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Civility – *MG Hinton KC*

In 2024, the South Australian Equal Opportunity Commissioner conducted a follow-up review of a 2021 Report into harassment in the South Australian Legal Profession. Where the 2021 Report considered that bullying was as prevalent as sexual and discriminatory harassment, the 2024 Report found that two in every five respondents to the review had experienced bullying in the three years since 2021. One in five respondents said their bully was a judicial officer. One of the drivers facilitating bullying was identified by the Commissioner as incivility. In this article the author analyses what civility is and the centrality of civility to the practise of law and the administration of justice, hypothesising

that addressing the more easily recognisable incivility will go a considerable way to addressing bullying.	830
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The Proper Purpose Rule: Preventing Law’s Intentional Abuse – Dr Jessica Hudson

This article examines the equitable doctrine of fraud on a power, increasingly referred to as the proper purpose rule. The rule performs a basic rule of law commitment to prevent law’s abuse. Yet, there is much about it that is uncertain, such as whether the rule operates on purpose or motive; imposes an objective or subjective standard; has the effect of voidness or voidability; and its relationship with other rules such as good faith and fiduciary loyalty. This article aims to resolve some of these uncertainties by examining the rule across private and public powerholding arrangements. This broader perspective shows the rule is a consistent response to the same basic problem arising throughout a legal system: the intentional abuse of legal power. Also, apparent inconsistencies and uncertainties can be made sense of according to the specific context, the type of power and way in which power is devolved.	846
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