

1975.0095 PAPERS OF PETER BRETT 1931-1967

Creator	Brett, Professor Peter
Creator's Activity/Occupation	Academics - Law
<p>Biography: Peter Brett (1918-1975), professor of jurisprudence, was born on 4 September 1918 at Stoke Newington, London. Educated at a private preparatory school and at St Paul's School, Hammersmith, at 16 he was articled to Ernest Bevir & Son, solicitors. He graduated with first-class honours from the University of London (LL.B., 1939). Brett served with the British Expeditionary Force in Europe (1940) and in the West African Force (1941-43); as temporary captain, Royal Fusiliers, he was again in Europe between 1944 and 1946. From that year until 1951 he was a legal assistant in the Office of the Treasury Solicitor, London. In 1951 Brett was appointed senior lecturer in law at the University of Western Australia (LL.M., 1954). Appointed senior lecturer at the University of Melbourne in 1955, Brett became reader in 1961, the first Hearn professor of law in 1963 and professor of jurisprudence in 1964. He was Ezra Ripley Thayer teaching fellow (1958-59) at Harvard University (doctorate of juridical science, 1960) in the United States of America, and a visiting professor at the University of Texas (1959 and 1967), and at both the University of Colorado and York University, Toronto, Canada (1973). In his writing Brett re-examined the philosophical and psychological bases of the law—particularly the criminal law—in the light of modern learning, and undertook a searching reappraisal of the aims of the law and its relation to moral values. His major books were <i>An Inquiry into Criminal Guilt</i> (Sydney, 1963) and <i>An Essay on Contemporary Jurisprudence</i> (Sydney, 1975). A keen sense of injustice led him to challenge the outcomes of three murder trials: the Tait case (1962) in Victoria, the Beamish case (1966) in Western Australia and the Ratten case (1972-73) in Victoria. As president of the Federation of Australian Universities Staff Associations, Brett secured the settlement of its long-standing dispute with the University of Tasmania (which had followed the dismissal of Professor Sydney Sparkes Orr), and maintained a commitment to academic freedom and autonomy through his service on F.A.U.S.A.'s committees. He also chaired the academic sub-committee of the professorial board, University of Melbourne. Brett enjoyed music, literature and the theatre. In his later years he expressed no formal religious beliefs, but as a Freemason played a prominent part in the United Grand Lodge of Victoria. He died of a coronary occlusion on 9 May 1975 at his Ivanhoe home and was cremated with Masonic forms.</p>	

Reference Number	1975.0095
Collection/Series Title	PAPERS OF PETER BRETT
Date Range of Collection/Series	1931-1967
Size/Extent	2 boxes (0.24m)
Access Conditions	Access: Open
<p>Scope and Content of Series British Solomon Islands Protectorate memoranda and correspondence Draft Land and Titles Regulation 1957 and 1959, and correspondence 1954- 1962. Brunei: Land Code for Brunei memoranda and files FAUSA Orr Case correspondence, including correspondence between Brett & G.W.F.Smith, Staff Associations, K.S.Isles, S.S.Orr. Also reports to Federal Executive 1965-66, Special Council Meeting on Orr Case 1966, notes and memoranda, Orr' curriculum vitae, & published material.</p>	



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Records Description List

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Archival History

Listed by Cecily Close August 1975. Typescript list converted to item data by Christine Elias November 2019.

This list created 6 January 2020

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Unit/Box	Item number	Title	Date range	Description
1975.0095 Unit 1	1975.0095.00001	Land Legislation: British Solomon Islands Protectorate	1958	Memorandums etc., relating to Brett's Draft Land and Titles Regulation, contains also Minutes of meeting at Government House on 7 February 1958, to consider matters of principle in relation to Mr Brett's Draft Land Regulation. Previous Control Number: 1/1/1
1975.0095 Unit 1	1975.0095.00002	Land Legislation: British Solomon Islands Protectorate	1957-1959	Draft Land and Titles Regulation 1957 and Land and Titles Regulation 1959, contains draft and Regulation in final form. Previous Control Number: 1/1/2
1975.0095 Unit 1	1975.0095.00003	Land Legislation: British Solomon Islands Protectorate	1931-1962	Correspondence, chiefly between Brett and Keith Kitto, Commissioner of Lands, Honiara, BSIP, relating to Regulation; documents e.g. Gilbert and Ellice Islands Colony, Ordinance to consolidate and amend the Law Relating to Native Land and Registration of Title Thereto, 16 August 1956; Certificate of Occupation for Levers Pacific Plantations Ltd., 8 September 1931, 24 December 1954 - 21 September 1962. Previous Control Number: 1/1/3
1975.0095 Unit 1	1975.0095.00004	Land Legislation: Brunei	Undated	Memorandums etc., Draft Land Code for Brunei, comments, explanatory memorandum. Previous Control Number: 1/2/1

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1975.0095 Unit 1	1975.0095.00005	Land Legislation: Brunei	Undated	Draft Brunei Land Code. Contains two files labelled: Draft Brunei Land Code and Memorandum re Land Code. Both have label affixed: Sent by Professor Zelman Cowan, Law School, Melbourne, and are accompanied by letter from B C Cartland, Commissioner of Lands, Brunei, to Cowan, returning these folders and commenting that they are an excellent job but likely to run into trouble through low education of landholders, lack of trained staff to apply the law and of a Judge to constitute the Lands Tribunal. Also contains Bill, to amend, declare and consolidate the law relating to land tenure, land resumption, registration of title, and town and country planning, printed in Sarawak, no date. Marked in pencil amended. Previous Control Number: 1/2/2
1975.0095 Unit 1	1975.0095.00006	Federation of Australian University Staff Association: Orr Case	1965-1967	Eight folders of material relating to the settlement of the case, Professor Brett, then President of FAUSA, played a major role in bringing the matter to a conclusion. FAUSA Correspondence, between Brett and G W F Smith, Executive Secretary, Sydney, relating to Orr case, 18 October 1965 - 29 August 1967. Previous Control Number: 2/1
1975.0095 Unit 1	1975.0095.00007	Federation of Australian University Staff Association: Orr Case	1965-1966	6/1/A. Correspondence between Brett and Staff Associations, 30 September 1965 - 14 November 1966. Previous Control Number: 2/2
1975.0095 Unit 1	1975.0095.00008	Federation of Australian University Staff Association: Orr Case	1965-1966	6/1/B. Reports to Federal Executive, 22 September 1965 - 4 November 1966. Previous Control Number: 2/3
1975.0095 Unit 1	1975.0095.00009	Federation of Australian University Staff Association: Orr Case	1965-1966	6/1/C. Correspondence between Brett and Professor K S Isles, Vice-Chancellor of the University of Tasmania, (includes solicitor Pearce), 19 August 1965 - 24 May 1966. Previous Control Number: 2/4
1975.0095 Unit 1	1975.0095.00010	Federation of Australian University Staff Association: Orr Case	1965-1966	6/1/O. Correspondence between Brett and Orr (includes solicitor Champion), 24 September 1965 - 7 December 1966 Previous Control Number: 2/5

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1975.0095 Unit 1	1975.0095.00011	Federation of Australian University Staff Association: Orr Case	1961-1966	6/1/E. Documents, includes Heads of Agreement between President of FAUSA and Vice-Chancellor of University of Tasmania regarding the lifting of the censure of the University by the Federation, 11 August 1961, 28 August 1964, 17 September 1965, 8 May 1966. Previous Control Number: 2/6
1975.0095 Unit 1	1975.0095.00012	Federation of Australian University Staff Association: Orr Case	1965-1966	6/1/F. Correspondence between Smith and Staff Associations, 10 September 1965 - 2 November 1966. Previous Control Number: 2/7
1975.0095 Unit 1	1975.0095.00013	Federation of Australian University Staff Association: Orr Case	1966	6/1/G. Special Council Meeting on the Orr Case, 14 February 1966, 7 January 1966 - 15 April 1966. Previous Control Number: 2/8
1975.0095 Unit 2	1975.0095.00014	Federation of Australian University Staff Association: Orr Case	1965	Correspondence relating to Brett as President of FAUSA. Brett to J A L Matheson, Vice Chancellor, Monash University, concerns possibility of out of court settlement of Orr Case, and of an academic post for S S Orr, 7 October 1965. Previous Control Number: 2/9/1/1/1
1975.0095 Unit 2	1975.0095.00015	Federation of Australian University Staff Association: Orr Case	1965	Matheson to Brett, reply suggesting a meeting, 12 October 1965. Previous Control Number: 2/9/1/1/2
1975.0095 Unit 2	1975.0095.00016	Federation of Australian University Staff Association: Orr Case	1965	R D Wright, asks him to refer to Professor not Mr Orr, 9 December 1965. Previous Control Number: 2/9/1/2
1975.0095 Unit 2	1975.0095.00017	Federation of Australian University Staff Association: Orr Case	1966	Brett to Professor K S Isles, Vice Chancellor, University of Tasmania, suggests visit to discuss settlement, 21 February 1966. Previous Control Number: 2/9/1/3
1975.0095 Unit 2	1975.0095.00018	Federation of Australian University Staff Association: Orr Case	1966	D A Kearney, Registrar, University of Tasmania to Brett, will be in Melbourne, suggests meeting, 22 February 1966. Previous Control Number: 2/9/1/4/1
1975.0095 Unit 2	1975.0095.00019	Federation of Australian University Staff Association: Orr Case	1966	Brett to Kearney, agrees, 23 February 1966. Previous Control Number: 2/9/1/4/2

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1975.0095 Unit 2	1975.0095.00020	Federation of Australian University Staff Association: Orr Case	1966	Kearney to Brett, will ring from airport, 24 February 1966. Previous Control Number: 2/9/1/4/3
1975.0095 Unit 2	1975.0095.00021	Federation of Australian University Staff Association: Orr Case	1966	Brett to Isles, suggests date for visit, 7 March 1966. Previous Control Number: 2/9/1/5/1
1975.0095 Unit 2	1975.0095.00022	Federation of Australian University Staff Association: Orr Case	1966	Brett to Isles, further to telegram, 8 March 1966. Previous Control Number: 2/9/1/5/2
1975.0095 Unit 2	1975.0095.00023	Federation of Australian University Staff Association: Orr Case	1966	W S Kay, Davies and Champion, solicitors, Parramatta, to Brett, seeks his help in achieving settlement as per draft deed, 1 March 1966. Previous Control Number: 2/9/1/6/1
1975.0095 Unit 2	1975.0095.00024	Federation of Australian University Staff Association: Orr Case	1966	Draft indenture, between The University of Tasmania of the first part and Keith Sidney Isles of the second part and Sydney Sparkes Orr of the third part, attached to letter (item 2/9/1/6/1). Previous Control Number: 2/9/1/6/2
1975.0095 Unit 2	1975.0095.00025	Federation of Australian University Staff Association: Orr Case	1966	Brett to Kay, Davies and Champion, agrees to help, 7 March 1966. Previous Control Number: 2/9/1/6/3
1975.0095 Unit 2	1975.0095.00026	Federation of Australian University Staff Association: Orr Case	1966	Kay, Davies and Champion, to Brett, acknowledges his offer to help, 10 March 1966. Previous Control Number: 2/9/1/6/4
1975.0095 Unit 2	1975.0095.00027	Federation of Australian University Staff Association: Orr Case	1966	Brett to Kay, Davies and Champion, reports meeting University of Tasmania authorities in Hobart on 10 March 1966, 14 March 1966. Previous Control Number: 2/9/1/7/1
1975.0095 Unit 2	1975.0095.00028	Federation of Australian University Staff Association: Orr Case	1966	Brett, Notes of Interview at Hobart - Thursday 10 March 1966, attached to letter (item 2/9/1/7/1). Previous Control Number: 2/9/1/7/2
1975.0095 Unit 2	1975.0095.00029	Federation of Australian University Staff Association: Orr Case	1966	Brett, Memorandum to Executive members of FAUSA, covering memo for preceding two items (2/9/1/7/1 and 2/9/1/7/2), 14 March 1966. Previous Control Number: 2/9/1/7/3

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1975.0095 Unit 2	1975.0095.00030	Federation of Australian University Staff Association: Orr Case	1966	Brett to Kay, Davies and Champion, elaborates on items 2/9/1/7/1 and 2/9/1/7/2, on the basis of two points suggested by the University of Tasmania's solicitor Mr A L Pearce. Previous Control Number: 2/9/1/7/4
1975.0095 Unit 2	1975.0095.00031	Federation of Australian University Staff Association: Orr Case	1966	A L Pearce (on Simmons, Wolfhagen, Simmons and Walch letterhead), to Brett, comments on letter 2/9/1/7/2, 17 March 1966. Previous Control Number: 2/9/1/7/5
1975.0095 Unit 2	1975.0095.00032	Federation of Australian University Staff Association: Orr Case	1966	Brett to A L Pearce, acknowledges letter (item 2/9/1/7/5), 18 May 1966. Previous Control Number: 2/9/1/7/6
1975.0095 Unit 2	1975.0095.00033	Federation of Australian University Staff Association: Orr Case	1966	Brett to D A Kearney, Registrar, University of Tasmania, agrees to suggestion of an exchange of letters, 3 May 1966. Previous Control Number: 2/9/1/8
1975.0095 Unit 2	1975.0095.00034	Federation of Australian University Staff Association: Orr Case	1966	RDW (Pansy) to Brett, regarding support for Orr's family, 16 August 1966. Previous Control Number: 2/9/1/9
1975.0095 Unit 2	1975.0095.00035	Federation of Australian University Staff Association: Orr Case	1966	RDW to the Right Reverend Guilford Young, Archbishop of Hobart, concerns for Orr family financial situation, inscribed at head To Peter Brett, for your information, RW, 6 September 1966. Previous Control Number: 2/9/1/10
1975.0095 Unit 2	1975.0095.00036	Federation of Australian University Staff Association: Orr Case	1966	Peter Brett, memorandum of meeting in Mr Elliot's Chambers, Sydney, 18 February 1966, others present were Champion and Sydney Sparkes Orr, memorandum is dated 21 February 1966 and initialled PB, but not addressed to anyone. Previous Control Number: 2/9/2/1
1975.0095 Unit 2	1975.0095.00037	Federation of Australian University Staff Association: Orr Case	Undated	Notes of Sydney Sparkes Orr's curriculum vitae, (presumably as submitted in application for the Chair of Philosophy in the University of Tasmania), quotes various of Orr's claims and then rebuts them. Previous Control Number: 2/9/2/2
1975.0095 Unit 2	1975.0095.00038	Federation of Australian University Staff Association: Orr Case	1956-1965	Page of calculations, presumably of Sydney Sparkes Orr's loss in salary, March 1956 - January 1965. Previous Control Number: 2/9/2/3

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1975.0095 Unit 2	1975.0095.00039	Federation of Australian University Staff Association: Orr Case	1958	The Vice-Chancellor, University of Tasmania (K S Isles), The Dismissal of S.S. Orr by the University of Tasmania, (1958); issued with the authority of the Council of the University, annotated throughout, presumably by Peter Brett. Previous Control Number: 2/9/3/1
1975.0095 Unit 2	1975.0095.00040	Federation of Australian University Staff Association: Orr Case	1964	The Executive of the Australasian Association of Philosophy, Report to the A.A.P. Council on the Moves for a Settlement of the Orr Case, (^ June 1964). Previous Control Number: 2/9/3/2
1975.0095 Unit 2	1975.0095.00041	Federation of Australian University Staff Association: Orr Case	1964	The Orr Case lingers ..., Semper Floreat, The Newspaper of the University of Queensland Union, Vol. 34, No. 14, 17 September 1964. Previous Control Number: 2/9/3/3

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