

Mindy Chen-Wishart – the biennial Ivor Richardson Lecture in Private Law 2026

In the 2026 Ivor Richardson Lecture in Private Law, Professor Mindy Chen-Wishart delivered a thought-provoking exploration of contract law, common law reasoning and the role of the courts in society. Combining intellectual rigour with her wit and humour, she drew parallels between herself and Sir Ivor at the outset and framed the lecture around the conviction they shared: that law must remain responsive to the people it serves.

Professor Chen-Wishart began by questioning our otherwise unquestioned assumptions and beliefs about contract law and the doctrine of precedent. She argued that contracts are one of humanity's most transformative tools, creating what she described as "synthetic trust" and enabling strangers to cooperate in ways that make modern society possible. Turning to the common law, she was "brave" enough to challenge the orthodox account of precedent, suggesting that judges often know what the right outcome is before turning to precedent to explain how they arrived there. Drawing on Michael Polanyi's concept of polycentric reasoning, she argued that judicial decision-making is shaped by tacit knowledge, experience and what is likely to "pass muster" with the legal community.

She concluded by examining the five factors that shape contract law – freedom, fairness, community, efficiency and administrability. Echoing Sir Ivor throughout, Professor Chen-Wishart emphasised that legal principles must be continually reassessed so that courts are neither too far ahead of, nor too far behind, the society they serve.