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# Australian Law Journal

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# THE AUSTRALIAN LAW JOURNAL

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**ARTICLES****RISKS REVEALED OR CONSIDERED IN RECENT DECISIONS INVOLVING  
“BLIND TRUSTS”****David K L Raphael**

The dangers for a professional trustee company such as arise when it fails to obtain an adequate memorandum of wishes (in the case in question, none at all) has been highlighted in a recent decision of the Privy Council. Much Australian jurisprudence was highlighted in the decision and treated as, in the main, correctly identifying issues of law. What the decision especially highlights is the question of who shall have access to trust papers and whether a particular person (son of the alleged creator of the trust) has a right to call for a distribution of capital and/or income when, effectively, the trust estate names no objects and thus the trustee does not know who it may benefit. The onus which this places, not merely upon a professional trustee but, for that matter, upon any trustee of a like trust, is examined. ....	513
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## INTERCULTURAL COMMUNICATION AND THE LANGUAGE OF THE LAW

**Roland Sussex MA (Canterbury), PhD (London)**

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## WHEN ARE DAMAGES AN ADEQUATE REMEDY?

**Lee Aitken**

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  - 5. Austin, n 4, p 56.

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