originally founded by Baptists, and others, such as Baylor University, Mercer University, and Union University, still retain a strong Baptist identity today.

As for Sheridan itself, the Australian Baptist Education Inc. (ABE) is behind the establishment of Sheridan Institute of Higher Education. In Western Australia, Baptists have demonstrated an outstanding capacity for establishing and operating multi-million dollar not-for-profit institutions over the last 30 years.

With regard to education, ABE is the third largest provider of private education in Western Australia, after the Anglican and Catholic churches. More than 9,000 students and 900 staff now study and work in open-entry Baptist schools. The combined total capital investment in Baptist education exceeds 80 million dollars, with combined gross revenue of 70 million dollars a year.

The Sheridan Institute of Higher Education was officially opened in January 2015 and its main campus is in the Perth CBD, adjacent to the train line and several bus routes. Sheridan currently offers undergraduate programs in Business, Science, and the Humanities and Social Sciences, in addition to postgraduate courses in Business Administration and Education.

Law represents the fifth academic discipline to be added to Sheridan's higher education offerings, and is an important step in moving towards Sheridan's objective of achieving university title. Although it is founded by members of the Baptist denomination, Sheridan has no religious requirements for admission. On the contrary, Sheridan welcomes students from all faiths or none to complete their chosen degree in collaboration with its academic faculty.

The *Sheridan Statement of Academic Freedom* notes that Baptists were at the forefront of the struggle for fundamental rights and freedoms. Baptists are traditionally driven by an unyielding commitment to the common good which is wedded to the principles of religious liberty and freedom of conscience. They are also committed to defending the basic right of individuals to freely associate with one another on the basis of shared beliefs, and to separate from each other if those beliefs diverge.

The origin of Sheridan's commitment to academic freedom is found in a fractious group of English exiles living in Amsterdam in the early 17th century. In confrontational tracts and sermons, those first Baptists were among the earliest advocates for these three foundation principles of modern democracy: freedom of conscience, freedom of speech, and freedom of association. These principles continue to have immense relevance for the 21st century, and it is in the context of its rich Baptist heritage that Sheridan affirms its commitment to the important principle of academic freedom.

The proposal for the future Sheridan Bachelor of Laws is the result of two years of preparation by Sheridan Faculty, administration and the Board of Directors. Its development has been supported by the expertise of the LLB Course Advisory Council, a group of 19 experts representing the higher education sector and the legal profession, including the highly-credentialed John Gilmour QC, former federal court judge and member of the Legal Practice Board of Western Australia, and Emeritus Professor Gabriël A. Moens JD, LLM, PhD, GCEd, MBA, MAppL, FCIArb, CIArb, FAIM, FCL, FAAL. In 2003, the Prime Minister of Australia awarded him the Australian Centenary Medal for services to education. In June 2019 he was appointed a Member of the Order of Australia (AM) for services to the law and higher education.


The LLB Course Advisory Committee subsequently sent out the proposal for independent review by two senior legal external academics – Professor Marc De Vos, Dean of Macquarie University Law School, and Professor Ian Benson, Professor of Law at the University of Notre Dame Australia, Sydney. The full reviews of these two experts are attached as an Addendum. Sheridan's LLB program intends to achieve the highest possible standard of undergraduate education in law in Western Australia.

For the reasons provided, I hereby request a formal apology from Mr Graham Perrett MP.

His behaviour was disgraceful and it reveals a lack of proper concern for the terms of reference, coupled with a serious element of anti-religious bigotry.

If you need any further information, do not hesitate to contact me. Thank you very much in anticipation for your kind attention.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Augusto Zimmermann", with a horizontal line extending to the right.

Professor Augusto Zimmermann

- letter from the Tasmanian Chief Justice
- letter from the President of the American Bar Association
- letter from the Samuel Griffith Society's Convenor
- letter from the Australian Human Rights Commission
- letter from Australia's Ambassador Brett Hackett
- letter from University of Melbourne's Deputy Vice-Chancellor (Engagement)
- letter from the Law Dean, Murdoch University
- letter from the President of Academic Council, Murdoch University
- letter from the Executive Secretary, International Academy for the Study of the Jurisprudence of the Family