

# *HIGH COURT PUBLIC LECTURE 2016, THE AWKWARD QUESTION: WILL IT WRITE?*

*Introduced by Chief Justice Robert French AC*

THE HON NICHOLAS HASLUCK AM QC



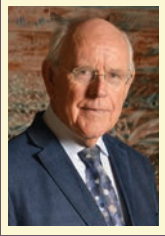
HIGH COURT  
OF AUSTRALIA  
PUBLIC LECTURE

High Court of Australia  
Canberra, Courtroom 1  
5 October 2016 — 6pm

---

## HIGH COURT LECTURE 2016

---



### THE AWKWARD QUESTION: WILL IT WRITE?

The Hon Nicholas Hasluck AM QC studied law at the University of Western Australia, then Oxford, before practising law in Perth. He served as a part-time President of the Equal Opportunity Tribunal (WA) and later as a Judge of

the Supreme Court. He was Chair of the Literature Board and is presently Chair of the Art Gallery of Western Australia. His books include *Legal Limits* on law and literature, and various novels such as *Dismissal* and *The Bellarmine Jug*, winner of The Age Book of the Year Award. He was awarded an Honorary Degree of Doctor of Letters by UWA before leaving the Bench in 2010. His latest novel *The Bradshaw Case* concerns a Native Title claim in the Kimberley and the origin of ancient rock art.

---

## PRECIS

---

A judge's obligation to provide reasons for judgment can be attended by an awkward question: *will it write?* Will a preliminary conclusion succumb to second thoughts in the act of writing? That cautionary feeling, the need for self-examination, reflects the close relationship between preparing reasons and the judge's final decision. The act of writing may take the jurist to another level, a solitary realm with room enough for ingenuity and nuance: rethinking

affected by style and experience. Windeyer J's prose style rested on 'meticulous craftsmanship'. Lord Denning's defence of cricket on the village green used storytelling as a means of persuasion, although in most cases a judgment is shaped by evidentiary rules and the need for objectivity. This lecture asks: to what extent are judgments affected by style and intuition? Are difficult cases resolved by the rational mind alone? What lessons can be learnt from literature?



Refreshments to follow  
*All welcome*

Registration required via website [www.hcourt.gov.au](http://www.hcourt.gov.au)

RSVP by 27 September 2016 | [bookings@hcourt.gov.au](mailto:bookings@hcourt.gov.au) | Enquiries (02) 6270 6893