

JOURNAL OF JUDICIAL ADMINISTRATION

Volume 32, Number 3

2023

ARTICLES

“When Do Reasons for Judgment Lose Effect as Precedent?” – *Oliver Jones*

Scholarship on the doctrine of precedent has focused on questions regarding when the reasons for judgment of one court are binding on another court. However, there is a further and equally important question which has received less attention. That is, when do reasons for judgment which are otherwise binding under the doctrine of precedent lose that force? Broadly speaking, loss of binding force occurs due to interaction between the reasons and another judicial decision. The first context is where the reasons are within the ambit of an appeal. The second is where the reasons are inconsistent with reasons from a court of equal or higher status. For each context, the article explores conflicting authorities and seeks straightforward solutions. 91

The Necessary Extension of the Rule of Law to Space Mining – *Andrew J Cannon AM FAAL*

Humans are extending their activities into outer space, and particularly mining space resources. It is necessary to develop a rule of law to regulate those activities to avoid risks of bad practice and conflict and to provide the legal certainty and a wide sharing of benefits. This article notes that the present treaty regime for outer space is not fit for this purpose and discusses what a rule of law for mining in outer space might look like, drawing on the experience of Australian mining law. 114

SPEECH

Cultural Diversity in the Law: It Is Not Revolution – But We Are Going to Occupy the Buildings – *The Honourable Justice Hament Dhanji* 130

