

# INDEX

## A

access to judgements 47  
access to the court 41–2  
acquisition of assets 91  
administered items 83–4, 94, 110–11  
Administrative Appeals Tribunal 20  
*Administrative Decisions (Judicial Review) Act 1977*: 20  
*Admiralty Act 1988*, matters relating to 21, 140, 154  
Admiralty and Maritime Law Seminar 50  
Advertising and Marketing Services 59  
age of pending workload 27–8  
agency resource statement 118  
*Akiba v State of Queensland (No. 2)* 47, 151–3  
Allaway, Phillip 121  
Anderson, Louise 120  
appellate proceedings 130, 145–6  
    cross-appeals and cross claims 29, 132  
    from Federal Magistrates Court 21  
    jurisdiction 28–30  
    workload 29  
appointments of judges 7  
appropriations 112–13  
assets  
    addition schedule 82  
    administered 109–10  
    contingent 91  
    impairment of 91, 93  
    non-financial 98–101  
    recognition threshold 92  
    reevaluation of 17  
assisted dispute resolution 13–14, 31, 35–41  
Attorney-General, see McClelland, Robert  
auditors' remuneration 106  
auditors' report 72–3  
audits 58  
Australian Competition and Consumer Commission 147  
Australian Competition Tribunal 41, 147–8  
*Australian Consumer Law* 22, 24  
Australian Energy Regulator 147  
Australian Law Reform Commission Reference on Discovery 42  
Australian legal system 41–2  
*Australian Securities and Investments Commission Act 2001*: 21  
*Australian Securities and Investments Commission v Fortescue Metals Group* 162–3  
Auvergne matter 32

## B

balance sheet 76  
Baldwin, Heather 121  
*Bankruptcy Act 1966*: 21, 136  
Barker, Michael Laurence 6–7, 184  
basis of preparation of the financial statements 86–7  
Belcher, Murray 121  
Bennett, Annabelle Claire 4, 8, 157–8, 178  
Besanko, Anthony James 5  
Blades, David 121  
Bochner, Katrina 122  
Brisbane buildings 66  
Bromberg, Mordecai 6, 49, 51  
Buchanan, Robert John 5  
Burns, Rupert 121

## C

Caporale, Daniel 121  
case management 20–41, 68, 127  
cash flow reconciliation 103  
cash flow statement 78  
cash on hand 91  
categories of documents 190–1  
causes of action 128–9  
changes in Australian accounting standards 87  
changes in equity, statement of 77  
chief finance officer, statement by 74  
Chief Justice, powers and responsibilities 56,  
    see also Keane, Patrick Anthony  
China, Supreme People's Court 51  
Christie, Patricia 14, 122  
*Civil Dispute Resolution Act 2011*: 24  
Collier, Berna Joan 5, 7, 159, 180–1  
*Comcare v Commonwealth of Australia* 159  
*Commissioner of Taxation v Cooperative Bulk Handling Ltd* 160  
*Commissioner of Taxation v Secretary to the Department of Transport (Victoria)* 155  
commitments schedule 79–80  
community relations 48  
compensation 115  
*Competition and Consumer Act 2010*: 20, 147, 169–71  
competitive tendering and contracting 59  
complaints handling 50  
compliance index 192–5  
comprehensive income schedule 75  
consulting services 58–9, 188–9  
consumer law matters 138

contact details 202  
contingencies schedule 81  
contingent assets and liabilities 91  
contracts, decisions of interest 161–2, 165  
*Copyright Act 1968*: 149, 157–8, 163–4  
*Copyright Amendment Act 2006*: 149  
Copyright Tribunal 41, 149  
corporate functions 56–69  
*Corporations Act 2001*: 21, 137, 162–3  
court and registry fees 45–6  
Cowdroy, Dennis Antill 5  
credit risk 107, 111  
cross-appeals and cross claims 29, 132  
*Current Issues in Admiralty* 50

## D

*Dale v State of Western Australia* 167  
debt relief 115  
decisions of interest 151–73  
Defence Force Discipline Appeal Tribunal 41, 150  
delivery of judgments 26  
depreciation 92–3  
derecognition of assets 93  
dispute resolution 20–41  
distributions to owners 89  
district registries 8, 202  
Document Management System 68  
Dodds-Streeton, Julie Anne 6, 155, 166  
Downes, Garry Keith 4  
Dowsett, John Alfred 4, 34, 155–7, 176

## E

eCourtroom system 42, 68  
Edmonds, Richard Francis 5, 8  
eLodgement system 41–2, 65  
*EMI Songs Australia Pty Ltd v Larrikin Music Publishing Pty Limited* 168  
Emmett, Arthur Robert 4  
activities 175  
appointments 7–8, 149  
decisions of interest 162–4, 168  
employee benefits 89–90  
Employers Disability Network 64  
Enterprise Agreement 59, 62  
environmental management 67  
equity, decisions of interest 155–7  
eServices strategy 41–2, 68  
establishment, overview 2  
expenses 95–6, 109  
external scrutiny 58

## F

*Fair Work Acts* 21, 142  
*Fairfax Media Publications Pty Ltd v Reed International Books Australia Pty Ltd* 157–8  
Federal Court Regulations 22–3  
Federal Court Rules 14–15, 23–4  
Federal Court Users Committee 48  
Federal Magistrates Court  
appellate proceedings from 21, 29, 146  
payments to 94  
registry services for 16  
workload 24–5  
Fewings, Christine 121  
financial assets 91, 97  
financial instruments 106–8  
financial liabilities 91  
financial management 17, 57  
financial statements 70–117  
Finkelstein, Raymond Antony 4, 161–3  
Finn, Paul Desmond 3, 151–3  
Flick, Geoffrey Alan 5  
Foster, Lindsay Graeme 6, 8, 148, 183–4  
Fraud Control Plan 58  
freedom of information 15, 190–1  
*Freedom of Information Amendment (Reform) Act 2010*: 24  
functions and powers 2

## G

gains 88  
Giudice, Geoffrey Michael 4  
glossary 199–201  
Goldberg, Alan Henry 7, 182  
Gordon, Michelle Marjorie 5, 53  
governance 56  
Gray, Geoff 120  
Gray, Peter Ross Awdry 3  
Acting Chief Justice 7  
activities 49, 174, 182  
Greenwood, Andrew Peter 5, 8, 179–80  
Gunaikurnai matters 33

## H

*H v Minister for Immigration and Citizenship* 158–9  
Hannigan, Paddy 120, 122  
Hedge, Jennifer 120, 122  
Hetyey, Julian 121  
Higgins, Terence John 3  
human resources 59–65  
staffing profile 9, 60–2, 185–7

## I

impairment of assets 91, 93  
 income 97, 109  
 Indigenous Clerkship Program 49  
 Individual Docket System 25  
 Indonesian Supreme Court 52  
 Information Publication Scheme 15, 191  
*Informax International Pty Ltd v Clarius Group Limited* 165  
 intangibles 93  
 intellectual property, matters relating to 144, 168  
 interest bearing liabilities 102  
 International Commercial Law Conference 50  
 international law, decisions of interest 151–3  
 international work 50–3  
 interpreters 45  
 Irving, Ian 52, 120

## J

Jacobson, Peter Michael 4, 161–2, 178  
 Jagot, Jayne Margaret 6, 149  
   appointments 7–8  
   decisions of interest 163–4, 168  
 Jan, Martin 121  
 Jessup, Christopher Neil 5, 155  
*John Holland Rail Pty Ltd & Anor v Comcare* 166  
 Josan, Angela 120  
 Judges 3–6  
   decisions of interest 151–71  
   employment benefits 89–90  
   participation in activities 172–84  
   pensions 90  
 Judges' Committees 56  
 Judges' Meetings 56  
*Judiciary Act 1903*: 20  
 jurisdiction issues 20–2

## K

Kalkadoon matters 34  
 Katzmann, Anna Judith 6–7, 184  
 Kavallaris, Stephanie 120, 122  
 Keane, Patrick Anthony 3  
   activities 49, 172–4  
   addresses and speeches 50  
   awards presented by 64  
   decisions of interest 162–3, 169–71  
 Kenny, Susan Coralie 4, 158–9  
   activities 176–7  
   appointments 7  
   decisions of interest 155, 166  
*King v Northern Territory* 32

## L

Lackenby, Kim 120, 122  
 Lagos, Sia 52, 121  
 Lander, Bruce Thomas 4  
   activities 178–9  
   appointments 7–8  
   convenes Rules Revision Committee 14  
*Lane v Morrison* 150  
 Law Council of Australia 43  
 Law Courts Limited 65  
 leases 90  
 leave entitlements 89, 104  
 legal education activities 50  
 legal reform activities 50, 172–84  
 letter of transmittal 1  
*Leveraged Equities Ltd v Goodridge and Anor* 161–2  
 liabilities 91, 110  
 library and information services 53, 69  
 liquidity risk 108  
 loans and receivables 91  
 Logan, John Alexander 5, 7, 182–3  
 Luxton, Timothy 121  
 Lynch, Katie 121

## M

management of the court 56–69, 119  
*Managing Discovery of Documents in Australian Courts* 43  
 Mansfield, John Ronald 4  
   activities 175  
   appointments 7  
   decisions of interest 160, 167, 169–71  
 market risk 108  
 Marshall, Shane Redmond 3, 49, 52, 174–5  
 Mathieson, John 52  
 matters transferred to or from the court 26  
 McClelland, Robert 1, 12, 48, 50  
 McKerracher, Neil Walter 6, 160  
 media information 47–8  
 mediations 13–14, 38–41  
 Melbourne buildings 66  
 Middleton, John Eric 5, 7, 169–71, 181  
 migration cases 29–30, 139  
*Migration Litigation Reform Act 2005*: 16  
*Military Justice (Interim Measures) Act (No. 1) 2009*: 150  
 Montejinni Applications 32, 48  
 Moore, Michael Francis 3  
   activities 174  
   decisions of interest 155–9, 167  
   work-related travel 52

moot courts and competitions 49  
Morgan, Thomas 120, 122  
Mullett matter, media access during 48  
Murphy, Bernard Michael 6–7

## N

*National Broadband Network Companies Act 2011*: 22  
National Consultative Committee 59  
National Excellence Service Award 64  
National Native Title Tribunal 21, 31  
National Practice Committee 56  
National Risk Review 66  
Native Title  
    age of pending workload 28  
    decisions of interest 151–3, 167  
    matters relating to 141  
    review of caseload and priority 12–14  
    workload 31–4  
*Native Title Act 1993*: 21, 23  
*Native Title Amendment Act 2009*: 12–14  
Native Title Practices Committee 12  
Ng, Chuan 120, 122  
Nicholas, John Victor 6, 163–4, 168  
non-financial assets 98–101  
Norfolk Island Supreme Court 21  
North, Anthony Max 3, 166–7  
Northern Territory Supreme Court Building 65  
notes to the financial statements 85–117

## O

objectives of the Court 2, 86  
Occupational Health and Safety Committee 59, 63  
officers of the court 9, see also human resources;  
Registrars  
O'Reilly, Niamh 50  
Organisational Development team 65  
organisational performance 17  
outcome and program statement 57  
outcome and program structure 3, 116–17  
overview of AFC 2–9

## P

Pacific Judicial Development Programme 51  
Papua New Guinea 52  
payables 101  
Pegasus Scholarship Trust 50  
performance measures 15–17  
performance pay 63  
*Perpetual Trustee Co Ltd v Smith & Ors* 155–7

Perram, Nye 6–7, 165, 183  
*Pilbara Infrastructure Pty Ltd v ACCC* 169–71  
Policy and Planning Committee 56  
powers of the court 2  
practice and procedure 42, 166, 169  
Practice Notes 24  
Principal Registry 8, 202  
Pringle, David 121  
priority cases, Native Title 12–13  
Private Automatic Branch Exchanges 67  
pro bono scheme 49  
program structure 3  
property, plant and equipment 92  
property management 65–6  
provisions 102  
published information 47  
purchasing 58

## Q

Queens Square buildings 66  
Queensland Public Interest Law Clearing House 43

## R

Rares, Steven David 5, 180  
Reeves, John Edward 6  
Registrars 8, 120–2, see also Soden, Warwick  
registries 8–9, 45–6, 56  
related actions 29  
remission of fees 45–6  
remuneration 61, 103–6  
reporting of administered activities 94  
reporting of outcomes 116–17  
requests for information 47  
reserved judgments 26  
*Resolve to Resolve, The* 42  
resources received free of charge 88  
retention strategies 64  
retirements of judges 7  
revaluations 92  
revenue 87–8, 94  
reward and recognition 64  
Richard Cooper Memorial Lecture 49  
Riordan, Catherine 149  
risk management 58  
*Roadshow Films Pty Ltd v iiNet Ltd* 163–4  
Robertson, Alan 6–7  
Rules Revision project 23  
Ryan, Donnell Michael 7, 154

## S

Sachs, Albie 53  
 sale of assets 88  
 schedule of administered items 83–4  
 schedule of asset additions 82  
 schedule of commitments 79–80  
 schedule of contingencies 81  
 Scott, Catherine 122  
*Seafood Imports Pty Ltd v ANL Singapore Pty Ltd* 154  
 security policy 66  
 Segal, Geoffrey 120, 122  
 self-represented litigants 43–5  
 Senior Executive Service 62, 103–5  
 shipping and navigation 21, 140, 154  
 Sibly, Hugh 149  
 significant accounting judgements and estimates 87  
 Siopis, Antony Nicholas 160  
   activities 49, 179  
   appointments 8  
   decisions of interest 4  
 Smith, Rhonda 149  
 Soden, Warwick 8, 52, 74, 120  
*Soden v Kowalski* 169  
 South Pacific, library services to 53  
 special accounts 113–15  
 Spender, Jeffrey Ernest John 7  
 staffing, see human resources  
 Stanley, Elizabeth 121  
 State offices (district registries) 8, 202  
 statement of changes in equity 77  
 statement of comprehensive income 75  
 statutes of the court 123–6  
 Stone, Margaret Ackary 4  
   activities 177  
   decisions of interest 155–7, 161–2, 169  
 study assistance policy 65  
 ‘suitable filings’ 36  
 summary of significant accounting policies 86–94  
 Sundberg, Ross Alan 7  
 superannuation entitlements 90, 104  
 supplementary causes of action 131–2  
 Supreme and National Court of Justice, Papua New Guinea 52  
 Supreme Court of Indonesia 52  
 Supreme Court of Norfolk Island 21  
 Supreme Courts of the States and Territories 21  
 Supreme People’s Court of Vietnam 52, 174  
 Supreme People’s Court, Republic of China 51

## T

taxation, matters relating to 143, 155, 160  
 taxation obligations 93  
 technology services 67  
 televised judgments 47–8  
 Tesoriero, Anthony 120, 122  
*The Resolve to Resolve* 42  
 time goals 16, 25, 134–5  
 Tracey, Richard Ross Sinclair 5, 158–9, 181  
*Trade Practices Act 1965*: 147, 169–71  
*Trade Practices Amendment (Australian Consumer Law) Act 2010*: 22, 24  
 training and development 65  
 transactions with the Government as owner 89  
 transferred matters 26  
*Trans-Tasman Proceedings Acts* 22  
 tribunals 41, 147–50  
 Trott, Russell 121

## V

Victoria Registry 49, see also District Registries  
 Vietnam 52, 174  
 visitors to the court 53

## W

waiver of fees 45–6  
 Wall, Michael 120, 122  
 website 47  
 work of the court 20–53  
 workforce planning 64  
 work-life balance 64  
 workload 15–16, 24–34, 127–46  
 workplace bargaining 62  
 workplace diversity 63–4  
 workplace relations, see Fair Work Acts

## Y

Yates, David Markey 6  
 year in review 12–17

# GLOSSARY

|                               |  |
|-------------------------------|--|
| <b>Administrative Notices</b> | See Practice Notes   |
| <b>Appeal</b>                 | An application to a higher court to review a decision of a lower court or tribunal. For example, an appeal from a decision of a Federal Magistrate may be made to the Federal Court, and a decision of a single judge of the Federal Court may be the subject of an appeal to the Full Court of the Federal Court.   |
| <b>Appellate jurisdiction</b> | The power given to a court to hear appeals in certain matters.   |
| <b>Applicant</b>              | The individual, organisation or corporation who/which applies to the Court to start legal proceedings against another person or persons. Also known as 'plaintiff' in admiralty and corporations matters and in some other courts.   |
| <b>Application</b>            | The document that starts most proceedings in the Federal Court.  |
| <b>Cause of action</b>        | A term used in the Federal Court's case management system to classify proceedings commenced with the Court. There are sixteen main causes of action and five supplementary causes of action.   |
| <b>Cross appeal</b>           | An application by a respondent in an appeal also seeking a review of the lower court or tribunal decision and made in response to the appeal. A cross appeal is not required if the respondent is simply seeking that the decision of the lower court or tribunal be upheld.   |
| <b>Cross claim</b>            | A claim made in a proceeding by one party against a co-party, such as the first respondent (or defendant) against the second respondent (or defendant). However if the claim in the proceeding is by one party against an opposing party, such as the respondent (or defendant) against the applicant (plaintiff), it is called a counter claim. A cross claim has to be closely connected to what is in dispute in the original claim or a counter claim. |
| <b>Directions</b>             | Orders made by the Court or a Judge in relation to the conduct of a proceeding. Before the trial or hearing of a matter a judge may give directions so that the parties involved will be properly ready. The directions usually set down a list of steps to be taken by the parties and the deadline for those steps. The steps usually involve filing of material and defining the issues that require a decision by the Court.                           |
| <b>Discovery</b>              | A process by which the parties involved in a legal proceeding must inform each other of documents they have in their possession and which relate to the matters in dispute between the parties.  |
| <b>Docket system</b>          | A system by which each case is allocated to a particular judge who will then see the case through to completion. In the Federal Court the system is called the Individual Docket System (IDS).   |