LIST OF PUBLICATIONS
(as at July 2023, and in descending chronological order per category)

**BOOKS**


4. *Principles of Tort Law* (Cambridge University Press, 2016), lxxix + 1,047 pp (18 chapters), plus 10 further chapters available at: www.cambridge.org/mulheron, under the ‘Resources’ tab


**ACADEMIC ARTICLES**


9. ‘The Funding of the United Kingdom’s Class Action at a Cross-Roads’ (2023) *King’s LJ* 1–27 (online publication Jan 2023, hard copy publication to follow)


12. ‘Further Impetus for a Statutory Class Action, Post-Lloyd v Google’ (2022) *42 Civil Justice*
Quarterly 10–31


15. ‘Creating, and Distributing, Common Funds Under the English Representative Rule’ (2021) 32 King’s Law Journal 381–413


17. ‘Revisiting the Class Action Certification Matrix in Merricks v Mastercard Inc’ (2019) 30 King’s Law Journal 396–425

18. ‘Joining the United Kingdom’s Class Action as a Non-Resident: A Legislative Drafting Conundrum’ (2020) 39 Civil Justice Quarterly 69–89


22. ‘Has Montgomery Administered the Last Rites to Therapeutic Privilege? A Diagnosis and a Prognosis’ [2017] Current Legal Problems 149–188


28. ‘The Damages-Based Agreements Regulations 2013: Some Conundrums in the “Brave New


33. ‘Opting In, Opting Out, and Closing the Class: Some Dilemmas for England’s Class Actions Law-Makers’ (2011) 50 Canadian Business LJ 376–408


35. ‘Emerald Supplies Ltd v British Airways plc: A Century Later, the Ghost of Markt Lives On’ (2009) 8 Competition LJ 159–179


38. ‘The “Primary Victim” in Psychiatric Illness Claims: Reworking the “Patchwork Quilt”’ (2008) 19 King’s College LJ 81–112


42. ‘Some Difficulties with Group Litigation Orders—and Why a Class Action is Superior’ (2005) 24 Civil Justice Quarterly 40–68

43. ‘From Representative Rule to Class Action: Steps rather than Leaps’ (2005) 24 Civil Justice Quarterly 424–449

45. ‘The Defence of Therapeutic Privilege’ (2003) 11 J of Law and Medicine 201–213
47. ‘Contributory Negligence: Should Professional Fiduciaries Accept All the Blame?’ (2003) 19 Tolley’s J of Professional Negligence 422–438
48. ‘The March of Pure Economic Loss ... but to Different Drums’ (2003) 7 Canberra L Rev 87–108

Prize: Winner of The Hon Rex Mason Prize (for best New Zealand legal article of 2003)

57. ‘Juries, Medical Negligence and Causation in the High Court of Australia’ (2000) 8 Tort L Rev 19–23 (co-authored with John Gordon)
60. ‘Exemplary Damages in Tort: An International Comparison’ (2000) 2 University of Notre Dame
63. ‘Solicitors’ Conflicts of Duty and Interest: Some Recent Cases’ (1999) 1 University of Notre Dame Australia L Rev 83–93
64. ‘New Forays of Equitable Remedies into Commercial “Personal Service” Contracts’ (1999) 4 Newcastle L Rev 19
68. ‘Quantum Meruit upon Discharge for Repudiation’ (1997) 16 Australian Bar Rev 150–180

PROFESSIONAL JOURNALS AND CASENOTE CONTRIBUTIONS
72. ‘Robinson v Liverpool Hospital (Case Comment)’ [2023] J of Personal Injury Law [forthcoming]
73. ‘Schoultz v Ball (Case Comment)’ [2023] J of Personal Injury Law C10-C14
74. ‘HXA v Surrey CC (Case Comment)’ [2022] J of Personal Injury Law C196-C200
75. ‘Hoyle v Hampshire Ccl (Case Comment)’ [2022] J of Personal Injury Law C141-C145
76. ‘The Damages-Based Agreements Regulations 2013: A Rocky Road Ahead?’ (Practical Law Co, article identifier: 4-523-7972, Feb 2013) 1–7


83. ‘Anyone for Golf? ... But mind the Kangaroos’ (2000) 27 (5) Brief (Journal of the Law Society of Western Australia) 18–20, and reprinted by request of the Hong Kong Lawyer Editorial Board in (2000/Sep) Hong Kong Lawyer 38–39, and with the author’s permission


87. ‘Nine Lives for a Contractor to Avoid or Reduce Liquidated Damages’ (1998) 61 Australian Construction Law Newsletter 18–34


CHAPTERS IN BOOKS

89. ‘Third Party Funding, Class Actions, and the Task of Statutory Interpretation’, in M Legg and J Metzger (eds), The Australian Class Action – A 30-Year Reflection (Federation Press, 2022), ch 11, 276–91


92. ‘Class Actions and Law Reform: Insights from Australia and England, a Quarter of a Century Apart’ in D Graves and H Mould (eds), 25 Years of Class Actions in Australia (Ross Parsons,


**PUBLISHED RESEARCH PAPERS (FOR GOVERNMENT AND NGOs)**


103. The Damages-based Agreements Regulations Reform Project 2019: An Independent Review of the DBA Regulations 2013 (co-authored, with Nicholas Bacon QC, as independent reviewer of the DBA Regulations, Oct 2019)


106. The Law and Practicalities of Before-the-event Insurance: An Information Paper (principal


110. Costs and Funding of Collective Actions: Realities and Possibilities (commissioned by the European Consumers’ Organisation (BEUC), Brussels, Feb 2011), vii + 133 pp


113. Competition Law Cases under the Opt-out Regimes of Australia, Canada and Portugal (commissioned by the Department of Business, Enterprise and Regulatory Reform, October 2008), ix + 76 pp (available at: http://www.berr.gov.uk/files/file49008.pdf)


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