



THE 2025 ANNUAL FORBES LECTURE

The Diva, her Lover and the Recording Company scheme to “get Melba”: Introducing Dame Nellie Melba (1861-1931), the business woman

PROGRAMME

Lecturer:	Professor Kathy Bowrey
Chair:	Professor Mark Lunney, Junior Vice President of the Forbes Society
Date:	Tuesday 22 July 2025
Time:	5.30pm – 6.30pm
Venue:	Banco Court, Level 13 Law Courts Building, Queen's Square, Sydney

CONTEXT: The Forbes Society, and the annual Forbes Lecture sponsored by the Society, are named for Francis Forbes (1784-1841), the first Chief Justice of the Supreme Court of NSW, 1824-1837. He was knighted in 1837.

ORDER OF EVENTS

1. **WELCOME** – by Professor Mark Lunney, Junior Vice President of the Forbes Society for Australian Legal History
2. **PRESENTATION OF THE LECTURE** – by Professor Kathy Bowrey
3. **THANKS and CLOSE OF PROCEEDINGS** – by the Chair

THE FORBES LECTURER

Dr Kathy Bowrey FASSA is a Professor in the Faculty of Law & Justice, UNSW, Sydney. She is an intellectual property lawyer, cultural historian and teacher. Her current projects address (1) Open Science and intellectual property in the context of national industrial policies and (2) the intersection of national cultural policy, copyright, and AI.

Recent books include: K Bowrey & J Lai (eds) [A Research Agenda for Intellectual Property & Gender](#) (Edward Elgar, 2024); J Bellido & K Bowrey, [Adventures in Childhood. Intellectual Property, Imagination and the Business of Play](#), (Cambridge University Press, 2022); K Bowrey, [Copyright, Creativity, Big Media & Cultural Value: Historical answers to contemporary questions about corporate control. Incorporating the Author.](#) (Routledge, 2021). The lecture is based on ‘Chapter 6. Why does a gramophone maker deserve a copyright?’ from this book. The research was supported by the Australian Research Council (DP140100172).

Professor Bowrey is an Executive Committee member of the [International Society for the History and Theory of Intellectual Property](#), serving as Co-Director in 2019-2023.

She is currently serving as the Chair of the Steering Committee of the National Open Science Task Force (Australia).

FORBES SOCIETY LECTURES AND PRESENTATIONS

Lectures and legal history tutorials convened by the Forbes Society are generally open to the public, without charge. The Forbes Society's annual programme of legal history tutorials has, since its inception in 2013, included presentations by senior judges, academics, members of the Bar and Court staff. Presentations this year include:

24 February 2025 The Hon Peter Applegarth AM KC, occasional lecture "In Search of Samuel Griffith: pragmatist or idealist?" chaired by Professor Mark Lunney, combined with presentations to 2024 essayists

11 June The Hon Arthur Emmett AO KC, Legal history tutorial "The significance of Roman Law in the Western Legal Tradition" chaired by Carol Webster SC

10 July The Hon Joe Campbell KC, Legal history tutorial on the History of equity, chaired by Simon Chapple SC

If you have any queries about attending or presenting, please advise the Treasurer (Carol Webster SC) or the Secretary of the Society (Dr Simon Chapple SC) at secretariat@forbessociety.org.au.

JH PLUNKETT LECTURES: The Annual JH Plunkett Lecture honours the memory of one of the State's pivotal Attorneys General. John Hubert Plunkett (1802-1869) arrived in NSW, from Ireland, in 1832. For more than 30 years thereafter he made a major contribution to colonial law and society, serving, inter alia, as Solicitor General and Attorney General. He was the first Australian lawyer to be granted a commission as Queen's Counsel. He led Roger Therry, another Irish-born barrister, in the conduct of the Myall Creek Murder trials.

The Hon. Andrew Bell, Chief Justice of NSW delivered the Twelfth Annual JH Plunkett Lecture on 13 February 2024 titled 'Unheralded nation-builder: another dimension of John Hubert Plunkett'. The Lecture was chaired by the Hon. James Allsop AC, President of the Forbes Society and combined with a formal presentation to 2023 Essayists.

The Thirteenth Annual Plunkett Lecture 'Liberty not Licence: The law's response to the challenges of ethno-religious sectarianism in nineteenth and early twentieth century Australia' was delivered on 10 September 2024 by Dr Jeff Kildea, and chaired by The Hon. Michael Daley MP, Attorney General of NSW.

This year's Plunkett Lecture will be delivered on 23 October 2025 by the NSW Solicitor General, Michael Sexton SC, in Banco Court.

PRIOR FORBES LECTURES: On 31 July 2024, Daniel Yazdani, barrister of 13th Floor St James Hall, delivered the Annual Forbes Lecture titled 'Francis Forbes and the Parable of the Gown and Wig: A History of Legal Dress in NSW'. The lecture was chaired by Dr Simon Chapple SC, Secretary of the Forbes Society.

On 23 August 2023 Her Excellency the Hon. Margaret Beazley AC KC, Governor of NSW delivered the Annual Forbes Lecture 'The Decade That Shaped Us: Before and After the Third Charter of Justice 1823 – 1833.' The lecture was chaired by the Hon. James Allsop AC, President of the Forbes Society.

JOINT PRESENTATIONS WITH THE NGARA YURA COMMITTEE: the fifth joint presentation on 3 June 2025 explored the [Towards Truth](#) research project. Her Honour Judge Sarah Hopkins

([Ngara Yura Committee](#)) facilitated the presentation and introduced the presenters: Jonathon Hunyor (CEO of the Justice and Equity Centre) and Elizabeth Clark (Research Manager with the Towards Truth Project). [Towards Truth](#) is a partnership between the Indigenous Law Centre and the Justice and Equity Centre (formerly the Public Interest Advocacy Centre). The project is researching the vast body of laws and policies that have impacted First Nations people since 1788, broken down into four main ‘themes’ – Country, Kinship, Law and Culture, and People.

THE FORBES FUND: One of the Society’s objects is to encourage and promote research into Australian legal history and it maintains for that purpose the Francis Forbes Fund, to which donations may be made. Donations to the Forbes Fund (in the sum of \$2.00 or more) are tax deductible. As well as specific projects each year, the Society supports an annual Essay prize awarded for the best presentation by a higher degree research student or an early career researcher at the Annual ANZLHS conference. This paper may be published in *law&history*. Recent grants from the Fund have included:

(2025 grants): *Australian National University* Dr Paula Byrne’s book with ANU Press, “Law in the New Democracy”, which has as its subject the criminal courts of the 1850s;

University of Melbourne Dr Lucinda O’Brien, ‘Evolution of Australian bankruptcy law from the mid-1800s’;

Australian National University Dr Laura L. Dawes, ‘Slip! Slop! Sue! A history of tax litigation and skin cancer activism’;

University of New England Ben Hingley, ‘Martial law in the pre-Federation colonies of New South Wales, Victoria and Van Diemen’s Land’;

University of Southern Queensland Dr Rhett Martin, ‘Historical review of the circumstances of the 1891 conviction and imprisonment of 10 striking shearers for conspiracy.’

(2024 grants): *University of Sydney Law School* Inma Conde, ‘A historical interpretation of Article 7(1) of the United Nations Convention on Contracts for the International Sale of Goods’ – Inma will present a **legal history tutorial** next **Tuesday 29 July 2025** in Court 13A; *University of Sydney Law School* Dr Jeffrey Gordon, ‘Free speech moments in Australian legal history’; *UNSW Law & Justice* Dr Henry Kha, ‘Ne Temere and the Marriage Law of New South Wales: Religious Sectarianism in the 1920s’.

(2023 grants): *University of Technology Sydney* Dr Alecia Simmonds ‘Race, Legal Status and Subjecthood in Defamation Actions Across the Nineteenth and Twentieth Centuries’; *Australian National University* Dr Susan Bartie ‘Contribution of Solicitors-General to the field of Australian law and environmental politics’; *Macquarie University* Dr Henry Kha ‘Wife sales and legal responses in Colonial Australia’ and *Deakin University* Associate Professor Gabrielle Wolf ‘European Medical Émigrés in Tasmania and the Law, 1933-1946.’

We welcome all further donations to enable us to support such worthy projects – provision for donations is made on the membership form.

MEMBERSHIP OF THE FORBES SOCIETY: Membership of the Forbes Society is open to everybody. A membership application [form](#) can be downloaded from the Society’s website <http://www.forbessociety.org.au>. Benefits of membership include timely notification of legal history events via updates emailed to members from time to time.