About the Obligations Group

The Obligations Group at Melbourne Law School supports research and scholarly discourse on the law of obligations, which includes the law of contract, tort, unjust enrichment and restitution, equity and trusts, property, remedies and private law theory. The group provides a forum for academic discussion of these topics and facilitates interaction between academics and practitioners on issues of current interest.

People

Professor Elise Bant and Associate Professor Matthew Harding were joint convenors of the Obligations Group in 2014.

In 2014, the Group’s internal membership was as follows:

- Dr Katy Barnett
- Emeritus Professor Michael Bryan
- Mr Arlen Duke
- Mr Matthew Bell
- Mr Andrew Godwin
- Dr Linda Haller
- Professor Ian Malkin
- Dr Jeannie Paterson
- Professor Andrew Robertson

Visiting academics researching or teaching in the Obligations field are welcome to be associated with the Group and participate in its range of activities. Guests in 2014 included Professor François du Toit of University of the Western Cape, South Africa; Professor William Swadling of the University of Oxford; and Professor Graham Virgo of the University of Cambridge, who visited Melbourne Law School as part of the Miegunyah Distinguished Fellows Program.

Research and teaching

The Obligations Group members produce a substantial number and range of publications each year. Members draw on their research also to contribute to public debate on topical issues arising in this field. Group member Katy Barnett, for example, is an editor of the ‘Opinions on High’ Blog and she, Elise Bant, Matthew Harding, Matthew Bell, Wayne Jocic and Jeannie Paterson have all contributed posts to date.
Areas of teaching and research include:

- Consumer Law
- Contract Law
- Equity and Trusts
- Private Law Theory
- Property
- Remedies
- Tort
- Unjust Enrichment and Restitution

Below is an indicative list of publications and activities of members of the Obligations Group over 2014:

**Selected books**


**Selected peer-reviewed articles**


Selected book chapters


Conference presentations


Elise Bant, ‘Change of Position in the High Court’, paper presented at the University of Western Australia Law Summer School, Perth, 21 February 2014.

the Judicial College of Victoria and Melbourne Law School, Melbourne Law School, 14 March 2014.

Matthew Harding, ‘Equity, Property and the Rule of Law’ paper presented to the Modern Studies in Property Law Conference, University of Liverpool, April 2014 (with Dr Robin Hickey of Queen’s University, Belfast).


Jeannie Paterson, ‘Regulating Unfair Terms in South East Asia’, paper presented at the Asia Desk Conference, University of Victoria, Vancouver Island, British Columbia, Canada, April 2014.


Matthew Harding, ‘Comments on Allan Beever’s Forgotten Justice’, paper presented by invitation to the Australian Society of Legal Philosophy Conference, Murdoch University, June 2014.


Rosemary Langford, Coherence between General Law and Statute in the Field of Corporations Law’, paper presented at panel discussion ‘The Role of Statute in Commercial Law’ co-hosted by the Obligations Group and the Centre for Corporate Law and Securities Regulation, Melbourne Law School, 23 October 2014.


Jeannie Paterson, ‘Misleading or Deceptive Conduct: Lessons from Hedley Byrne’, invited speaker University of Queensland Centre for Private Law Conference, University of Queensland, 2 December 2014.
Elise Bant, 'Integrating Statute into Compulsory Subjects', paper presented as part of a panel discussion at the Obligations Group Conference on 'Civil Liability', Melbourne Law School, 4-5 December 2014.


Engagement activities and events

The Obligations Group members organise a range of activities and events and also contribute to a variety of bodies, committees and associations in Australia and abroad concerned with the advancement of private law. Many events are intended for a wide audience, including practitioners, academics, and graduate students interested in these topics. Over the course of 2014, the events calendar included a series of lunchtime seminars for members and friend of the Group, evening lectures, workshops and the annual conference in December.

| March 12 | Lunchtime seminar | Professor François du Toit of University of the Western Cape, South Africa, led a seminar on 'The Trust in South Africa: Reception, Development and Challenges'. |
| April 2  | Lunchtime seminar | Donal Nolan from the University of Oxford led a seminar on 'Preventive Damages'. |
| April 22 | Lunchtime seminar | Dr Eric Descheemaeker of the University of Edinburgh led a seminar on 'Challenging Heterodoxy: Defences in the Law of Tort'. |
| June 5   | Workshop          | Preparation and feedback workshop for colleagues who were presenting papers at Obligations VII, University of Hong Kong. |
| June 5   | Public seminar    | Seminar led by Professors Bant and Harding on 'Unconscionability, Unjust Enrichment & Estoppel in the High Court of Australia'. |
| June 26  | Workshop          | Preparation and feedback workshop for colleagues who were presenting papers at a symposium on the law of misstatements at the University of Queensland. |
| August 5 | Book launch       | An evening event to launch and celebrate the book of Dr Katy Barnett and Dr Sirko Harder on 'Remedies in Australian Private Law'. |
| August 6 | Public Lecture    | William Swadling, University of Oxford, delivered his annual lecture on the topic of 'Rights, Value, and Trusts'. |
| September| Miegunyah Fellow visit | Professor Graham Virgo, University of Cambridge, delivered the Miegunyah Public Lecture at Melbourne Law |
School on the topic of ‘Recent Developments in the Anglo-Australian Law of Restitution’. During his stay, the Obligations Group arranged an event for Professor Virgo to meet with students to discuss Remedies. He also led a lunchtime seminar for Obligations colleagues on the topic of unjust enrichment and restitution law.

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<tr>
<th>Date</th>
<th>Event Type</th>
<th>Details</th>
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<tbody>
<tr>
<td>September 11</td>
<td>Lunchtime seminar</td>
<td>Professor Ben McFarlane of University College London presented on ‘The Importance of Looking Back: Duties, Liabilities and the Owl of Minerva’.</td>
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<td>September 25</td>
<td>Lunchtime seminar</td>
<td>Professor Robert Stevens of the University of Oxford led a seminar on ‘Causation and Contribution’.</td>
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<td>October 23</td>
<td>Panel Discussion</td>
<td>An event co-hosted by CCLSR; the panel discussed the role of statute in commercial law and included Professor Elise Bant, Associate Professor Jeannie Paterson and Dr Rosemary Langford.</td>
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<td>November 5</td>
<td>Book launch</td>
<td>This event was to launch Dr Rosemary Langford, Directors’ Duties: Principles and Application (co-hosted with the CCLSR).</td>
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<td>December 4 - 5</td>
<td>Annual Conference</td>
<td>The theme of the Obligations Group annual conference in 2014 was ‘Civil Wrongs’. The conference included papers on equitable wrongs, breaches of statutory duty, and on the interplay between these areas. The on-going aim of our conferences is to provide academics from the Asia-Pacific region with the opportunity to present work in progress and to discuss issues relating to research, publication and teaching in the Obligations field in a collegial and supportive environment.</td>
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Report finalised October 2015