

Citation for SCoLA Life Membership – Professor S. Bottomley

Stephen has made a profound contribution to the Society, to legal scholarship and to legal education within Australia and abroad, and it is fitting that these contributions be recognised by the awarding of a life membership.

Of course, it is impossible to account for Stephen's work in the context of this Citation and a brief summation must suffice. This Citation outlines first Stephen's contributions to the Society, before moving on to outline Stephen's contributions to corporate law scholarship and legal education more broadly.

Contributions to SCoLA

Stephen has been an active and influential member of SCoLA since its early days. Together with Roman Tomasic, Stephen co-organised the second CLTA conference in 1992, an event that was jointly run between the University of Canberra and the ANU. Stephen has also served as a member of the Executive Committee of the then CLTA between 2001 and 2005, and then served as President of the Association in 2002 and 2003, a role he fulfilled with characteristic distinction. For three decades, Stephen has been an outstanding contributor, collaborator and mentor within the Association, now Society, and he has greatly enriched the work of the Society with his rigorous and creative scholarship, and his careful and generous leadership qualities.

Contributions to corporate law scholarship, and legal education more broadly.

As demonstrated every year in our annual conferences, we are an active and highly collegiate community of scholars that have, over many years, provided incisive and, it might be said, patient analysis of the oft-changing corporate law structures in place in this country. The fact that Stephen is widely recognised by this community of scholars as one of the leading voices in the literature speaks to the unusually vital and considered nature of his work.

Over the course of his career so far, Stephen has authored and/or co-authored 6 monographs, the most recent being the wonderful 'The Responsible Shareholder', published in 2022 and the fifth edition of 'Law in Context', published in 2023. Stephen's 2007 monograph 'The Constitutional Corporation: Rethinking Corporate Governance' was awarded the prestigious 2008 Hart Socio-Legal Book Prize by the UK Social-Legal Association. A point of distinction in Stephen's work is his ease with theoretical, doctrinal, empirical and indeed cross-disciplinary legal research. Contrast, for example, the theoretical work evident in the two texts I just mentioned with the insightful empirical research that forms the basis of his 1993 monograph 'Directing the Top 500: Corporate Governance and Accountability in Australian Companies' (co-authored with Roman Tomasic). This dynamism speaks to the depth and breadth of Stephen's powers as a scholar.

In addition to the titles mentioned above, Stephen's contributions to the literature are numerous. Stephen has co-authored two leading legal education texts, 'Contemporary Australian Corporate Law' (with Kath Hall, Peta Spender and Beth Nosworthy) and 'Law in Context' (with Simon Bronitt), with new editions of both books eagerly anticipated. His work has featured in The Melbourne Law Review, The Companies and Securities Law Journal, The Sydney University Law Review, The Federal Law Review, The UNSW Law Review, The Australian Journal of Corporate Law, The Australian Journal of Political Science and the Griffith Law Review, among others. His various book chapters have appeared in collections penned and/or edited by eminent peers and published by leading publishers. Stephen has himself co-edited such collections. Stephen's work has also been quoted with approval by the judiciary, including at the highest level - for example, by the High Court of Australia in *Unions NSW v NSW* (2013) 252 CLR 530. The quality of Stephen's research is further evidenced by his repeated success in competitive grant

applications. Stephen has been awarded no fewer than five Australian Research Council Grants. Stephen's many achievements were publicly recognised and celebrated in 2013 via his appointment as a Fellow of the Australian Academy of Law, and later in 2020, when Stephen was awarded the inaugural Australian Legal Research Awards Lifetime Achievement Medal.

Regarding Stephen's other contributions to leadership, particularly in relation to legal education - Stephen is an extraordinarily gifted educator and leader, and his work in the classroom and in administration is widely respected as being of the highest possible calibre. Thousands of students, including many fortunate research students, have benefitted from Stephen's dynamic and wise instruction. Stephen has also proven himself a leader of remarkable integrity and commitment, qualities which led to his appointment as Dean of ANU College of Law, a position that he performed with grace and care between 2013 and 2017. Whilst Dean of the College of Law Stephen was also a member of the ANU Academic Board (Acting Deputy Chair in 2014), The University Education Committee and the University Research Committee. Stephen has served in a range of leadership capacities at the ANU, which are too numerous to mention here.

Examples of Stephen's leadership work within the academic and broader community include: Member of the Council of Australian Law Deans (2013 to 2017 - Stephen was at one time CALD's nominee on the Independent Standards Committee); he served as an ARC Assessor of Discovery and Linkage Program Applications (2003 to 2005 and again in 2011); He has acted as a longstanding Legal Advisor, Senate Standing Committee on Regulations and Ordinances (2000 to 2012). He was the Chair of the Australian Law Teachers Association (2015-2017) and was made an honorary life member of that Association in 2017. Stephen is also a Member of the Australian Academy of Law ACT Steering Group (2019 to present). Stephen's thoughtful contributions are also present (but less visible) in his frequent referee and editorial work within a large number of publications, including many of Australia's leading legal journals. As a senior member of the academy, Stephen has also acted an external examiner of PhD and Masters theses, and on review committees for a range of Institutions in Australia and abroad. He has participated in, presented at, and helped to organise numerous conferences and events, most particularly in the field of corporate law. Finally, Stephen has frequently been engaged to provide expert lectures on public sector law and corporate governance to practitioners.

In sum, Stephen has proven himself an exemplary and much-admired leader, scholar, colleague and mentor. His remarkable career to date evidences a profound commitment to the law, to legal education and to the highest calibre of scholarly inquiry. Stephen is an ideal candidate for Life Membership of our association.

Vivienne Brand (President) on behalf of the Society of Corporate Law Academics

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