

## APPENDIX 9 – JUDGES’ PARTICIPATION IN LEGAL REFORM ACTIVITIES AND INTERNATIONAL COMMITTEES AND CONFERENCES IN 2008–09

On 21 July 2008 in Court One, Melbourne, the Chief Justice and the Chief Justice of Indonesia, The Hon Prof Dr Bagir Manan, SH, MCL signed an Annex to the Memorandum of Understanding on Judicial Cooperation between the Federal Court of Australia and the Supreme Court of Indonesia. The signing took place in the presence of members of the Judicial Reform Team of the Supreme Court of Indonesia and judges of the Federal Court. Each Chief Justice delivered a short address.

On 6 August, the Chief Justice presided at a ceremonial sitting of a Full Court in Hobart to mark the opening of the refurbished Court One of the Commonwealth Law Courts, Hobart. Those present included H E the Governor of Tasmania, the Chief Justice of Tasmania, former Governors and Chief Justices of Tasmania, members of the Supreme Court and leaders of the legal profession.

On 18 August, in Sydney, the Chief Justice presided at a lecture delivered by Judge Mary Schroeder of the United States Court of Appeals for the Ninth Circuit.

The Chief Justice and Mrs Black attended a dinner in honour of Chief Justice Gleeson and Mrs Gleeson at Government House, Canberra, on 27 August.

The Chief Justice attended the bi-annual meeting of the Council of Chief Justices at the High Court, Canberra, on 28 August. The following day, also in Canberra, the Chief Justice was a guest on the bench at a sitting of the High Court of Australia on the occasion of the retirement of the Chief Justice of Australia, the Hon Murray Gleeson AC. On 1 September the Chief Justice was again a guest on the bench at a sitting of the High Court in Canberra for the swearing-in of the Hon Robert French as Chief Justice of Australia.

On 31 October, in Melbourne, the Chief Justice attended a Reception given by the Ambassador of the United States of America and Mrs Robert D McCallum Jr.

On 13 November at Monash University Law Chambers, Melbourne, the Chief Justice attended the 16th Lucinda Lecture delivered by the Hon Sir Gerard Brennan AC KBE and entitled *The Parameters of Constitutional Change*. Later that evening, the Chief Justice was the special guest speaker at the Annual Dinner of the Industrial Bar Association in Melbourne.

On 1 December, the Federal Court in Melbourne hosted a symposium for the Australian Academy of Law. On 2 December, the Chief Justice opened a nation-wide seminar on Cross-Border Insolvency by video-link from Court One of the Court in Melbourne.

On 4 December, the Chief Justice hosted the National Archives of Australia Constitution Founders’ Lecture Series in Court One, Melbourne. The proceeding was opened by the Chief Justice who delivered a short address. The lecture, *Andrew Inglis Clark: The Man and his Legacy*, was delivered by the Hon Justice Peter Heerey.

On 9 December, Lord Bingham of Cornhill met with the Chief Justice and the Melbourne judges of the Federal Court. Lord Bingham delivered a short talk entitled: *The effect of the Human Rights Act on judging in the United Kingdom*.

On 30 January 2009, the Chief Justice attended, as a guest on the bench, a ceremonial sitting of the Supreme Court of the Australian Capital Territory in Canberra to mark the Court’s 75th Anniversary.

On 2 February, the Chief Justice attended services in Sydney to mark the Opening of the 2009 Law Term and a dinner hosted by the Law Society of New South Wales.

On 3 February, in Canberra, the Chief Justice was present at a sitting of the High Court of Australia for the swearing-in of the Hon Justice Virginia Bell.

On 9 February, the Chief Justice conducted a national video-link to the Court's staff to announce the winner of the Federal Court's National Excellent Service Awards.

On 4 March 2009, whilst in Darwin for the sittings of the Full Court, the Chief Justice hosted a Reception for the members of the judiciary and the legal profession of the Northern Territory.

On 10 March, the Chief Justice opened a national video-linked seminar on Investor Class Actions.

On 13 March, at the Melbourne Law School, the Chief Justice took part with a panel of judges which included Chief Justice French, Justice Hayne and Justice Jimly Asshiddiqie of the Constitutional Court of Indonesia, in a judicial round-table on the topic *Transnational Judging: A Judicial Conversation on Foreign and International Law in Domestic Courts*.

On 20 March, the Chief Justice and the Melbourne judges hosted a Reception for the members of the Victorian Bar Council.

On 27 March, in Melbourne, the Chief Justice attended the 150th Anniversary Gala Dinner of the Law Institute of Victoria.

On 30 March, in Melbourne, the Chief Justice and Justices Finkelstein and Gordon met with the Rt Hon Lord Justice Jackson for discussions with him and members of the Civil Justice Council regarding the preparation of their Costs Review.

The Chief Justice attended the launch, by the Attorney-General, the Hon Robert McClelland MP, of the ALRC's special issue of its journal Reform on '*Native Title*' and *Inaugural Reconciliation Action Plan*. The launch took place in Glebe, New South Wales on 8 April.

On 26, 27 and 28 April, in Ottawa, the Chief Justice chaired a meeting of the Board of the International Association of Supreme Administrative Jurisdictions and attended functions associated with the presence of the Board in Ottawa. The Chief Justice and Justice Downes are co-presidents of the Association. On 30 April, also in Ottawa, the Chief Justice took part in the annual meeting between the Intellectual Property Section of the Canadian Bar Association and the judges of the Federal Court of Canada and spoke about the Federal Court of Australia's recent Fast Track procedural reforms. He later attended a dinner hosted by the Canadian Bar Association for the Federal Court of Canada. On Friday, 1 May, in Montreal, the Chief Justice joined members of the McGill Law School for dinner as a guest of Professor Stephen Scott and on Saturday, 2 May, he visited the Law School as the guest of Professor William Tetley.

The Chief Justice opened a video-linked nation-wide Admiralty and Maritime law seminar on Ship Arrests and Insolvency from Court One of the Court in Melbourne on 21 May.

On 2, 3 and 4 June the Chief Justice attended the Second Indo-Australian Legal Forum Meet at the High Court in Canberra. The first Meet was held in Delhi in October 2007.

On 15, 16, 17 and 18 June the Chief Justice represented the Court at the 18th Pacific Judicial Conference and presented a paper entitled: *The Role of the Judge in attacking Endemic Delays – some lessons from Fast Track*.

On 25 June, the Chief Justice delivered the keynote address *Why Tribunals?* at a seminar conducted in Melbourne by the Administrative Appeals Tribunal and the Law Council of Australia.

Justice RYAN presented the 2008 F. S. Dethridge Memorial Address entitled *Protection of the Environment; a new Focus in the Convention on Salvage 1989* to the Maritime Law Association of Australia and New Zealand Conference held in Perth between 12–14 November 2008.

His Honour also chaired the video-linked nation-wide Admiralty and Maritime law seminar on Ship Arrests and Insolvency on 21 May 2009. The Seminar was both well attended and well received nationwide. Contributions were made by a number of eminent presenters, including Greg Nell SC, Sandy Street SC, Professor Sarah Derrington and Andrew Bell SC. Frazer Hunt, President of the Maritime Law Association of Australia and New Zealand, and John Levingston of the Sydney Bar facilitated a Problem Session on The Res, Arrest and Insolvency. Rainer Gilich and Tony Tesoriero from the Federal Court, both of whom have experience in assisting Admiralty Marshals, also offered valuable insights.

In July 2008, Justice MOORE sat on the Court of Appeal in Tonga for a fortnight. In September his Honour continued work on the program to assist the Supreme People's Court of Vietnam to update the Judges' Benchbook. During the period 27–31 October 2008, his Honour travelled to Beijing and Shanghai, as leader of a delegation of Federal Court judges for the third and final phase of a judicial exchange program with the Chinese judiciary focusing on the areas of maritime, competition and labour law. In December 2008 his Honour and Justice Mansfield conducted workshops in evidence assessment in resolution of international commercial disputes for judges of the Supreme People's Court of Vietnam and also continued work on the Benchbook. In January 2009 Justice Moore attended the Supreme and Federal Court Judges' Conference in Hobart. On 7 March 2009 at Parramatta, 21 March 2009 at Orange and on 28 March 2009 in Sydney, his Honour gave presentations on advocacy in the Federal Court to members of the NSW Bar Association.

Justice LINDGREN continues to chair the various committees of the Council of Chief Justices concerned with the harmonisation of rules of court. The committees are concerned with court rules in such areas as corporations, subpoenas, freezing and search orders, and service outside the jurisdiction. These committees draft and finalise model rules of court that are then made by the Federal Court and all State and Territory Supreme Courts.

His Honour is a member of the Council of the Australian Institute of Judicial Administration, the College of Law Commercial Litigation Practice Advisory Committee, the Law Executive Council of the Faculty of Law, University of Technology, Sydney, and the Membership Committee of the Australian Academy of Law.

Within the Court Justice Lindgren is convenor of the Court's Rules Committee (a position he has held since 1996) and a member of the Court's Rules Revision Committee and Library Committee. As well, his Honour is one of the Court's representatives on the Joint Law Courts Library Advisory Committee. All of these bodies, both outside and within the Court, have involved his Honour in participating in numerous regular meetings throughout the period under review.

The following summary of activities covers the two years from 1 July 2007 to 30 June 2009.

On 27 July 2007 Justice Lindgren chaired a session on *Termination of Part of a Contract* at a Conference on Current Issues in Contract Law organised by the Commercial Law Association of Australia. On 13 August 2007, his Honour organised and chaired a seminar held by the Court for the legal profession on Litigation Funding. On 25 August 2007 his Honour delivered the keynote address at the International Class Actions Conference Class Actions and Access to Justice organised by Maurice Blackburn Lawyers.

On 30 October 2007 Justice Lindgren spoke on expert evidence at the Judicial Orientation Program held at Manly for newly appointed judges by the Judicial College of Australia.

Justice Lindgren organises for the College of Law a biennial series of five seminars on *Practice and procedure in the Federal Court and the Supreme Court of New South Wales*. This “Judges’ Series” involves one Federal Court Judge and one Supreme Court Judge speaking at each seminar. On 27 February 2008, Justice Lindgren and Justice Brereton of the Supreme Court of NSW spoke on *Subpoenas*.

Justice Lindgren organised two nation-wide seminars held “live” in the NSW Registry of the Court and relayed simultaneously to all other Registries by videoconference. The first, held on 2 April 2008, was on *Current Issues and Developments in Corporate Insolvency Law and Practice*. Some 700 legal practitioners attended nation-wide. The second, held on 2 December 2008, was on *Cross-Border Insolvency – the Cross-Border Insolvency Act 2008*. In this case, the videoconference facility was extended to include a speaker in Vienna and participation by New Zealand Judges. Some 450 practitioners attended nation-wide. The papers and proceedings of both seminars were subsequently made available to the profession and others on the Court’s website.

On 7 April 2008 Justice Lindgren presented a paper *Private Equity and section 411 of the Corporations Act 2001* (Cth) at a conference on Private Equity: the Sub Prime Crisis and Beyond organised by the International Bar Association and the Law Council of Australia. Subsequently, on 11 December 2008, his Honour presented the paper to the Court’s judges by videoconference as part of the Court’s judicial education program.

On 6 June 2008 Justice Lindgren spoke at a meeting of the Commercial Law Association of Australia on *Investor Class Actions*. On 16 June 2008 Justice Lindgren spoke to the NSW Bar Association on *Presenting Legal Argument*.

With David McGovern SC, Justice Lindgren addressed a Continuing Legal Education Seminar on *A Day in the Federal Court* on 2 July 2008 at the College of Law. On 31 October 2008 his Honour chaired a session on *Issues in Commercial Construction* at the 20th Anniversary of the Journal of Contract Law Contract Law Conference. Later, on 31 October 2008, together with Federal Magistrate Riley, Justice Lindgren spoke at the ITSA Bankruptcy Congress, *Unravelling the Complexities*, at a session on *Current Case Law – important cases under the microscope*.

Justice Lindgren continues to give two lectures in the annual Equity Finance Course in the LL.M degree program of the Law School at the University of Sydney, at which he is an Adjunct Professor.

On 14 February 2009 Justice Lindgren spoke at the NSW Bar Association Continuing Professional Development Regional Conference in Newcastle, on *Aspects of Practice and Procedure in the Federal Court of Australia with particular reference to the NSW District Registry*.

Justice Lindgren organised a conference held on 10 March 2009 on *Investor Class Actions* in the New South Wales District Registry of the Court and by videoconference in the Victorian District Registry. Co-sponsors with the Court were the Business Law Section of the Law Council of Australia and the Ross Parsons Centre of Commercial, Corporate and Taxation Law. The Centre published the papers and proceedings in a book *Investor Class Actions*, which is to be launched on 3 August 2009.

In the period covered by this report, the following works by his Honour were published:

- “The Jurisdiction of the Copyright Tribunal of Australia: the 2006 Amendments” (2007) Issue 70 *Intellectual Property Forum*, 6-15; (2007) 25 Copy Rptr 84;
- “Private Equity and Section 411 of the *Corporations Act 2001* (Cth)” (2008) 26 C&SLJ 281;
- Foreword to the second edition of PM Biscoe, *Mareva and Anton Piller Orders: Freezing and Search Orders* (LexisNexis, Butterworths, 2008);
- Review of John E Stannard’s book, *Delay in the Performance of Contractual Obligations* (2008) 24 JCL 287.
- K E Lindgren (ed), *Investor Class Actions* (papers and proceedings of a conference on Investor Class Actions held at the Federal Court of Australia on 10 March 2009);
- Foreword to Professor J O’Donovan’s book, *Personal Property Securities Law in Australia* (Thomson Reuters, 2009).
- “Harmonisation of Court Rules and Forms” (2009) 83 (6) *Australian Law Journal* 359-361.

In July 2008 Justice FINN presented a paper entitled *Knowing Receipt and Knowing Assistance: Balkanising Equity* to the 25th Annual Banking and Financial Services Law and Practice Conference – Queenstown, New Zealand.

In September 2008 Justice Finn addressed the South Australian Bar Readers’ Course on *Discovery and Non-Party Discovery*. In March 2009 he addressed the Australian Government Solicitor/University of Sydney Faculty of Law Course in Canberra on *Federal Administrative Law*. In May 2009 he spoke about *Federal Jurisdiction* to students at Flinders University. He presented an in house lunch seminar for members of the legal profession on *Federal Jurisdiction* in June 2009. Also in June 2009, he participated in a Bond University Symposium - The Internationalisation of Law: Legislating, Decision-Making, Legal Practice and Legal Education presenting a paper titled *Internationalisation or Isolation: The Australian Cul de Sac?*.

Throughout the year Justice Finn was an Advisory Board Member of the Australian Law Reform Commission’s Secrecy Inquiry. He was a member of the Third Working Group on UNIDROIT’s Principles on International Commercial Contract attending a meeting in Rome, Italy in May 2009.

On 21 August 2008, Justice MARSHALL presented a guest lecture on employment law to an undergraduate class at Monash University, Clayton Campus. On 5 September 2008 Justice Marshall presented a guest lecture on industrial law to a post-graduate class at Monash University, City Campus.

On 14 May 2009, Justice Marshall participated in judging the Victorian Bar Reader Moots. On 18 May 2009, Justice Marshall (sitting alone) presided over the final of the Deakin University Senior Moot.

Justice NORTH is a member of the Monash University Law Faculty’s Postgraduate Advisory Panel and Workplace and Employment Law Advisory Panel. On 12 September 2008 Justice North spoke at the 3rd Annual National Indigenous Legal Conference in Melbourne on the native title law reform.

Justice North was the President of the International Association of Refugee Law Judges until January 2009. Between 27 and 30 January 2009 Justice North attended and addressed the Association’s 8th World Conference in Cape Town. Justice North met with the Deputy President of South Africa, Baleka Mbete, the Chief Justice of South Africa, Pius Langa, and the United Nations High Commissioner for Human Rights, Navanethem Pillay. On 26 – 27 January 2009 Justice North addressed the Pre-Conference Workshop for New Refugee Law Judges in Cape Town, South Africa. On 30 January 2009 Justice North presided over the Council Meeting of the Association

and presented his final President's report. From January 2009, Justice North was appointed Patron of the Africa Chapter of the Association and Special Advisor to the Australasian Chapter.

On 13 March 2009 Justice North attended Melbourne University's Judicial Roundtable with Justice Jimly Asshiddiqie of the Indonesian Constitutional Court.

On 4 June 2009 Justice North addressed and presented a paper at the 10th National Native Title Conference organised by the Australian Institute for Aboriginal and Torres Strait Islander Studies at the Melbourne Cricket Ground on *Reform of s 223 of the Native Title Act 1993* (Cth).

Justice MANSFIELD continues as Chair of the Graduate Diploma and Legal Practice Course Committee of the Law Society of South Australia as well as Chair of the SA Bar Association CPD Committee. Justice Mansfield is a member of the University of South Australia Law School Advisory Board and also Chair of the Centre for Regulation and Management at the University of South Australia.

During this financial year, Justice Mansfield presented a paper to the Northern Territory Law Society entitled *Corporations, Consumers and Competition – The Law and The Market*. He also presented the keynote address to the Competition Law & Policy Institute of New Zealand's 19th Annual Workshop on 1-3 August entitled *Competition Law for the Professions* and he was also the keynote speaker at the Law Society of South Australia Conference on 18 September presenting *The 'Compleat' Director – A Bridge Too Far*.

Justice Mansfield also attended the Law Council of Australia Trade Practices Workshop in Fremantle on 5-7 September and the 6th Annual University of South Australia Trade Practices Workshop at the Barossa Valley on 17-18 October 2008 and has presented sessions to the SA Bar Association.

In October 2008 Justice Mansfield participated in the final phase of the China Australia Governance Program run by the Court. Justice Mansfield also participated in the Business Sector Program Support Workshop for judges of the Supreme People's Court of Vietnam from 4-12 December 2008.

The International Workshop on Forensic Law 2009 Conference held in Adelaide on 19 January 2009 was opened by Justice Mansfield. He also presented a paper on 3 March 2009 for the Northern Territory Law Society and on 26 March in Adelaide was involved with a presentation on the Federal Court to new practitioners. Justice Mansfield was involved in a panel presentation to the 10th Annual AIATSIS Native Title Conference 2009 held in Melbourne to discuss the implications of the *Native Title Amendment Bill 2009*.

On 11 June 2009, Justice Mansfield participated in Committee Meetings on Oral History and the Role of Elders organised by the Federal Court of Canada which included representatives of the Federal Court of Canada, the Canadian Indigenous Bar Association, the Federal Department of Justice and the Canadian Bar Association with the aim of developing formal practice guidelines for Aboriginal litigation held in Victoria, Canada; and on 12-13 June 2009 Justice Mansfield presented a paper to the Canadian Bar Association entitled *Overlapping Aboriginal Native Title Claims: The Australian Experience*.

Justice EMMETT is the Challis Lecturer in Roman Law at the University of Sydney. His Honour is a Consultant Editor and Contributor to Butterworths Australian Legal Dictionary and is on the Editorial Board of the Journal of Banking and Finance Law and Practice produced by Thomson Lawbook Co. Justice Emmett contributed a chapter to the book called "Rediscovering Rhetoric" entitled *Hermogenes of Tarsus – Rhetorical Bridge from the Ancient World to the Modern*, which was launched on 14 November 2008.

On 26 March 2009 Justice Emmett presented a paper at a seminar on Directors Duties and Corporations Law conducted by the Centre for Continuing Legal Education of the University of New South Wales. From 30 August to 27 September 2008, his Honour attended the annual conference in London of the Society of Legal Scholars.

On 22 May 2009 Justice Emmett was awarded the honorary title of Doctor of Laws (*honoris causa*) at a ceremony at the University of Sydney in recognition of exceptional achievement and outstanding service.

On 11 June 2009 Justice Emmett (in conjunction with Justice Barrett of the Supreme Court of NSW) presented a Continuing Professional Development Seminar on *Practice in the Corporations Lists*.

Justice DOWSETT continues to be a member of the Programs Advisory Committee of the National Judicial College of Australia. His Honour also remains the chair of the Continuing Professional Development Committee of the Bar Association of Queensland. On 9 July 2008 Justice Dowsett attended the National Native Title User Group Meeting in Adelaide. On 5 September 2008 his Honour attended the New South Wales Bar Association Federal Criminal Law Conference in Sydney. On 6 and 7 September 2008 his Honour attended the Law Council of Australia Trade Practices Workshop in Fremantle. On 28 and 29 September 2008 his Honour attended the Attorney General's Department's Federal Criminal Justice Forum. On 7 February 2009 Justice Dowsett presented a paper entitled *Prejudice – The Judicial Virus* at the Judicial Reasoning Conference in Canberra. On 24 February 2009 Justice Dowsett spoke to the Bar Association of Queensland on the topic of the *Corporations List Practice in the Federal Court*.

Justice KENNY is a part-time Commissioner of the Australian Law Reform Commission. In this capacity she was a Member of the Division constituted under the *Australian Law Reform Commission Act 1996* (Cth) for the purposes of the references that resulted in ALRC Report 107, "Privilege in Perspective: Client Legal Privilege in Federal Investigations" and ALRC Report 108, "For Your Information: Australian Privacy Law and Practice", as well as references for the review of the Royal Commissions Act and Australian Secrecy Laws.

Justice Kenny is a member of the Council of the National Judicial College of Australia, member of the Council of the Australian Institute of Judicial Administration, member of the Executive of the International Organization for Judicial Training, member of the International Law Advisory Board, Law School, Monash University, Chair of the Advisory Board of the Institute of Legal Studies, Australian Catholic University, member of the Advisory Board of the Centre for International and Public Law and a Foundation Fellow of the Australian Academy of Law.

In October 2008, Justice Kenny participated in the deliberations of the Australian Selection Committee for Menzies Scholarships in Law for the 2009 academic year. In February 2009, Justice Kenny facilitated a discussion on *Governance* and joined with the Court's Director of International Programs in a presentation on *International Development* at the Consultative Committee Meeting of the National Judicial College of Australia held in Canberra.

In March 2009, at the University of Melbourne Law School, Justice Kenny presided at the WTO Exhibition Moot and attended a Judicial Roundtable entitled *Transnational Judging: A Judicial Conversation on Foreign and International Law in Domestic Courts* organised by the Centre for Comparative Constitutional Studies and the Asian Law Centre. Later the same month, also at the University of Melbourne, Justice Kenny was privileged to launch *Examining Practice, Interrogating Theory: Comparative Legal Studies in Asia* edited by Pip Nicholson and Sarah Biddulph. On 30 March 2009, at the invitation of the Australian Institute of Judicial Administration, Justice Kenny attended a Roundtable with Lord Justice Jackson and his team to discuss the rules and principles governing the costs of civil litigation.

Justice GYLES presented a paper entitled *Federal Court Practice and Procedure* at the NSW Young Lawyers CLE Seminar on 9 July 2008 in Sydney. He also spoke on international commercial arbitration at the New Zealand Bar Association Annual Conference in Sydney on 16 August 2008.

On 10 July 2008 Justice STONE addressed the Lyceum Club on *The Federal Court and its Judges: Challenges and Opportunities*.

Her Honour attended a number of lectures during the year:

- Law Symposium 2008 Annual Meeting of the Australian Academy of Law.
- Annual Tax Lecture at the University of Melbourne.
- Copyright, Trade Marks and Designs seminar presented by the Federal Court.
- Geoff Sawer Lecture at the Australian National University.

During 2009 Justice Stone also attended the following conferences:

- Supreme and Federal Courts Judges' Conference in Hobart.
- Constitutional Law Conference held at the Australian Maritime Museum, Darling Harbour.
- Investor Class Actions Conference in the Federal Court, Sydney.
- Competition Law Conference held at the Shangri-La Hotel in Sydney.

As part of a regional education program Justice Stone gave a presentation to members of the profession in Ballina on *Advocacy Principles*. Justice Stone also gave her time to a Practice Course Session for the NSW Bar Association as part of the Bar Readers Course.

Throughout 2009 Justice Stone was a member of the Judicial Conference of Australia (JCA) Governing Council, the JCA Executive and the Complaints Against Judicial Officers Committee.

On 21 June 2009 Justice Stone presented a paper on the *United Nations Commission on International Trade Law (UNCITRAL) Model Law on Cross-Border Insolvency* at the Eighth World International Association of Restructuring, Insolvency and Bankruptcy Professionals (INSOL) Quadrennial Congress in Vancouver.

On 23 July 2008 at the Intellectual Property Society of Australia and New Zealand (IPSANZ) Victorian dinner meeting, Justice BENNETT spoke on arrangements with the Court for the "Patents List". The topic was *The acceptable way to run a patent case today: what will the Judge expect?*

Her Honour attended the 22nd Annual IPSANZ Conference from 19 to 21 September 2008, in Adelaide, where she presented, in the "Judge's Session", *Maximising Patent Rights Globally and Best Practice in IP Litigation in the Courts*.

Justice Bennett moderated the Insolvency Professionals' Network (IWIRC) Great Debate in Sydney on 23 October 2008.

During the week 27 to 30 October 2008, Justice Bennett, together with other Federal Court Judges, met with Judges of the Supreme People's Court of the People's Republic of China in Beijing to share the Court's knowledge and experience in the area of, inter alia, competition law.

On 21 February 2009, Justice Bennett spoke at the Canberra Continuing Professional Development (CPD) Conference, for the NSW Bar Association, on *Advocacy principles in the Federal Court*.

In April 2009, Her Honour attended the 5th International Judges Conference on Intellectual Property Law in Washington, DC. This educational conference brought together more than 85 internationally recognised judges who decide patent cases.

An article entitled *In Conversation with The Honourable Justice Annabelle Bennett AO* was published in the Intellectual Property Forum in September 2008; another article entitled *A Top Honour* was published in Management Today magazine issued in January/February 2009.

Justice Bennett continues to be involved in a number of other judicial and extra-judicial commitments including Pro-Chancellor of the Australian National University, Trustee of the Board of the Centennial Park and Moore Park Trust, Arbitrator of the Court of Arbitration for Sport, member of the Law Academic Advisory Committee for the School of Law of The Chinese University of Hong and member of Chief Executive Women. Her Honour was also a member of the judging panel for the Australian Veve Clicquot Award for Business Woman of the Year.

In addition, her Honour attended the Davos Forum, Australian Leadership Retreat, on 23-24 August 2008 held on Hayman Island; and the West Coast Leadership Dialogue conference at Stanford University, California on 15 and 16 January 2009.

In August 2008 Justice SIOPIS was a judge of a mooted contest for Dean's List students from each of the universities in Western Australia. In September 2008, Justice Siopis was a tutor for the National Judicial College of Australia Judgment Writing Program in Adelaide.

In December 2008, Justice Siopis chaired a Law Society of Western Australia seminar on *Recent Developments for Commercial Litigation*. In January 2009, Justice Siopis chaired a session at the 8th International Association of Refugee Law Judges' World Conference in Cape Town, South Africa.

Justice EDMONDS spoke at a seminar organised by Allens Arthur Robinson on 24 July 2008 on the subject of *The Court's new practice directions in tax cases*. His Honour delivered a talk on the same subject at a seminar organised by the Law Council of Australia in Sydney on 18 October 2008. On 28 August 2008 Justice Edmonds delivered the keynote address to the 2008 WA State Conference of the Taxation Institute of Australia at Busselton, Western Australia, entitled: *The Australian Tax System – A View from the Bench*.

On 30 September 2008 his Honour led and participated in an inter-active seminar organised by the Taxation Institute of Australia in Sydney on the subject of the taxation of trusts. On 31 March 2009 his Honour presented the third Graham Hill Annual Award at a function held in the Court in Sydney to Ms Catherine Leslie, a senior solicitor in the office of the Australia Government Solicitor.

On 12 May 2009 his Honour participated in and spoke on the subject: *Transfer Pricing Litigation: Analysis of Recent Court Decisions on Transfer Pricing* at an international seminar for tax judges organised under the auspices of the OECD in Paris, France.

During October 2008 Justice GREENWOOD was the Flinders University Law School Judicial Fellow. The program involves participation in the affairs of the Law School for one week as a Judicial Fellow in residence. Justice Greenwood delivered a public address on aspects of judicial review of administrative decision-making, lunch time seminars and judged the Flinders University Law School Mooting Competition. On 8 January 2009, Justice Greenwood addressed the Global Forum on Intellectual Property in Singapore, on the topic of *Recent Developments in Intellectual Property* and secondly, *Aspects of Design Protection and its Overlap with Copyright*. On 28 March 2009, Justice Greenwood addressed the Annual Queensland Law Society Symposium at the Brisbane Convention Centre on the topic of *Federal Jurisdiction and Aspects of Commercial Litigation in the Federal Court of Australia*.

Justice Greenwood attended, from 8 June to 11 June 2009, the APEC-ASEAN-United States Patent and Trade Mark Office Regional Forum for Judges and Prosecutors in Kuala Lumpur and delivered an address on three topics, namely, *Calculating Damages in Civil Infringement Litigation*, *Recent Decisions on Intellectual Property Rights Issues* and *Civil Litigation of Intellectual Property Disputes*. Justice Greenwood also presided at the APEC Forum over a simulated hearing on an ex parte motion for a search and seizure order. The session sought to illustrate the practical aspects of such an application in the United States as compared with Australia and other participating jurisdictions. Justice Greenwood also presided in a simulated trial, before the APEC Forum, of an infringement proceeding involving intellectual property works. The participating Judges were Judges Donald (US), Layug (Philippines), Jayin Sunthornsingkar (Thailand), Damich (US) and Greenwood (Australia).

On 13 May 2009, Justice Greenwood delivered an address to a forum on the occasion of the 10th Anniversary of Frontier Economics. Justice Greenwood presided on a moot as part of the International Maritime Law Arbitration Mooting Competition and moots forming part of the Jessup Mooting Competition. On 19 June 2009, Justice Greenwood delivered a lecture to the Post-Graduate Class of the Queensland University of Technology on the topic of *Practical Aspects of the Conduct of Intellectual Property Litigation*. Justice Greenwood also attended the Law Council of Australia's Annual Trade Practices Conference and the Law Council's Annual Corporations Law Conference.

Justice Greenwood is a member of the Key Centre for Ethics, Law, Justice and Governance at Griffith University and a member of the Scholarship Endowment Fund Committee of the TC Beirne School of Law at the University of Queensland. Justice Greenwood is an Adjunct Professor in the TC Beirne School of Law. Justice Greenwood is also the Federal Court's representative on the Acquisitions Committee of the Library of the Supreme Court of Queensland and a member of the History Sub-committee. Justice Greenwood is a member of the Council of Brisbane Boys College.

On 23 July 2008 Justice RARES presented a paper on *The onus of proof in cargo claims and the proposed Rotterdam Rules* to the monthly lecture series of the Maritime Interest Group, Universities of Newcastle, Canberra and the Maritime Law Association of Australia and New Zealand. On 5 September 2008 and 26 November 2008 he gave addresses to the Commercial Law Association and the New South Wales Bar Association respectively on *The significance of the commercial jurisdiction of the Federal Court*.

In October 2008 his Honour travelled to China as part of the Federal Court delegation of the China-Australia Judicial Exchange Program, working with the Supreme People's Court of the People's Republic of China in Beijing and the Shanghai Intermediate People's Court and Maritime Court. On 7 November 2008 Justice Rares gave a paper on *the role of intermediate appellate courts* at the Appellate Judge's Conference, organised by the Australian Institute of Judicial Administration.

On 17 March 2009 Justice Rares presented a paper on *The media safe harbour exception (s 65A) to s 52 of the Trade Practice Act 1974 (Cth)* to the Defamation and Media Law Conference of the University of New South Wales. On 14 May 2009 he gave a paper on *Federal Jurisdiction and Practice and Procedure in the Federal Court of Australia*, to the New South Wales Bar Association Bar Readers Course, as well as participating in the Court's contribution to that program.

On 21 May 2009 he participated in the Court's National Admiralty and Maritime Seminar on Ship Arrests and Insolvency. On 23 May 2009 his Honour addressed and chaired a session on Cartel Litigation at the 2009 Competition Law Conference in Sydney. On 5 June Justice Rares represented the Federal Court at the meeting of the Consultative Council of Australian Law Reporting in Hobart. On 19 June his Honour chaired the Commercial Law Association's seminar on Trade Practices Law. Justice Rares is the convenor of the Court's Alternative Dispute Resolution (ADR) Working Group.

Justice COLLIER presented a paper entitled *Remuneration – the impact of recent case law and how the rules have changed* at the 7th ITSA Bankruptcy Congress in Sydney on 30 October 2008. In March 2009, her Honour delivered a paper at the Insolvency Law Workshop on *Bankrupt husbands and the application of the doctrine of exoneration in Australian law – moving into the 21st Century*.

Justice TRACEY continued to serve as Judge Advocate General of the Australian Defence Force. He is a member of the Advisory Board of the Centre for Comparative Constitutional Studies in the Faculty of Law in the University of Melbourne. He acted as a commentator on papers delivered at the State and Federal Court Judges' Conference in Hobart in January 2009 and at the Joint Federal Court/Law Council of Australia Workshop in Adelaide in April 2009.

In July 2008 Justice MIDDLETON, at the invitation of the government of East Timor, visited East Timor to assist in setting up legislation to cover anti-corruption and assist in strengthening East Timor's anti-corruption capacity. On 11 September 2008 Justice Middleton delivered a paper to the Oxford Society in Victoria about his visit to East Timor.

In October 2008 Justice Middleton attended the 6th Annual University of South Australia Trade Practices Workshop. In November 2008 and April/May 2009 Justice Middleton delivered a paper in conjunction with Mr David O'Callaghan SC to the Victorian Bar Readers' Course on *Written Advocacy*.

On 7 November 2008 Justice Middleton attended the 4th Australasian Institute of Judicial Administration, Appellate Judges' Conference. On 20 March 2009 Justice Middleton presented a session on case management as part of the National Judicial Orientation Programme. On 4 April 2009 Justice Middleton presented a commentary on the paper *The Cartel Offences: An Elemental Pathology* at a workshop of the Law Council of Australia in Adelaide.

On 20–21 April 2009 Justice Middleton attended, along with Justice Bennett, the 5th International Judges Conference on Intellectual Property Law in Washington DC.

On 17 October 2008 Justice Middleton was elected a member of the American Law Institute.

Justice BUCHANAN attended a National Judicial College of Australia Conference on "The Australian Justice System in 2020" on 25 October 2008, the Australian Institute of Judicial Administration Appellate Judges' Conference on 6 – 7 November 2008, the Maritime Law Association of Australia and New Zealand 35th Annual Conference on 12 – 14 November 2008 and the National Judicial College of Australia Conference on "Judicial Reasoning: Art or Science" on 7 – 8 February 2009.

His Honour is a French speaker. During the course of a private visit to France he met with the Secretary-General of the Conseil d'Etat on 12 May 2009 and gave a talk to the teaching staff at L'Ecole Nationale de la Magistrature in Bordeaux on 28 May 2009.

Justice GILMOUR attended the International Association of Refugee Law Judges (IARLJ) in Cape Town from 28–30 January 2009.

Justice GORDON is the Chair of the Academic Advisory Board, Faculty of Business and Law, Deakin University. During the year she attended the International Seminar for Tax Judges (11 – 12 May 2009) and also gave the following speeches:

- 26 August 2008: The Victorian Bar - Submissions, Appeal Statements & Procedure
- 12 November 2008: The Victorian Bar - Ethics Series - The Advocate's Duty to the Court
- 20 February 2009: 2009 Constitutional Law Conference - {Chaired a Session}
- 6-8 March 2009: Annual Conference Queensland Bar Association - Fast Track
- 9 April 2009: University of Melbourne - Alternative Dispute Resolution
- 1 June 2009: 2009 Younger Tax Practitioners Series - Women in Tax

Justice Gordon participated in the Law Institute of Victoria's Life in the Law Discussion Program, (August 2008 to May 2009) and taught along with Mr Simon Steward of the Victorian Bar at the University of Melbourne in 2008 - Melbourne Law Masters Program - Tax Litigation.

JUSTICE LOGAN continued to serve throughout the reporting period as a member of the Queensland Bar's Continuing Professional Development Committee the responsibilities of which included the organisation of that Bar's annual conference in March 2009. He was appointed to the Board of Governors of Cromwell College within the University of Queensland in February 2009.

Justice Logan delivered the following addresses or papers:

- 1 July 2008 - guest speaker at the Reserve Forces Day Recognition Ceremony at ANZAC Square, Brisbane
- 4 September 2008 - as keynote speaker, a paper entitled *Where are we with GST – Black Letter or the Practical Business Tax?* at the Taxation Institute of Australia's National GST Intensive in Sydney;
- 4 October 2008 - guest speaker at that Institute's Brisbane Breakfast Club Meeting, addressing the topic *Resolving a GST Dispute*;
- 30 April 2009 - paper on the subject of privative clauses to the Queensland Law Society's Government Lawyers' Conference in Brisbane.

In addition, Justice Logan attended the following conferences:

- Queensland Bar Association Annual Conference, Gold Coast, 6 to 8 March 2009
- Australasian Hi Tech Crime Conference, Sydney, 9 to 11 June 2009

On 30 October 2008, Justice FOSTER, together with Justice Perram, co-hosted a delegation of judges from the Supreme People's Court and Provincial Courts of Vietnam. Their Honours presented sessions to the delegation on how the Federal Court prepares for and determines cases of an international commercial law nature and the role of the Court and its judges in facilitating out-of-court settlements.

On 21 November 2008, Justice Foster attended the International Commercial Arbitration: Making it Work for Business Conference in Sydney. On 3 and 4 April 2009, Justice Foster attended the Joint Federal Court of Australia/Law Council of Australia (Business Law Section) Workshop on Criminalisation of Cartel Conduct in Adelaide. On 23 May 2009, Justice Foster attended the 2009 Competition Law Conference in Sydney and chaired the session *The ACCC's Merger Guidelines – Practical Issues in Australia having regard to the Global Economic Crisis*.