

APPENDIX 11

JUDGES' PARTICIPATION IN REFORM ACTIVITIES AND LEGAL EDUCATION PROGRAMS

The Chief Justice presided at, or introduced, several public lectures during the year, including a lecture by Justice Ruth Ginsburg of the US Supreme Court, in the Rule of Law Series conducted by Melbourne University. His Honour also gave the opening address for the first meeting of the Australasian Chapter of the International Association of Refugee Law Judges in Sydney in October 2001. The address was given by video link from Melbourne. In August 2001, the Chief Justice attended the Njërri Legal Forum as part of the Garma Festival, Indigenous Australians and the Criminal Justice System, at Gulkula in Arnhem Land, where he delivered a paper entitled "Developments in practice and procedure in native title cases". In September 2001 he delivered the 7th Annual Sir Anthony Mason Honorary Lecture at Melbourne University Law School at the invitation of the Law Students' Society. In May 2002, the Chief Justice opened a Students' Constitutional Convention which was held by Penola Secondary College.

The Chief Justice continued to support the Bar Readers courses conducted by the NSW and Victorian Bars. His Honour is also the Chairman of the Advisory Board for the Juris Doctor Degree of the University of Melbourne and the patron of the Fiat Justitia Lecture Series at Monash University.

Justice Beaumont is a member of the Australian Law Reform Commission's Advisory Committee on the review of the Judiciary Act. His Honour wrote a chapter for Unidroit's Uniform Law Review 2001-2004: "Principles and Rules of Transnational Civil Procedure" entitled *Relationship of ALI/Unidroit Principles/Rules to 'background' national law of procedure (Australian Jurisdictions)*.

Justice Wilcox delivered a lecture at the Pacific Island Judges Environmental Law Symposium in Brisbane in January 2002. He also delivered a lecture to the New South Wales Industrial Relations Conference in Wollongong in 2002.

Justice Gray is a member of the AIJA's National Aboriginal Cultural Awareness Committee and Chair of the Advisory Board, Centre for Employment and Labour Relations Law at the University of Melbourne.

Justice Ryan participated in lectures and seminars sponsored by the Castan Centre at Monash University.

Justice French is President of the Australian Association of Constitutional Law, and a member of the AIJA's National Aboriginal Cultural Awareness Committee and, with Judge Mary-Anne Yeats of the District Court of Western Australia, supervised the production of a model Benchbook for Judges dealing with Aboriginal litigants and witnesses written by Stephanie Fryer-Smith, a Deputy Registrar of the Court in Perth. His Honour also presented papers at the Native Title Conference in Townsville on "The Role of the High Court in the Recognition of Native Title", at the National Conference of the Australian Association of Constitutional Law on "The Constitution and the People" and at the Australian Legal Convention on "Legal Retail Therapy – Forum Shopping a Necessary Evil?"

Justice Olney delivered a paper entitled "The Evolving Law of Indigenous Land Claims" at the Australasian Law Reform Agencies Conference in Darwin in June 2002.

Justice von Doussa is a part-time Commissioner of the Australian Law Reform Commission. His Honour is also Chair of the Advisory Committee that oversees the South Australian Practical Legal Training Course conducted by the Law Society of South Australia, and a member of the Legal Practitioners Education and Admission Council (SA). Justice von Doussa also participated in a Corporate Law Workshop in South Australia in July 2001 and a Trade Practices Workshop in Canberra in August 2001.

Justice Hill is the Challis Lecturer in Taxation (part-time) at the Faculty of Law, University of Sydney (LLM degree), Patron of the Tax Law Teachers Association and a member of the Commonwealth Judicial Education Institute. Justice Hill wrote a paper on “GST and Dividends – An Alternative View” in Volume 1, Issue 7, November 2001, of the Australian GST Journal. His Honour presented papers at the GST Discussion Group, the ATAX Annual GST Symposium, the Taxation Institute of Australia WA Division, and the Corporate Tax Association in Melbourne, attended an intellectual property seminar for the Law Council of Australia and is on the organising committee for the 2003 conference of the International Fiscal Association. His Honour gave the Graduation Address for the conferral of LLBs at the University of Sydney on the conferral on him of an award of LLD (*Honoris Causa*) in May 2002.

Justice Higgins is a member of the Council of Chief Justices’ Harmonised Corporations Rules Monitoring Committee and the Subpoena Rules Harmonisation Committee. His Honour also chaired the Australian National University/University of Canberra Legal Workshop Management Committee and presented a paper on “Natural Justice” for the Australian Federal Police College.

Justice Heerey is a consultant to the Australian Law Reform Commission in its reference on Civil and Administrative Penalties in Australian Federal Regulations. He Honour also chaired the Advisory Board for the Post Graduate Program in Intellectual Property Law at the University of Melbourne. Justice Heerey presented papers on “Recent Developments in Patent Law” to the Law School at the University of Tasmania and “Some Aspects of European Competition Law at a Trade Practices Conference in Sydney. His Honour also chaired a seminar on “Damages in Non-contractual Claims” in Melbourne.

Justice Cooper is a member of the Board of Management of the Queensland Bar Practice Centre and a Presiding Member of the Admiralty Rules Committee.

Justice Whitlam delivered a paper as part of the College of Law’s 2002 Judges’ Series Seminar on Practical Litigation in the Supreme Court and the Federal Court.

Justice Carr presented a paper to the Business Law Section of the Law Council of Australia in Tasmania in September 2001.

Justice Branson is a member of the Editorial Boards of The Australian Journal of Legal History and the Adelaide Law Review. Justices Branson and Lindgren are advisory editors of the loose-leaf service, *Federal Litigation Precedents*. Her Honour presented a paper to the New South Wales Bar Association, Women’s Program on “Practical Education in Court or Chambers”, and also participated in the Constitutional Law Conference at the University of New South Wales.

Justice Lindgren is Chair of the Advisory Board of the Centre for Legal Education (NSW). He is co-author with RB Vermeesch of *Business Law of Australia*. His Honour lectured on “Presenting Legal Argument” in the NSW Bar Practice Course. His Honour also organised and lectured in, “The Judges’ Series – Practical Litigation in the Supreme Court and the Federal Court”.

Justice Sackville presented papers at the NSW and ACT Regional Bar Conference in Gerringong on “The Re-emergence of Federal Jurisdiction in Australia” in July 2001 (published (2001) 21 *Australian Bar Review* 133), and to the Refugee Review Tribunal and Migration Review Tribunal Conference in Sydney in November 2001. His Honour also gave the Occasional Address at the University of New South Wales on the conferral on him of an award of LLD (*Honoris Causa*) in May 2002.

Justice Kiefel is a member of the Board of the Key Centre for Ethics, Law, Justice and Governance, a Council member of the Queensland Academy of Arts and Sciences and a member of the Organising Committee for Congress of Comparative Law for the University of Queensland. Her Honour addressed the Year 12 students at All Hallows Convent in Brisbane on ‘A Judicial Career’.

Justice RD Nicholson is a member of both the Board and Council of the AIJA and Chair of both the Courts and Public Committee and the Projects and Research Committees of the AIJA. His Honour is also Secretary of the LAWASIA Judicial Section. He recently retired as Chair of the Disability Services Commission, Access to Justice Working Party after two years. He is also Deputy Convenor of the Trustees of the Francis Burt Education Centre. His Honour published papers on “The Paperless Court?: Technology and the Courts in the Region” and Judicial Ethics and Corruption: Issues for Discussion”. He contributed by video-link from Switzerland to the Workshop of the International Conference of the Society for the Reform of the Criminal Law in August 2001 on “Judicial Independence and Judicial Corruption”. Justice Nicholson attended the 19th Annual Conference of the AIJA in September 2001 and the Supreme & Federal Court Judges’ Conference in January 2002, and gave seminars at the International Development Law Institute, Judicial and Administration Seminar in Sydney in June 2002.

Justice Finn is a Consultant to the Australian Law Reform Commission’s Review of the *Judiciary Act 1903* (Cth).

Justice North conducted a seminar for visiting Indonesian judges in Melbourne on “Judicial Independence” in March 2002, and conducted a seminar at Melbourne University to post-graduate native title students on the subject of “On-Country Hearings” in May 2002. His Honour chaired presentations at the Australian Institute of Aboriginal and Torres Strait Island Studies conference in Townsville in August 2001 on the subject of recent native title litigation. Justice North presented a paper entitled “Developments in Refugee Law in Europe and North America” to the regional meeting of the International Association of Refugee Law Judges in Sydney in October 2001.

Justice Madgwick chaired the NSW Law Society’s Continuing Education session in Migration Law and Practice.

Justice Merkel is Patron of the Australian Indonesian Legal Development Foundation. His Honour organised and participated in the judicial training visit for Indonesian judges in Melbourne during March 2002.

Justice Mansfield is the Chairman of the Professional Development Program for the Law Society of South Australia and presented papers and lectured to practitioners of the Law Society on Trade Practices and gave two seminars to law students on “Legal Ethics”. His Honour also presented a paper at the Annual Conference to the Institute of Chartered Accountants.

Justice Emmett is the Challis Lecturer in Roman Law at the University of Sydney. His Honour presented a paper on “Discovery” at the Judges Series, Continuing Legal Education program in February 2002 and coordinated the Courtwatch program for students of the

Universities of Sydney and New South Wales to observe court proceedings. Justice Emmett is Consultant Editor and Contributor to Butterworths *Australian Legal Dictionary* and Consultant Editor for Butterworths *Trusts Law Australia*.

Justice Weinberg is Chairman of the Leo Cussen Institute of Victoria and a Board member of the Faculty of Law at Monash University. His Honour is a part-time Commissioner of the Australian Law Reform Commission and was a member of its Advisory Committee on the review of the *Judiciary Act*. He is a member of its Division constituted under the *Australian Law Reform Commission Act 1996* for the purposes of the reference on Civil and Administrative Penalties in Australian Federal Regulations.

Justice Dowsett is a member of the Council of the National Judicial College of Australia. His Honour also conducted a weekend on intensive advocacy training activity for the Bar Practice Course in QLD.

Justice Kenny is a Board Member for the Centre for International and Public Law, Australian National University Board, a Board Member for the Monash University Law Faculty and an Advisory Board Member for the Federal Law Review. Her Honour is a Patron of the Australia-Indonesia Legal Development Foundation, a member of the Scholarship Committee for the Menzies Foundation, and a member of the Australian Law Reform Commission's Advisory Committee on the Judiciary Reference – Review of the *Judiciary Act 1903* (Cth). Justice Kenny was involved in the Melbourne program for the visit by the 3rd Philippine Delegation for the Australian-Philippine Judicial Cooperation Program. Her Honour gave the after dinner toast at the Melbourne University Law Review: 45 Years On – MULR 45th Annual Dinner.

Justice Gyles presided at the New South Wales Bar Association's Practice Course mock trial and presented a paper on "Evidence" for the same Association. His Honour gave the opening address to the 3rd National Institute of Chartered Accountants Forensic Accounting Conference in April 2002 on "The Future of Expert Evidence".

Justice Stone is Adjunct Professor of Law at the University of New South Wales and lectured students in commercial equity. Her Honour is a Judicial Fellow at Flinders University and presented a number of lectures and seminars to staff and students and one public lecture on "The Contribution of the Academy to the Development of Law. Justice Stone attended conferences on Law of Obligations at Melbourne University in February 2002, on Constitutional Law at the University of New South Wales in February 2002, on Trade Practices in Sydney in May 2002 and the Aboriginal Cultural Awareness Program at Nowra in March 2002. She also attended a Public Law Weekend organised by the Centre for International and Public Law at the Australian National University in November 2001 and an Intellectual Property Seminar in Sydney in March 2002.

Justice Allsop is an adjunct member of staff at the University of Sydney teaching a post-graduate course in corporate law. His Honour participated in lectures run by the College of Law and in a seminar for the profession in Part IV of the *Trade Practices Act*. He also participated in the Judges Series, Continuing Legal Education program lecturing on the *Evidence Act*.