ADELAIDE LAW REVIEW
THE UNIVERSITY OF ADELAIDE

LAW SCHOOL

The Review is published twice a year by the Adelaide Law Review Association of the Faculty of Law, University of Adelaide. Publication is assisted by grants from the University of Adelaide and the Law Society of South Australia Inc.

Articles and other contributions for possible inclusion are welcomed, and these as well as books for review should be addressed to the

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A Style Guide to editorial practice will be forwarded on request.

Copies of the Review may be purchased or subscribed for from the distributors:

(1) The Law Book Company Ltd
44-50 Waterloo Road
North Ryde NSW 2113
AUSTRALIA

(2) For North America:
William S Hein & Co Inc
1285 Main Street
Buffalo NY 14209
USA

This issue may be cited as
(1985) 10 Adel LR

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ISSN0065-1915
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INTRODUCTION:

FORTIETH A.U.L.S.A. CONFERENCE, ADELAIDE, 1985

This issue of the Adelaide Law Review is devoted to papers given at the fortieth conference of the Australasian Universities Law Schools Association. This conference was hosted by the Adelaide Law School and held in Adelaide between 27th and 29th of August 1985. The conference attracted over 170 delegates, coming from law schools and law teaching units in tertiary institutions in Australia, New Zealand and Papua New Guinea and also, for the first time, from Singapore, Malaysia and Hong Kong. The forty-first annual conference will be hosted by the Law School of the University of Papua New Guinea and will be held between 27th and 29th August 1986 in Goroka in the eastern highlands of Papua New Guinea.

A.U.L.S.A. conferences include both plenary and interest group sessions. The Adelaide conference organizers decided to focus plenary sessions upon the role of legal institutions in the resolution of disputes. Emphasis was given to the role of courts, the impact of court procedures and the development of alternative forums. The key papers thus looked at the impact of a bill of rights, at judicial and legislative law-making techniques with respect to industrial and intellectual property, at the resolution of environmental disputes, at international trade dispute resolution mechanisms, and at fault and non-fault systems of accident compensation. In addition to the plenary papers, two interest group sessions involved invited speakers—those sessions concerned evidence law reform and recent consumer credit legislation.

The invited speakers came from the judiciary, the executive, academia and private legal and commercial practice. They therefore brought a range of perspectives and experiences to bear upon the issues explored. The papers they presented are published in the form used by the authors without any attempt at standardization. Some read more obviously as the basis of oral presentation than others. The accident-compensation session involved a panel, — those contributions plus a related interest group paper have been included in this volume. Similarly the consumer credit session drew together three speakers with differing perspectives in relation to the new legislation. All sessions provided an opportunity for audience questions and discussion, and there was lively debate. However it was not possible to include a summary of the debate in this volume.

Beyond the material produced in this volume, the interest group sessions contained many informed, varied and provocative contributions. The list of interest group sessions is set out below. Some of the papers will be produced in volume 10 number 2 of this Review. Others will appear elsewhere. All written papers delivered at the conference have been reproduced and a copy deposited in the law libraries of each law school in Australia, New Zealand and Papua New Guinea.

JAMES CRAWFORD
President

ANTHONY MOORE
Conference Secretary
A.U.L.S.A. INTEREST GROUP SESSIONS 1985

COMMERCIAL & CONSUMER PROTECTION LAW
Convenor: C. Hodgekiss (Sydney)
S. Rees — Legal Inadequacies Relating to Tenders.

COMPANY & REVENUE LAW
Convenor: D. Lanham (Melb.)
I. Campbell — Definitions of Intentional Murder.
J. David — Informal Justice.
P. Fairall — Committal Proceedings.
W. Fisse & P. French — Corporate Responses to Wrongful Behaviour: Time’s Arrow, Law’s Target.
D. Lanham — Wilful Blindness and the Criminal Law.

ENVIRONMENTAL LAW
Convenor: R. Fowler (Adel.)
B. Boer — Legal Aid in Environmental Disputes.
D. Craig — Social Impact Assessment (x).
Group Discussion — The Nature and Direction of Research in Environmental Law in Australia (x).

EVIDENCE & PROCEDURE
Convenor: J. Phillips (Melb.)
E. Magner — The Law of Evidence and the Control of Terrorism.

FAMILY LAW
Convenor: R. Bailey-Harris (Adel.)
I. Johnston — Reforming the Law of Adoption.

GOVERNMENT LAW
Convenor: G. Craven (Melb.)
J. Goldring — Administrative Law: Teaching and Practice.
G. Nettheim — Open Justice and State Secrets.
Group Discussion — Administrative and Judicial Review (x).

INTELLECTUAL PROPERTY LAW
Convenor: A. Stewart (Adel.)
Group Discussion: General Discussion (x).

INTERNATIONAL PEACE AND SECURITY
Convenor: C. Hodgekiss (Syd.)
Group Discussion — General Discussion (x).
INTERNATIONAL LAW
Convenor — G. Triggs (Melb.)
R. Boyle — Human Rights and The European Convention.
C. Chinkin — Third Party Intervention before the International Court of Justice.

LABOUR LAW
Convenors: B. Brooks (U.N.S.W.); J. Kaburise (U.P.N.G.)

LAW & COMPUTERS
Convenor: A. Tyree (Syd.)
K.W. Hale & J.G. Jackson — The Role and Future of Specialised Legal Data Bases in Australia: The Australian Corporate Law Data Base Model.
J. Miller — Computer Hackers and Tort Law — New Ways for Old Wrongs.
A. Tyree — Finder: An Expert System.
Group Discussion — C.L.I.R.S. (x).

LAW IN NON-LAW SCHOOLS
Convenor: K. Hale (Wollongong)
K. Hale and R. Williams — Legal Studies in Australian Universities; Some Problems in the Assessment of Students’ Performance.

LAW LIBRARIANS
Convenor: R. Finlay (Adel.)

LAW & SOCIAL JUSTICE
Convenor: P. Hanks (Monash)
D. Duncanson — Some Categories of Civil Libertarian Thought.
A. Ladley — Disputing Authority — Courts, Party and State in Rural Zimbabwe.
J. Morgan — Constructing the Deserving Poor: Late Claims for Social Security.

LEGAL EDUCATION
Convenor: J. Crawford (Adel.)
Group Discussion — Legal Studies in Schools (x).
PROPERTY LAW

Convenors: S. MacCallum (Melb.); S. Morgan (Melb.)
A. Lang — Formality v Intention — Will in an Australian Supermarket.
A.P. Moore — Residential Standards.

SOUTH PACIFIC LEGAL STUDIES

Convenor: H. McRae (Adel.)
S. Dinnen — Sentencing, Custom and the Rule of Law.

TORTS & CONTRACT

Convenor: J. Keeler (Adel.)
M.P. El'linghaus — Freeze, Flights and Fight in High Court Contract Judgements.
S. Kneebone — Nuisance and the Defence of Statutory Authority — A Public Tort or a Flexible Concept?
J. Miller — Accident Compensation in New Zealand.
D. Partlett — Tort, Contract and Choice.
C. Phegan — From Compensation to Care — A Change of Direction for Accident Victims?
S. Todd — The Peabody Case.

WOMEN & THE LAW

Convenor: J. David (Syd.)

(x) Indicates no written paper.