

The Hon Dr Robert Austin

An honorary award of a Doctor of Laws (honoris causa) was conferred upon The Hon Dr Robert Austin the Chancellor, Ms Belinda Hutchinson AM, at a Sydney Law School graduation at 2.00pm on 11 December 2019.

Citation

Chancellor, it gives me great pleasure to present The Honourable Dr Robert Austin to you for admission to the degree of Doctor of Laws (honoris causa) in recognition of his extensive contribution to the practice of corporate and commercial law in Australia as well as his exemplary service to the academic sphere and to the teaching of law, in this University in particular, throughout his career.

Dr Austin, Bob, graduated from the University of Sydney in Arts and Law, and Master of Laws (First Class Honours). He studied under the guidance of Professor Ross Parsons, who instilled in him a lifelong commitment to corporate law scholarship.

Bob began teaching part-time at the Sydney University Law School in 1969, when invited by William Gummow to give tutorials in Equity. In 1970, he accepted a lectureship in law at Sydney, and he pursued an academic career for the following 20 years. He rose to the rank of Professor and Head of the Department of Law.

During his academic career he graduated Doctor of Philosophy at Oxford University, and at various times he was appointed to visiting positions at Corpus Christi and Harris Manchester Colleges Oxford, Osgoode Hall Law School Toronto, Duke University in North Carolina, and Columbia University New York. Amongst his public-sector assignments was his retainer by the Australian Government in 2011 to visit India to lecture, consult and advise Indian officials on the preparation of their country's new Companies Act, which was enacted in 2013.

He became a partner with Minter Ellison in 1990, while continuing to teach postgraduate subjects at Sydney University Law School on a part-time basis, and from 1998 until 2010 he served as a judge of the Supreme Court of New South Wales. He oversaw many difficult cases, including *ASIC v Rich* (2009), an enormous case which involved 232 sitting days in both Sydney and London. He administered the busy Corporations List with Justice Kim Santow.

In *R v Wakim* (1999) the High Court of Australia held that the Federal Court lacked jurisdiction to hear corporate cases based on State law. Consequently, Justice Santow and Bob inherited trolley-loads of Federal Court files, adding substantially to their workload until the problem was resolved in 2001.

When the Commonwealth Government purported to impose a surcharge on judicial pensions by artificially deeming them to be superannuation, Bob became, at the request of Chief Justice Spigelman, first plaintiff and principal organiser of a successful High Court constitutional challenge to the legislation on behalf of affected judges in all Australian States: *Austin v The Commonwealth* (2003).

In each of the last 51 years, Bob has made a teaching contribution at Sydney University Law School, for 20 years on a full-time basis and 31 years as a part-time postgraduate teacher. He has made a significant contribution to the academic sphere during his academic career, and, for the last 28 years, as Challis Lecturer in Corporate Law. He has been a guide or mentor to many law students throughout his career. His commitment to fostering the development of the new generations of lawyers has been exemplary.

He has written or contributed to many publications on corporate law and equitable principles, including Ford's Principles of Corporations Law (with Professor Ian Ramsay); Austin, Ford and Ramsay, Company Directors: Principles of Law & Corporate Governance (2005); and Austin & Black's Annotations to the Corporations Act (with Hon Justice Ashley Black).

Each year since 2007, Bob has organised the annual Supreme Court of New South Wales Corporate and Commercial Law Conference on behalf of three sponsors: the Law School's Parsons Centre, the Supreme Court, and the Law Society of New South Wales. It is a very significant event which showcases our leading researchers to the judiciary and the broader legal profession and commercial world.

Bob is one of a group of pre-eminent corporate law scholars in Australia, with an international reputation. He was a well-respected judge, and remains a much admired and respected legal academic, and commercial practitioner.

Chancellor, I present The Honourable Dr Robert Austin to you for admission to the degree of Doctor of Laws (honoris causa), and I invite you to confer the degree upon him.