

THE HON SIR ANTHONY MASON AC KBE

LIST OF PUBLISHED SPEECHES

(prepared by Caroline Nichols)

1968

“The limitation of appeals to the Privy Council from the High Court of Australia, from federal courts other than the High Court, from the Supreme Courts of the Territories and from courts exercising federal jurisdiction” (1968) 3 *Federal Law Review* 1-19

July 1975

“Where Now?” Australian Legal Convention 49 *Australian Law Journal* 570

22 April 1977

“Developments in the UN Conference on the Law of the Sea” 3rd South Pacific Judicial Conference, Port Moresby (1977) 5 *Melanesian Law Journal*, pp. 46-51

14 August 1977

“The Courts and their Role in Changing the Law Today” opening address World Congress on Philosophy of Law and Social Philosophy “Law and the Future of Society” (published in *Law-making in Australia* E. Kamenka and A. Tay (eds) 1978 Edward Arnold (Aust) Pty Ltd). © Edward Arnold (Aust) Pty Ltd

September 1977

Foreword, *Delegated Legislation in Australia and New Zealand* (no other details)

13 October 1977

Article entitled “University of New South Wales Law Review” published ?

1977 ? undated

Review (no details re publication), *Commentaries on the Australian Constitution – A Tribute to Geoffrey Sawer*, (ed) Leslie Zines, Butterworths, 1977

15 September 1979

“Declarations, injunctions and constructive trusts: divergent developments in England and Australia” Annual Law School Symposium, University of Queensland (1980) 10 *University of Queensland Law Journal* 121-132

15 May 1981

Family Law in the High Court of Australia” Family Lawyers Association of Victoria November 1981 *Victorian Family Law Association Newsletter*

March 1983

“Summing-up”, Symposium organised by Attorney-General’s Department at which Lord Wilberforce was guest speaker (no copy held of publication of presented papers)

November 1983

Comment “Jurisdictional and Procedural Constraints on the Evolution of Australian Law” (1984) 10 *Sydney Law Review* 253-258

1983 ? undated

Review (no details re publication) *Freedom of Interstate Trade under the Australian Constitution*, Michael Coper, Butterworths (1983)

1 July 1984

The Role of Counsel and Appellate Advocacy, Opening comments at Inaugural Australian Bar, Association Conference, Surfers Paradise (1984) 58 *Australian Law Journal* 537-574 [1984] 13 *Legal Reporter* 4

November 1984

“Themes and Prospects” (1st Equity Seminar) Chapter 12, *Essays in Equity*, (ed) P. Finn, Law Book Company of Australia, Sydney (1985) pp. 242-251

8 October 1985

“The Role of a Constitutional Court in a Federation: A Comparison of the Australian and the United States Experience”, Menzies Lecture, University of Virginia (1986-7) 16 *Federal Law Review* 1-28

25 October 1986

“The Contract” with Stephen Gageler, Seminar at ANU Chapter 1, *Essays on Contract*, (ed) P. Finn, Law Book Company of Australia, Sydney (1987) pp. 1-34

1 November 1986

Speech delivered at International Trade Law Seminar, Canberra (1986) March *Federal Law Review*

6 February 1987

Reply on Taking Oath of Office as Chief Justice of the High Court of Australia, Announcement of Appointment of Queen’s Counsel, 162 CLR 1986-7 pp. ix-xi

20 April 1987

Paper delivered at Fourth International Appellate Judges’ Conference, Kuala Lumpur – published as “A new direction in the judicial process”, *Law, Justice and the Judiciary: Transnational Trends*, Kuala Lumpur: Professional Law Books 1988 9-13

15 May 1987

Speech delivered at Administrative Law Seminar Dinner – published as “The twentieth century growth industry, judicial or tribunal review, (1989) 58 *Canberra Bulletin of Public Administration* 26-27

25 August 1987

“Future Directions in Australian Law”, Wilfred Fullagar Memorial Lecture, Monash University, (1987) 13 *Monash University Law Review* 149-163

20 September 1987

“The State of the Australian Judicature”, 24th Australian Legal Convention, Perth, (1987) 61 *Australian Law Journal* 681-687; (1987) 8(17) *Legal Reporter* 13-17

14 November 1987

“The Use and Abuse of Precedent”, 2nd Leo Cussen Memorial Lecture, Melbourne, (1988) 4 *Australian Bar Review* 93-111

December 1987

Foreword to *University of New South Wales Law Journal* Special Issue for 1987, (1987) 10 *UNSWLJ* 1-3

March 1988

“The Journal of Contract Law” article – published as “Australian Contract Law”, (1988-1989) 1 *Journal of Contract Law* 1-7

19 March 1988

“Family Law – Some Constitutional and Appellate Perspectives”, Bicentenary Family Law Conference, Melbourne, (1988) 3 *Australian Family Lawyer* 6-13

11 April 1988

“Sails to Satellites”, Keynote Address, 30th Australian Survey Congress, Sydney, (1988) 34 *Australian Surveyor* 175-178

21 April 1988

“The Australian Constitution 1901-1988”, Annual Conference of the Corporate Lawyers’ Association of NSW, (1988) 62 *Australian Law Journal* 752-760. A passage from the above journal, at pp. 755-756, appears in – *Australian Federal Constitutional Law – Commentary and Materials*, (2006), 2nd edition, G. Winterton, H. Lee, A. Glass, J. Thompson, P. Gerangelos, pp. 162-163, Lawbook ATP Thomson (Thomson Legal & Regulatory Ltd)

11 July 1988

“A Bill of Rights for Australia?”, Address to the Australian Bar Association Bicentennial Australian Legal Convention, Townsville, (1989) 5 *Australian Bar Review* 79-90

29 August 1988

“The Courts and their Relationship with Government”, Address to the Bicentennial Australian Legal Convention, Canberra, (1989) 15 *Commonwealth Law Bulletin* 297-301

3 September 1988

Opening Address, Australian Institute of Judicial Administration Seminar, Canberra, (1988) 2 *AIJA News* 2-3

November 1988

Book Review, *An Introduction to the Law of Restitution*, P. Birks, Oxford University Press, 1985 – published as “Australian Contract Law”, *Journal of Contract Law ...*

19 March 1989

Opening Address, Conference of the Society for the Reform of the Criminal Law, Sydney, (1989) 15 *Commonwealth Law Bulletin* 1011-1016

7 June 1989

“Administrative Review – the Experience of the First Twelve Years”, Blackburn Lecture, The Law Society of the Australian Capital Territory, (1989) 18 *Federal Law Review* 122-133; (1990) 16 *Commonwealth Law Bulletin* 1011-1021 as “Twelve years of administrative law in Australia”, Galligan, D.J. (ed) *Administrative Law*, Aldershot Dartmouth, 1992, pp 89-100. Also Law Society of ACT Website and Supreme Court of ACT Website

18 August 1989

“The State of the Australian Judicature”, Address to the 26th Australian Legal Convention, Sydney (1989) 15 *Commonwealth Law Bulletin* 1533-1540; (1989) 63 *Law Institute Journal* 974-977

17 and 19 October 1989

“Judicial Independence and the Separation of Powers – Some Problems Old and New” Leon Ladner Lecture, Victoria University BC, 17 October University of British Columbia, 19 October (1990) 24 *University of British Columbia Law Review* 345-359; (1990) 13 *University of New South Wales Law Journal* 173-186

December 1989

“Contract: Death or Transfiguration?”, Foreword for 1989 Thematic Issue *UNSW Law Journal*, “Taxation policy and the courts: commentary”, 9th Commonwealth Law Conference, Auckland (1990) 2(4) *CCH Journal of Australian Taxation* 40-44

24 August 1990

“The relationship between international law and national law, and its application in national courts”, International Law Association 64th Conference, Broadbeach, Queensland, Revised version published [1990 Sept] *Australian International Law News* 1-5; (1992) 18 *Commonwealth Law Bulletin* 750-754

13 September 1990

“Research to improve judicial administration through institutes of judicial administration – The Australian Institute of Judicial Administration”, 5th International Appellate Judges’ Conference, Washington DC, (1991) 65 *Australian Law Journal* 78-84

21 December 1990

“Geoffrey Saver: the priceless professor”, *Canberra Times*, 21 December 1990

19 February 1991

Inauguration of the Faculty of Law, University of Wollongong (1991) 34(2) *Australian Universities Review* 24-25. Also published under title “Universities and the role of law in society” as the Preface in *New Foundations in Legal Society*, Cavendish Publishing Pty Ltd, Sydney 1998, pp x-xii (ISBN 1-876213-26-4)

6 April 1991

Eulogy delivered at the memorial service for the Right Hon. Sir John Kerr AK, GCMG, GCVO (1991) 8 *Australian Bar Review* 93-96; (1991) 22/4-23/1 *Australian Journal of Forensic Sciences* 3-6

9 September 1991

“Changing the Law in a Changing Society”, Address to 27th Australian Legal Convention, Adelaide 1993) 67 *Australian Law Journal* 568-574; (1992) 18 *Commonwealth Law Bulletin* 1166-1172; (1992) 63 *Reform* 3-6 [edited version]; (1991) 26 *Australian Law News* 14-18

17 October 1991

“Legal Liability and Professional Responsibility”, opening address at *Sydney Law Review* Seminar on same topic (1992) 14 *Sydney Law Review* 131-136

3 February 1992

Address to Conference Dinner of 1992 National Corporate Law Teachers’ Workshop, Canberra, published as “Corporate Law: the Challenge of Complexity” in (1992) 2 *Australian Journal of Corporate Law* 1-5

17 February 1992

Occasional address at opening of Deakin University Law Program, Canberra (1992) 80 *Victorian Bar News* 50-52

21 February 1992

Address at official opening of Law Council of Australia’s new building, Canberra (1992) 27(3) *Australian Law News* 14

25 March 1992

“Law and Economics”, Monash Law School Foundation Lecture, Melbourne (1991) 17 *Monash University Law Review* 167-181

1 May 1992

“A View of the Trial Judge from Mount Olympus”, address to Dinner of Annual Conference of District Court Judges. Extracts from this address, under the title “Appeals and the High Court”, published in (1992) 4(5) *Judicial Officers Bulletin* 33-34

June 1992

Foreword to *Australian Constitutional Perspectives*, (eds) H.P. Lee and George Winterton, The Law Book Company Limited, 1992

4 July 1992

“The Independence of the Bench, The Independence of the Bar, The Bar’s Role in the Judicial System”, 1992 Conference of English, Scottish and Australian Bar Associations, London (1992) 10 *Australian Bar Review* 1-10; 1993) 19 *Commonwealth Law Bulletin* 753-760

1 August 1992

Address to Annual Federation Dinner of the Corowa District Historical Society (1992)
1(2) *Constitutional Centenary* 1-2, 13-14 (edited version)

14 September 1992

Opening remarks, 4th International Criminal Law Congress, Auckland NZ (1993) 17
Criminal Law Journal 5-9

20 January 1993

“The place of equity and equitable doctrines in the contemporary common law world”,
Opening address to the Second International Symposium on Trusts, Equity and Fiduciary
Relationships, University of Victoria, British Columbia, *Equity, Fiduciaries and Trusts*,
D.W.M. Waters (ed), Carswell, Toronto, 1993, pp 3-23 © Carswell; (1994) 110 *Law
Quarterly Review* 238-259. Permission to publish also given to the following –

- 16/9/02 – to Law Book Co in *The Principles of Equity* (2002), 2nd edition, P. Parkinson (ed), inclusion of two short passages from *Equity, Fiduciaries and Trusts* – relevant passages marked on pp 239-40 of (1994) 110 *Law Quarterly Review* – as at 1.5.07 this copy can't be found in Chambers
- 2/6/04 – to Thomson/Sweet & Maxwell (publishers of *Law Quarterly Review*) for publication on Sweet & Maxwell's online service WestlawUK
- 29/11/06 – to Thomson Legal & Regulatory Ltd in *Equity and Trust: In Text and Equity and Trust: Commentary and Materials* (2006), 4th edition, G. Dal Pont (ed), inclusion of para. “Putting to one side ... to do so is appropriate” on pp 243-244 of (1994) 110 *Law Quarterly Review*

27 March 1993

“The High Court in Sir Samuel Griffith's time: contemporary parallels and contrasts”
Challenges for Australia's Second Century of Federalism Conference, National Institute
for Law, Ethics and Public Affairs, Griffith University (1994) 3 *Griffith Law Review* 179-
193

March 1993

Foreword to (1993) *The Tort Law Review* No. 1 Vol. 1

30 April 1993

Opening address at New South Wales Supreme Court Judges' Conference (1993) 1(3)
The Judicial Review 185-190

8 July 1993

“Contract and its relationship with equitable standards and the doctrine of good faith” –
The Cambridge Lectures 1993, Canadian Institute of Advanced Legal Studies, Cambridge
University (an amended version under the title “Contract, Good Faith and Equitable
Standards in Fair Dealing”, submitted 30/9/99) appears in (2000) 116 *Law Quarterly
Review* 66-94

30 September 1993

“The State of the Judicature”, 28th Australian Legal Convention, Hobart, (1994) 68
Australian Law Journal 125-134; (1994) 20 *Monash University Law Review* 1-11;
Canberra Survey, 15 October 1993, 108, under title “Sir Anthony Mason and the Law”

5 November 1993

Obituary – Honourable Kenneth Asprey, *Sydney Morning Herald*

5 November 1993

“The Role of the Judge at the Turn of the Century”, 5th Annual AIJA Oration in Judicial
Administration, Melbourne (1994) 3 *Journal of Judicial Administration* 156-167 (with the
title “The Role of the Courts at the Turn of the Century”)

12 November 1993

“Whither the Australian Lawyer” – opening address, Towards National Practice – Australian Practical Legal Education Conference, ANU, *Law Society of the Australian Capital Territory Gazette*, February 1994, No. 149, 43-45

3 December 1993

Opening address at Future Directions in Australian Constitutional Law Conference, in honour of Professor Leslie Zines AO, at ANU, *Future Directions in Australian Constitution Law*, G. Lindell (ed), Federation Press Sydney, 1994, xiii-xv

31 January 1994

Address to the Australian Bar Association Dinner in Honour of New Silks (1994 Dec) 50 *Refresher* 15-17

15 March 1994

“The Australian Judiciary in the 1990s” – Address to the Sydney Institute (1994) 6 *The Sydney Papers* 110-117; (1994 Autumn/Winter” *Bar News* 7-10; (1994) 2 *Australian Law Librarian* 65-71

March 1994

Foreword – Canberra Law Review (1994) 1 *Canberra Law Review* 5-6

4 July 1994

“The importance of judicial review of administrative action as a safeguard of individual rights”, Address to the Australian Bar Association Fifth Biennial Conference, Noosa (1994) 1(1) *Australian Journal of Human Rights* 3-11

26 September 1994

“Fair Trial”, Keynote Address to 5th International Criminal Law Congress, Sydney (1995) 19 *Criminal Law Journal* 7-11

26 October 1994

Address to Western Australia Law Society’s Annual High Court Dinner (1994) 21(11) *Brief* 22-23

October 1994

Foreword to Vol 180 of *Commonwealth Law Reports*

11 April 1995

“Towards 2001 – Minimalism, Monarchism or Metamorphism?”, Third Lucinda Lecture, Monash University (1995) 21 *Monash University Law Review* 1-14

27 April 1995

“Administrative Law – Form versus Substance”, Keynote address, 1995 Administrative Law Forum, Australian Institute of Administrative Law, Canberra, *Canberra Bulletin of Public Administration* No. 79, February 1996

22 May 1995

Introduction to *Educating Judges: Towards a New Model of Continuing Judicial Learning*, Livingston Armytage, Education Director, c/- Judicial Commission of New South Wales – Thesis for Master of Laws with Honours, The University of Sydney. (Sir Anthony has a copy of the thesis)

25 May 1995

Equity and Contract – A Dance to the Music of Time, Inaugural Sir Frank Kitto Lecture University of New England, Armidale (Published by The University of New England Union, July 1995)

27 June 1995

“Judicial Independence” (short essay), *The Philosophy of Law: An Encyclopedia*, (ed) Christopher B. Gray, Garland Publishing Inc, 1999, pp 449-451 (ISBN 0-8153-1344-6)

4 July 1995

“Courts, Constitutions and Fundamental Rights”, Shimizu Trust Lecture, London School of Economics, *Law, Society and Economy, Centenary Essays for the London School of Economics and Political Science 1895-1995*, Ed Richard Rawlings, pp 273-288, Clarendon Press, Oxford

6 July 1995

“Exploiting the Weaker Party: Unconscionable, Unequal and Disadvantageous Transactions in Art”, University College London, *Art Antiquity and Law*, Vol 1 Issue 2, May 1996, pp. 115-124; *The Recovery of Stolen Art*, N Norman Palmer (ed), Kluwer Law International 1998, pp. 109-120

18-20 August 1995

“Reflections on Law and Government”, Law and Government Seminar, ANU, *Essays on Law and Government Vol 2 The Citizen and the State in the Courts*, Ed P.D. Finn, LBC Information Services 1996, pp. 302-313

24 August 1995

“Reflections on the High Court of Australia”, University of Melbourne, Law Review Dinner (*Melbourne University Law Review* Vol. 20 No. 2 p. 273)

9 September 1995

Speech delivered at The Mason Years And Beyond Conference dinner in Melbourne, “A Reply”, *Courts of Final Jurisdiction: The Mason Court in Australia*, ed. Cheryl Saunders, Federation Press, 1996, pp. 113-116

12 September 1995

“From Procedure to Substance and Refinement of Legal Principle”, Singapore Academy of Law, *Singapore Academy of Law Journal*, Vol 7, September 1995, pp. 253-268

20 September 1995

“International Law and its relationship with Family Law”, Second National Conference, Family Court of Australia, Maroochydore Qld, *Enhancing Access to Justice – Family Court of Australia Second National Conference Papers*, La Trobe University, 1996, pp. 15-30

1 October 1995

“An Australian Common Law?”, 1995 Australasian Law Teachers Association 50th Anniversary Conference, La Trobe University, *Cross Currents – Internationalism, National Identity and Law*, Christopher Arup and Lee Ann Marks (eds), La Trobe University Press, Melbourne, 1996, pp. 81-94

11 October 1995

“The Influence of International and Transnational Law on Australian Municipal Law” Inaugural Sir Anthony Mason Lecture, Melbourne University Law Students’ Society (*Public Law Review* Vol 7 No. 1 March 1996 p. 20)

1 November 1995

“Law and Morality”, NILEPA/Minter Ellison Law and Ethics Forum, Brisbane, *Griffith Law Review* Vol 4 No. 2 (1995) p. 147

8 November 1995

“The Future of Marine Insurance Law”, Ebsworth & Ebsworth Maritime Law Lecture, Sydney, <<http://uniserve.edu.au/law/>>

2,3 December 1995

“The Interpretation of a Constitution in a Modern Liberal Democracy”, Judicial Interpretation of the Constitution – NILEPA Workshop, *Interpreting Constitutions Theories Principles and Institutions – Law Ethics and Public Affairs* (eds) Charles Sampford and Kim Preston, The Federation Press 1996, ISBN 1 86287 241 4 pp. 13-20

December 1995

“International Law as a Source of Domestic Law”, Chapter 7, pp. 210-231, *International Law and Australian Federalism* B. Opeskin and D. Rothwell (eds) (1997) Melbourne University Press, pp. 409, 424 and 472-3, (acknowledgement on p. xxxii) *International Law (Cases and Materials)*, Donald K. Anton, Penelope Mathew & Wayne Morgan, Oxford University Press, 2005, ISBN 9780 1955 16487 and 01955 16486

December 1995

“The Recovery and Calculation of Economic Loss”, *Torts in the Nineties*, N. Mullany (ed), LBC Information Services, 1997, p. 1. © LBC Information Services

19 December 1995

Speech for the launch of Keith Mason’s and John Carter’s *Restitution in Australia* at the Law Society of NSW, *Bar News*, Winter 1996

9 January 1996

Review of Brian Galligan’s *A Federal Republic: Australia’s Constitutional System of Government* *Australian Journal of Political Science*, Vol. 31 No. 2, July 1996 p. 256

25 March 1996

“The Regulation of Appeals to the High Court of Australia – The Jurisdiction to Grant Special Leave to Appeal”, University of Tasmania, *University of Tasmania Law Review*, Vol. 15, No. 1, 1996, p. 1

3 April 1996

Foreword to *Principles of Equity*, Professor Patrick Parkinson (ed.), The Law Book Company Limited 1st ed (1996), 2nd ed (2003) ISBN 0 455 21816 1

1 May 1996

“Reading the Future”, Australian Library and Information Association’s Inaugural Australian Library Week Oration, Sydney, *Australian Library Journal*, Vol. 45, No. 2, May 1996; (1997) 2 *Entertainment Law Review* 47 (permission given to Sweet & Maxwell 5/1/2000 to publish in electronic form) © Sweet & Maxwell

2 May 1996

“The Future of the High Court of Australia”, Queensland University of Technology Association of Law Students, Annual Dinner, *QUT Law Journal* Vol 12 (1996) p. 1

9 May 1996

“Human Rights and Australian Judges”, Constitution Centenary Foundation (George Williams, ANU), *Law and Policy Papers*, Law and Policy Paper No. 3, Centre for International and Public Law, ANU

4 June 1996

“The Users’ Perspective on Issues arising in Proposals, for the Reform of Copyright Law”, Sydney University – Intellectual Property students, *Sydney Law Review* Vol 19 No. 1 March 1997 p. 65

25 July 1996

“A New Perspective on Separation of Powers”, Reshaping Australian Institutions – ANU Public Lecture No. 1, *Canberra Bulletin of Public Administration*, No. 82 December 1996, pp. 1-9. Passages marked on pp. 4-10 of hard copy appear in – *Australian Federal Constitutional Law: Commentary and Materials*, Winterton, Lee Glass & Thomson (Lara Weeks ed), 2nd ed, 2007, pp. 29-31 Thomson Lawbook Co. (Thomson Legal & Regulatory Ltd), ISBN 978 0 21955 4

2 August 1996

“The Internationalisation of Domestic Law”, Reshaping Australian Institutions – ANU Public Lecture No. 2, *Law and Policy Papers* No. 4, Centre for International and Public Law, ANU

6 August 1996

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13 August 1996

“Rights, Values and Legal Institutions”, Reshaping Australian Institutions – ANU Public Lecture No. 3, 1997 *Australian International Law Journal* pp. 1-16. In a revised version under the title “Courts and Community Values”, *Eureka Street*, Vol. 6 No. 9, November 1996, p. 32-34. In another revised version under the title “Judges, Values and a Bill of Rights”, *Judicial Officers Bulletin*, Vol. 9 No. 9, October 1997, pp. 65-67 (there is no hard copy)

21 August 1996

Review of *Good Faith and Fault in Contract Law*, Jack Beatson and David Friedmann (eds), Clarendon Press, Oxford, 1995, *Journal of Contract Law* Vol 11 Issue 1 November 1996 p. 89

30 August 1996

Sir Anthony’s remarks on “The Kerr Vision of Australian Administrative Law at the 25 Year Mark” Seminar at ANU, “Reflections on the Development of Australian Administrative Law”, *The Kerr Vision of Australian Administrative Law*, Robin Creyke, John McMillan (eds), Centre for International and Public Law (CIPL), 1998, ISBN 0-7315-3307-0, pp 122-126

13 September 1996

“Reflections on the Interface between Law and Medicine”, Sandra David Memorial Oration (St Vincent’s Clinic Foundation), *The Proceedings* Vol 5 No. 1 March 1997 pp. 12-16

late 1996

“The Appointment and Removal of Judges” (no hard copy), *Fragile Bastion – Judicial Independence in the Nineties and Beyond*, Judicial Commission of New South Wales, Ed Helen Cunningham, Education Monograph Series p. 1-38. 8/10/02 – permission given to The Judicial Conference of Australia (The College of Law Alliance, St Leonards) to have a photocopy of this article incorporated in a collection of photocopied articles and chapters on judicial independence for circulation to judges and magistrates (print run of 500).

Foreword to *Australian Legal Dictionary*

Foreword to *The Struggle for Simplicity in the Law*, Essays for Lord Cooke of Thorndon, Ed. Paul Rishworth Butterworths Wellington New Zealand 1997

“One Vote, One Value v The Parliamentary Tradition – The Federal Experience”, *The Golden Wand and the Crooked Crown*, Clarendon Press Oxford 1998 pp 333-352

“First Nation’s Heritage: Land Rights and Cultural Integrity”, *Art Antiquity and Law*, Vol. 2 Issue 3, September 1997

“Mediation and Art Disputes”, *Art Antiquity and Law*, Vol 3 Issue 1 March 1998, pp 31-37

16 November 1996

“Case Management, the Judiciary and Change”, Conference on Case Management organised by the Working Group on a Courts Commission, Dublin, *Working Group on a Courts Commission Conference on Case Management*, May 1997, Government Publications Dublin, pp 193-200

20 February 1997

“The Impact of Equitable Doctrine on the Law of Contract”, lecture delivered at Bristol University, *Anglo-American Law Review* (1998) Vol. 27 No. 1, pp 1-28

26 February 1997

“The Rights of Indigenous Peoples in Lands once part of the Old Dominions of the Crown”, Institute of Advanced Legal Studies, London University, *International and Comparative Law Quarterly* Vol. 46 October 1997, pp 812-830

10 March 1997

“Equity’s Role in the Twentieth Century”, Kings College, University of London, *Kings College Law Journal* Vol 8 1997/8 p 1

1 May 1997

“Developments in the Law of Copyright and Public Access to Information”, Herschel Smith Lecture, *European Intellectual Property Review* Vol. 19 Issue 11 November 1997, pp. 636-643 Sweet & Maxwell (permission given to Sweet & Maxwell 5/1/2000 to publish electronically). © Sweet & Maxwell

8 May 1997

“Negligence and the Liability of Public Authorities”, Edinburgh University, (1998) 2 *Edinburgh Law Review* 3-22

2 June 1997

“The Judiciary, The Community & The Media”, CMJA Lecture, Cambridge University (1997) 12 *Commonwealth Judicial Journal* pp 5-12. Abridged version (under the title “The Courts as Community Institutions”) in *Public Law Review* Vol 9 No 2 pp 83-88

23 October 1997

After dinner speech at the Law Society of NSW Annual *Dinner*, *Law Society Journal* Vol 35 No. 11 pp 51-55 under the title “No place in a modern democratic society for a supine judiciary”

7 and 8 November 1997

ANU Public Law Weekend – Commentaries on papers delivered by P. Pether and N. Stoljar on “Theorising the Australian Constitution” (published under title – “Constitutional Interpretation: Some Thoughts”) *Adelaide Law Review*, Vol. 20 No. 1, pp. 49-56
Justice Susan Kenny on “Interveners in High Court Litigation” (published under title – “Interveners and Amici Curiae in the High Court: A Comment”) *Adelaide Law Review*, Vol. 20 No. 1, pp.173-176

23 December 1997

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14 January 1998

Foreword for *The Law of Torts*, 9th edn, 1998 LBC Information Services, ISBN 0 455 21534 0(hbk), ISBN 0 455 21533 2(pbk)

19 January 1998

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21 January 1998

“The role of the judiciary in the development of human rights in Australian law”, Chapter for *Human Rights in Australian Law: Principles, Practice and Potential*, David Kinley (ed) The Federation Press (1998) pp 26-46

5 February 1998

Opening remarks for Trade and Intellectual Property Workshop at ANU, *Prometheus* Vol 16 No 3 (1998)

13 February 1998

“Public-interest objectives and the law of copyright”, Paper delivered at Copyright and the Public Domain Seminar, Griffith University, (1998)*Journal of Law and Information Science* Vol 9 No 1 pp 7-21

16 February 1998

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19 February 1998

Launch of *Sir Zelman Cowen: a life in the law*, Charles Sampford (ed), Prospect Media Pty Ltd 1998 (shortened version published in June 1998 issue of *Nilepa News*)

26 February 1998

“Human Rights and the Law of Torts” in *The Law of Obligations – Essays in Celebration of John G. Fleming*, Peter Cane and Jane Stapleton (eds), Clarendon Press, Oxford (1998) pp 13-36

3-5 March 1998

Opening Remarks for The Melbourne Convention, Published in *Federation into the Future – Government in the Global Era* by Committee for Economic Development of Australia (CEDA) August 1998 under the title “The Constitution in a Contemporary Context”

23 March 1998

Editorial, *International Trade Law Quarterly*, Vol 1, LLP London 1998, pp 133-134 ISBN 1 85978 607 3

26 March 1998

Launch of John Uhr, *Deliberative Democracy*, Cambridge University Press 1998, *Australian Institute of Public Affairs Current Affairs Bulletin* No. 96 June 2000 (as at 2.10.01 have been unable to secure a copy)

27 March 1998

Preface to Danuta Mendelson, *The Interfaces of Medicine and Law – The history of the liability for negligently caused psychiatric injury (nervous shock)*, Dartmouth Publishing Company Limited (1998) p x, ISBN 1 85521 924 7

5 May 1998

“Developments in Australian Administrative Law”, Peter Allan Memorial Lecture, University of Hong Kong, *University of Hong Kong Law Journal* Vol 28 Pt 3 pp 379-394. On 17/12/01 Sir Anthony gave to Sweet & Maxwell Asia (publishers of HKLJ) permission to publish in electronic form

25 May 1998

Launch of NSW Law Foundation Pro Bono Report Supreme Court NSW, *NSW Law Foundation Bulletin* July 1998 Vol 3, *Inner Voice* Spring 1998

27 May 1998

“Constitutional Issues relating to the Republic as they affect the States”, Constitutional Centenary Foundation – Forum examining the implications for NSW of constitutional change to a republic, Parliament House Sydney, *UNSWLJ* Vol 21, No. 3 pp 750-756. *UNSWLJ* article is also on the Lawbook website of supplementary materials to the casebook mentioned below, but with deletion of part of the last para. from foot of p. 751 beginning “One extraordinary result ... That is not surprising” (for possible publication in 2004 edn of casebook *Australian Federal Constitutional Law: Commentary and Materials*, Lawbook)

July 1998

“Judicial disqualification for bias or apprehended bias and the problem of appellate Review” (*Kartinyeri v Commonwealth of Australia* (1998) 152 ALR 540), *Australian Constitutional Law & Policy Review* 1.2 August 1998 pp. 21-27

24 August 1998

Keynote address at Sydney Major Issues Conference on Tax Reform (organised by University of Sydney Law Faculty). Parts of this address appear under “Sydney Uni Tax Reform Conference strikes a chord” in *The Sydney Law School Reports – 1998*

9 September 1998

Foreword to George Williams, *Human Rights under the Australian Constitution*, Oxford University Press, 1999, ISBN 0 19 551059 3, pp vii-viii

16 September 1998

Launch at University of Canberra of Professor Cho’s book *Geographic Information Systems and the Law: Mapping the Legal Frontiers*, John Wiley & Sons, 1988

30 September 1998

“Harmonisation of maritime laws and the impact of international law on Australasian maritime law”, F.S. Dethridge Memorial Address for Maritime Law Association of Australia and New Zealand, Cairns, (1999) 14 *MLAANZ Journal* 2-24; *Il Diritto Marittimo* Fasc. III – 1999

3 October 1998

Sir Anthony spoke at a Symposium, organised in conjunction with a meeting to establish an Australian Association of Constitutional Law, at Melbourne University “The Convention Model for the Republic” (submitted 21.4.99) is based on this address and has been published in (1999) 10 *Public Law Review* 147-149

6 November 1998

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10-11 December 1998

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1998

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During 2000

The Oxford Companion to the High Court of Australia

Sir Anthony’s entries are –

- Barwick Court
- Comparison with other courts
- Form versus Substance
- Griffith Court
- Judiciary Act
- Law-making role
- Personal relations: a personal reflection
- Role of policy considerations in decision-making
- Reform of the Court (a personal view)
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19-22 March 2002

As Distinguished Visiting Fellow at Faculty of Law ANU, the following lectures:

“The reception of English law into Australian law and achievement of legal independence” *Foundations of Australian Law*

“Advocacy” *Legal Workshop*

“The recognition of rights of indigenous populations by other former UK colonies” (no copy) *Indigenous Australians and the Law*, National Institute of Government & Law (NIGL)

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19-22 August 2002

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1 October 2002

“Ethical Dilemmas for Charities”, Inaugural Lecture for Institute of Philanthropy, University College London, *Art Antiquity and Law* Vol VIII Issue 1, March 2003 pp 1-25

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