

The Hochelaga Lectures 2016

Values in Law: How Principles, Norms and Ideals Influence and Shape the Rules and Conduct of Law

The Honourable James Leslie Bain Allsop AO

Chief Justice, Federal Court of Australia

THURSDAY 20TH OCTOBER 2016, 19:00 – 20:00

**ACADEMIC CONFERENCE ROOM, 11/F, CHENG YU TUNG TOWER,
CENTENNIAL CAMPUS, THE UNIVERSITY OF HONG KONG**

This lecture will examine the manner in which values can be said to inhere within the fabric of the law, and consider how the presence of such values has played a fundamental role in informing and controlling the exercise of power, and in reflecting the law's character as an expression or manifestation of natural human or societal bonds of conduct. By exploring and understanding the place and influence of principles, norms and ideals within a variety of legal areas – including contracts, criminal law, insolvency, administrative law, commercial law, and consumer protection – it becomes evident that a balance has been sought within the legal system; a balance built upon the relationship between rule and value, between definition and flexible evaluation. One aspect of that balance is the achievement of certainty and doing justice – not as a dialectical process of the confronting of opposites, but by the wise balance of the competing demands of law through the recognition that law is life, and life is infused with values and norms. In considering such topics this lecture aims to identify and demonstrate the currency, relevance and thematic strength of values within law, and the legal system, and to challenge the misperception that the law is built and defined solely by rule making, formulae or inexorable command.



From 1981 to 2001 Chief Justice Allsop practiced at the Bar in New South Wales and elsewhere in Australia. He was appointed Senior Counsel in New South Wales in 1994 and Queen's Counsel in Western Australia in 1998. From 7 May 2001 to 1 June 2008 he served as a Judge of the Federal Court of Australia, undertaking the roles of trial and appellate judge on a full range of Federal Court work. From 2 June 2008 to 28 February 2013, Chief Justice Allsop was President of the New South Wales Court of Appeal. He was appointed Chief Justice of the Federal Court of Australia as of 1 March 2013. From 1981 to 2014 Chief Justice Allsop taught part-time at the University of Sydney as a tutor and lecturer in property, equity, bankruptcy, insolvency, corporate finance and maritime law. He currently teaches part-time in maritime law at the University of Queensland. From 2005-2009, he was a member of the board of World Maritime University in Malmö, Sweden. From 2008 to 2011 he was a member of the Board of the Australian Maritime College. On January 2010, he was elected as an Honorary Bencher of the Middle Temple. On 19 March 2013 he was elected a member of the American Law Institute.

The Hochelaga Lectures commemorate the life and interests of the anonymous donor's father. Previous Hochelaga Lecturers have included Chief Justice Beverley McLachlin PC CStJ; Professor Gareth Jones QC; Professor Andrew Burrows QC; Professor Lawrence Lessig; Professor Martha Nussbaum; Professor K. Anthony Appiah; Judge Raul Pangalangan; Professor Madhavi Sunder; Professor Mindy Chen-Wishart; Professor Bruno Zeller; Justice Peter Roth; Chief Justice Diana Bryant AO; Justice Victoria Bennett; and Judge Huang Yongwei.

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For inquiries, please email Joyce Fung at joycef@hku.hk

