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Thanks.
Linda Bakokoto

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THE PURPOSE OF LITIGATION

Hon Murray Gleeson AC

The author of this article explores the purpose of the litigation process, in particular the object of civil litigation through the examination of some of its basic assumptions. After a brief survey of the criminal justice system, the author turns his focus to the public and private spheres of the civil justice system. While noting that it is difficult to have a clear and common understanding of what the civil justice system seeks to achieve because it serves many interests, the author raises issues about the way the system works, and how it might be changed. The author looks at the problems of cost and delay, the application of public resources, legislative policy and the balancing exercise involved in the rationing of court services with the obligation of governments to provide its citizens access to justice. 601

**QUIRKS AND CURIOS: RESCUED FOOTNOTES IN THE HISTORY OF
SUCCESSION LAW**

Professor Rosalind Croucher

Property law is full of stories – many of them relating to succession law. In the context of the passing of time, the tightness of texts, and publishers’ constraints, many may get relegated to the “cutting room floor” of academic writing, or just left behind as history’s tide moves rapidly on. In this article the author launches a mission to rescue a collection of interesting twists and turns in the history of succession law. 609

**THE MEMBER’S RIGHT TO INSPECT THE COMPANY BOOKS: CORPORATIONS
ACT, s 247A**

Christos Mantziaris

Members of a company have a right to inspect the company’s books under both the general law and s 247A of the Corporations Act 2001 (Cth). The general law right is influenced by the traditional judicial deference to the internal management of the company. The s 247A right is not so encumbered. The applicant need not show a special right or interest for the inspection, and may obtain an order to inspect board papers. The differences between the general law and statute are often misunderstood by both litigants and the courts. This article provides a detailed statement of the law governing both remedies and its practical application. 621

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[Cover photo: The Chief Justice of Hong Kong, Andrew Li, speaking at the inaugural session of the 16th Commonwealth Law Conference held in Hong Kong between 5-9 April 2009.]

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Volume 26, Number 5

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This article outlines the results of a broad cost-effectiveness analysis of the federal environmental impact assessment (EIA) regime under the Environment Protection and Biodiversity Conservation Act 1999 (Cth). Statistics on the operation of the EIA regime are reviewed and an analysis of the regime's effectiveness in dealing with Australia's main environmental threats is provided. Consideration is also given to any indirect benefits the regime may have generated. The identified environmental achievements of the EIA regime over the period July 2000 to 30 June 2008 are compared to its administration costs, which are estimated at \$135 million-\$220 million. The conclusion is reached that over the study period the EIA regime generated minor improvements in environmental outcomes at moderate to high cost. 337

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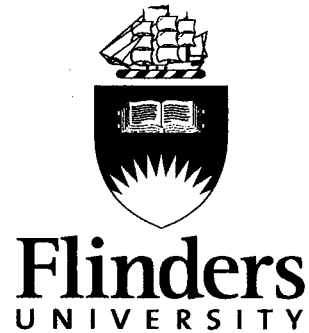
Ecologically sustainable development in Western Australian planning cases – *David Parry*

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