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ARTICLES

PROMOTING RELIGIOUS TOLERANCE IN A MULTIFAITH SOCIETY: RELIGIOUS VILIFICATION LEGISLATION IN AUSTRALIA AND THE UK

Garth Blake SC

In response to a perceived growth of religious intolerance, Parliaments of the UK and Queensland, Tasmania and Victoria have recently enacted religious vilification legislation. The Parliaments of New South Wales, South Australia and Western Australia have not done so, for reasons that include a concern that such legislation may be used to foment religious intolerance. In December 2006, the Victorian Court of Appeal delivered judgment in the first major case on religious vilification legislation in *Catch the Fire Ministries Inc v Islamic Council of Victoria Inc* [2006] VSCA 284. This article examines the background to religious vilification legislation in the UK and Australia, and in international law, and analyses the *Catch the Fire* judgment..... 386

SOVEREIGN IMMUNITY AND EQUITABLE RIGHTS AGAINST THE COMMONWEALTH

Garth Campbell

In the 1997 case of *Commonwealth v Mewett* (1997) 191 CLR 471; 146 ALR 299, the High Court considered a claim in tort and contract brought by a private litigant, and effectively removed the availability of sovereign immunity as a bar to proceedings against the Commonwealth. This article considers the reasoning of the court in this and subsequent cases, and the extension of this reasoning to purely equitable claims. The author suggests that some equitable claims against the Commonwealth may still attract the application of sovereign immunity 406

ADDRESS: SUPREME COURT JUDGES' DINNER

The Honourable J P Slattery AO QC

In August 1988 when I retired from the Court at the age which former Chief Justice, Sir Leslie Herron called "the age of statutory senility", I was recalled immediately from what Justice David Hunt then called "the mothball Bench" to sit as an Acting Judge and Royal Commissioner to enquire into matters connected with the former Chelmsford Private Hospital and Mental Health Services. However, a more serious event was to follow. The authoritative *Law Almanac* declared in 2000 that I had died on 12 October 1999. At the power and direction of the present Chief Justice I was "resurrected" in a subsequent *Law Almanac*. I hope to maintain the status quo for some time 416

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