

**Australian Bar Review (ABR)**  
**Volume 47 Part 2**  
*(speeches and articles included in this part are linked to the LexisNexis platform)*

**CONTENTS**

**Speeches**

<a href="#">Barwick today</a> — <i>R V Gyles</i>	99
<a href="#">Sir Garfield Barwick Address 2018</a> — <i>Ian D F Callinan</i>	106
<a href="#">A comparison between discrimination under the general law and discrimination in the <i>Australian Constitution</i></a> — <i>David Bennett</i>	117

**Australian Academy of Science and Australian Academy of Law  
Joint Symposium 2018**

<a href="#">Are you sure?</a> — <i>James Allsop, Max Coltheart, Robert French and Kerrie Mengersen</i>	122
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**Articles**

<a href="#">The role of equity in 21<sup>st</sup> century commercial disputes — Meeting the needs of any sophisticated and successful legal system</a> — <i>Mark Leeming</i>	137
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Why is equity a desirable and essential element of commerce and commercial litigation? This article responds to concerns sometimes expressed that equity has little to do with commerce, that contractual disputes do not involve equitable principle and that introducing equitable principles into commerce and commercial litigation leads to uncertainty. This article also addresses the definitional and semantic difficulties inherent in those concerns.

The offence of sedition: Its history, its current status  
in Australian and international law, and its constitutionality  
— *Anthony Gray*

159

The law of sedition has a long history in the common law. Government attempts to discourage and punish dissent and criticism are not new. This article notes current examples where laws of Australian states continue to punish sedition. It argues that this kind of law is not compatible with Australia's implied freedom of political communication, which reflects Australia's democratic governance structure. Democracy requires full and frank discussion of political issues, including criticism of those in government. On the other hand, freedom of speech is not absolute, so government regulation of speech which urges or incites violence is legitimate.

Contracting out of statutory prohibitions against misleading  
or deceptive conduct  
— *Richard Scruby*

181

This article examines the nature and scope of the principle that parties cannot contract to exclude or limit liability for misleading or deceptive conduct. It argues that the principle cannot stand in light of recent developments in the law of illegality.