

2006

Introduction

The 2006 WA Lee Equity Lecture was delivered by Professor Charles Rickett on the topic ‘The Equitable Lien and Personal and Proprietary Claims against Trustees in Breach’. Professor Rickett was then the Sir Gerard Brennan Professor of Law at the University of Queensland, a position he held from 2003 until 2010. He was also the Dean of Law from 2003 until 2007. Before taking up a professorship at the University of Queensland he was Professor of Commercial Law in the University of Auckland. He was also Director of the Research Centre for Business Law and held from 1994 a joint Chair in the Schools of Law and Business and Economics. He has also held teaching appointments at University College London, the University of Cambridge (where he was a fellow of Emmanuel College), Victoria University of Wellington and Massey University. At Massey University he was the Foundation Professor of Business Law. He has also held visiting appointments at the University of Otago and in 2001 he was appointed a professorial fellow of the University of Melbourne.

Professor Rickett is a graduate of both the Oxford and Cambridge Law Schools. His teaching interests include Equity, Banking Law, Restitution, Theories of Obligations and Legal Ethics. He has published widely in these areas. His books include: *Enrichment and Restitution in New Zealand*;¹ *Company and Security Law: Commentary and Materials*;² *Corporate Personality in the 20th Century*;³ *Essays on Insider Trading and Securities Regulation*;⁴ *International Intellectual Property and the Common Law World*;⁵ *Essays on Corporate Restructuring and Insolvency*;⁶ *International Perspectives on Consumers’ Access to Justice*;⁷ and *Laws of New Zealand – Equity*.⁸

In addition, Professor Rickett has spoken at numerous international conferences and he has also conducted seminars for the New Zealand Law Society and the Auckland Law Society as well as for many of New Zealand’s law firms. He has also been involved in a consulting capacity in major equitable and restitutionary commercial litigation in New Zealand.

This lecture examines a range of functional responses that equity provides to breaches of trust out of concern that trustees perform their obligations. The responses considered are as follows: the medium of a common account for the purpose of enabling the performance of trustees’ obligations; reparative compensation for an account based

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- 1 Hart, 2000 (with Ross Grantham).
 - 2 Hart, 2002.
 - 3 Hart, 1998 (ed with R Grantham).
 - 4 Thomson Reuters, 1997.
 - 5 Hart, 2000 (ed with G Austin).
 - 6 Thomson Reuters, 1996 (ed).
 - 7 Cambridge UP, 2003 (ed with TGW Telfer).
 - 8 LexisNexis, 2003.

This is a preview. Not all pages are shown.