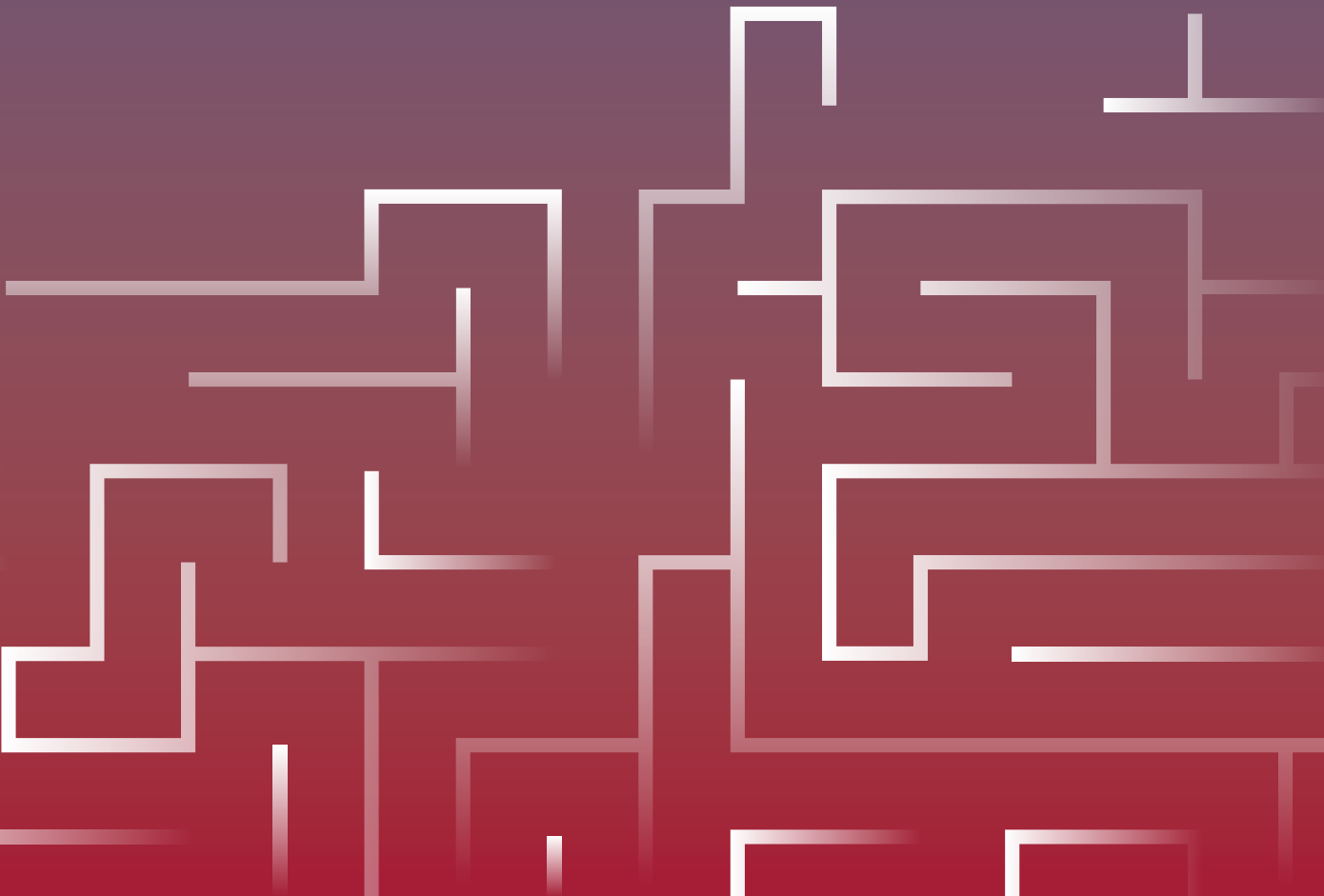




Supreme Court
of New South Wales

2018

ANNUAL REVIEW



CONTENTS

| | |
|--|-----------|
| Foreword by Chief Justice of New South Wales, the Honourable T Bathurst AC, the 17th Chief Justice of New South Wales | 3 |
| 1 Court Profile | 4 |
| • The Court's jurisdiction and Divisions | 5 |
| • Who makes the decisions? | 9 |
| – The Judges | 9 |
| – The Acting Judges | 10 |
| – Appointments | 10 |
| – Retirements | 11 |
| – The Associate Judges | 11 |
| – The Registrars | 11 |
| • Supporting the Court: the Registry | 13 |
| 2 Caseflow Management | 14 |
| • Overview by jurisdiction | 15 |
| • Regional sittings of the Court | 21 |
| • Alternative dispute resolution | 21 |
| 3 Court Operations | 23 |
| • Overview of operations by jurisdiction | 24 |
| • Timeliness | 31 |
| – Measurement against benchmarks | 31 |
| – Listing delays | 32 |
| • Use of alternative dispute resolution | 33 |
| 4 Education and Public Information | 35 |
| • Judicial officer education | 36 |
| • Public education programme | 37 |
| • The role of the Media Manager | 37 |
| 5 Other Aspects of the Court's work | 39 |
| • Uniform Civil Procedure Rules | 40 |
| • Law Courts Library | 40 |
| • Admission to the legal profession and appointment of public notaries | 41 |
| • Admission under the mutual recognition Acts | 41 |
| • Administration of the Costs Assessment Scheme | 42 |
| • Pro Bono Scheme | 43 |
| • Judicial Assistance Program | 43 |
| 6 Appendices | 44 |
| (I) Court statistics – comprehensive table of statistics | 45 |
| (II) The Court's committees and user groups | 55 |
| (III) Other Judicial Activity: conferences, speaking engagements, publications, appointments to legal and cultural organisations, delegations and international assistance, and commissions in overseas courts | 68 |

FOREWORD BY THE CHIEF JUSTICE OF NEW SOUTH WALES

I am very pleased to present the 2018 Annual Review of the Supreme Court of New South Wales. This Review is an important document for those responsible for the administration of justice, the legal profession and the public generally. Every year, it records information about how the Court was organised, what services and programs it offered to the judiciary, staff and the public, and how it performed in managing its caseload across all Divisions. From this information, any interested person is able to see, in broad outline, how the Court has attempted to carry out its responsibility to administer justice according to law.

This is essential to maintaining the trust and confidence of the public in the Court. By ensuring that information about its processes and procedures is clear and transparent, the Court, as an institution forming part of our democratic system of government, makes itself accountable to the public which it serves. We must recognise that, although the Court is bound to provide the time and resources necessary to give each claim brought before it a fair hearing according to law, the public expects it to do so in a timely and efficient manner. To this end, there is much value in the patterns and trends which can be observed from the statistics in this Review, even while their limitations must be acknowledged.

Looking back at the statistics available for 2018, it is pleasing to see an encouraging picture of the Court's performance. Over 90 per cent of all pending cases in the Court of Appeal and Court of Criminal Appeal were within 12 months of age, easily exceeding the national standard. Despite a significant increase in the number of cases pending, 70 per cent of civil cases in the Common Law Division were within 12 months of age, a great improvement on previous years. In the Equity Division, the percentage of cases within that category remained just under 70 per cent, consistent with historical trends. Particularly pleasing are the results for the Commercial List, where there has been a 36% reduction in the number of cases older than 12 months. At the very least, these results show that the Court has been successful in managing its caseload to avoid significant delay for litigants.

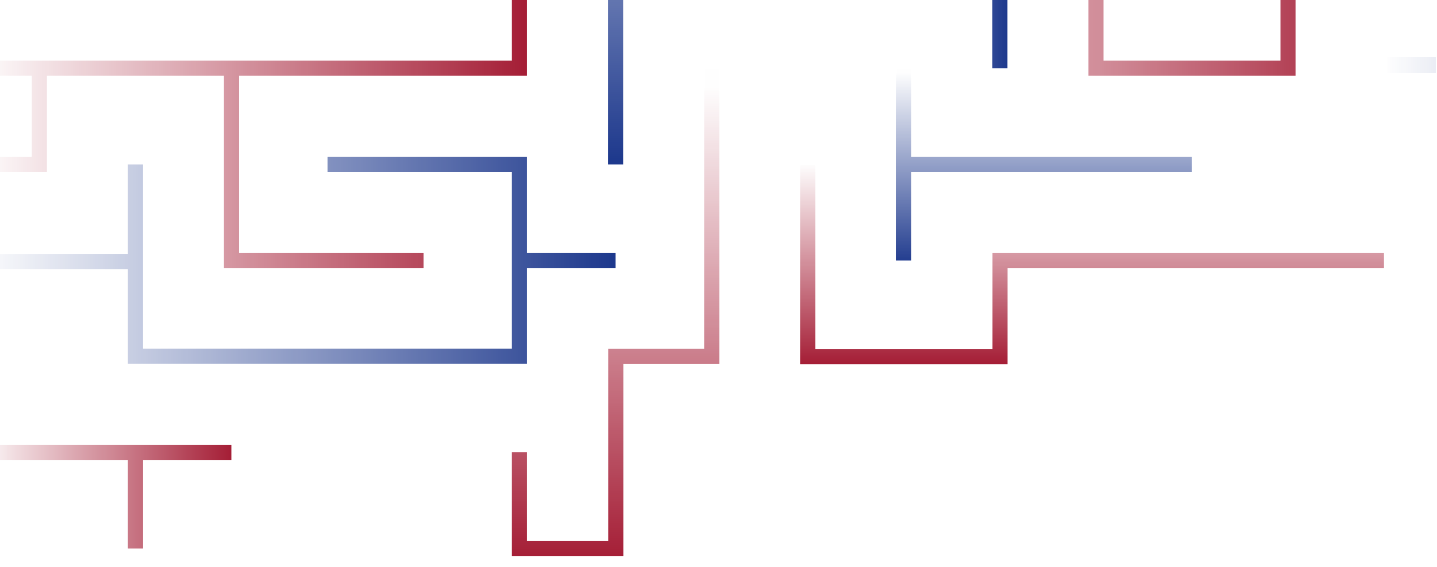
There have also been a number of significant changes in procedure which were made to improve performance in the future, particularly in the Common Law Division. A new High Risk Offenders List was introduced to deal with the increasing number of applications for extended or interim detention orders for offenders whose sentences are expiring. A new Practice Note was formulated for the Bails List to attempt to minimise delays in matters coming before the Court for hearing, which is scheduled to commence in 2019. The impact of these changes will be carefully monitored to ensure that they enable the Court to deal efficiently with those important components of the Court's jurisdiction.

Overall, these statistics and procedural reforms are a testament to the hard work of all judicial officers and the staff who support them over the past year. Many of the cases which come before the court can be complex, challenging or distressing. By discharging their duties with efficiency, independence and impartiality, they help uphold the rule of law in our society. I would like to thank them for all their work and their continuing commitment to maintaining the good reputation of the Court and its place in our society.

Finally, at the end of 2018, the Court was faced with the departure of Justice Margaret Beazley AO, President of the Court of Appeal and one of the longest-serving judges of the Court, due to her appointment as Governor of New South Wales. During her time on the Court, Justice Beazley made an immeasurable contribution to the administration of justice in this State, both through her judgements as well as in her deft management of the business of the Court of Appeal. We wish Justice Beazley all the best in her new role as Governor, and extend a warm welcome to her successor as President of the Court of Appeal, Justice Andrew Bell.



The Hon T Bathurst AC
Chief Justice of New South Wales



1 COURT PROFILE

- The Court's jurisdiction and Divisions
- Who makes the decisions?
- Supporting the Court: the Registry

THE COURT'S JURISDICTION AND DIVISIONS

The Supreme Court of New South Wales: our place in the court system

The court system in New South Wales is structured on a hierarchical basis. The Supreme Court is the superior court of record in New South Wales and, as such, has an inherent jurisdiction in addition to its specific statutory jurisdiction.

The Supreme Court has appellate and trial jurisdictions. The appellate courts are the:

- Court of Appeal
- Court of Criminal Appeal.

The trial work of the criminal and civil jurisdictions is divided between two Divisions:

- Common Law Division
- Equity Division.

This structure facilitates the convenient despatch of business in accordance with the provisions under section 38 of the *Supreme Court Act 1970*.

Section 23 of the *Supreme Court Act 1970* provides the Court with all jurisdiction necessary for the administration of justice in New South Wales. The Supreme Court has supervisory jurisdiction over other courts and tribunals in the State. The Court generally exercises this supervisory jurisdiction through its appellate courts.

The Industrial Court of New South Wales and the Land and Environment Court of New South Wales are specialist courts of statutory jurisdiction. The Judges of these courts have the status of Supreme Court Judges.

The District Court of New South Wales is an intermediate court, and its jurisdiction is determined by statute. The Local Court sits at the bottom of the hierarchy of New South Wales courts, and has broad criminal and civil jurisdictions.

The NSW Civil and Administrative Tribunal (NCAT) was established on 1 January 2014 by the *Civil and Administrative Tribunal Act 2013*. NCAT is the single point of access for specialist tribunal services in NSW, consolidating the work of 22 former tribunals. NCAT was established in response to the recommendations of the Legislative Council's Standing Committee on Law and Justice Inquiry into opportunities to consolidate tribunals in NSW.

There are four divisions of NCAT: the Administrative and Equal Opportunity Division; the Consumer and Commercial Division; the Guardianship Division; and the Occupational Division.

Figures 1.1 and 1.2 illustrate the court hierarchy in New South Wales and the gateways to appeal in the criminal and civil jurisdictions.

Court of Appeal

The Court of Appeal is responsible for hearing appeals in civil matters against the decisions of the judicial officers of the Supreme Court, other courts, commissions and tribunals within the State, as prescribed in the *Supreme Court Act 1970*.



Court of Criminal Appeal

The Court of Criminal Appeal hears appeals from criminal proceedings in the Supreme Court, the Industrial Court, the Land and Environment Court, the District Court and the Drug Court. Appeals may challenge convictions and sentences imposed upon indictment or in the trial court's summary jurisdiction, or interlocutory orders made by the trial court. Appeals from committal proceedings in the Local Court may also be heard in certain circumstances.

Sittings of the Court of Criminal Appeal are organised on a roster basis, taking into account the other regular judicial duties and commitments of the Judges who form the Court's bench. The Judges who sit in the Court of Criminal Appeal are the Chief Justice, the President, the Judges of the Court of Appeal, the Chief Judge at Common Law and Judges of the Common Law Division. During 2018, each Court of Criminal Appeal bench comprised at least two Common Law judges, with the presiding judge being the Chief Justice, the President, a Judge of Appeal, or the Chief Judge at Common Law.

The Court of Criminal Appeal List Judge throughout 2018 was Justice R A Hulme.

Common Law Division

The Common Law Division hears both criminal and civil matters. The criminal matters involve homicide offences and offences where the prosecution seeks life imprisonment. Other matters involving serious criminality or matters of public interest may be brought before the Court with the Chief Justice's

approval. The Judges of the Common Law Division also hear bail applications, matters concerning proceeds of crime and post-conviction inquiries.

The Division deals with all serious personal injury and contractual actions, in which the Court has unlimited jurisdiction. The civil business of the Division also comprises:

- claims for damages
- claims of professional negligence
- claims relating to the possession of land
- claims of defamation
- administrative law cases seeking the review of decisions by government and administrative tribunal
- appeals from Local Courts.

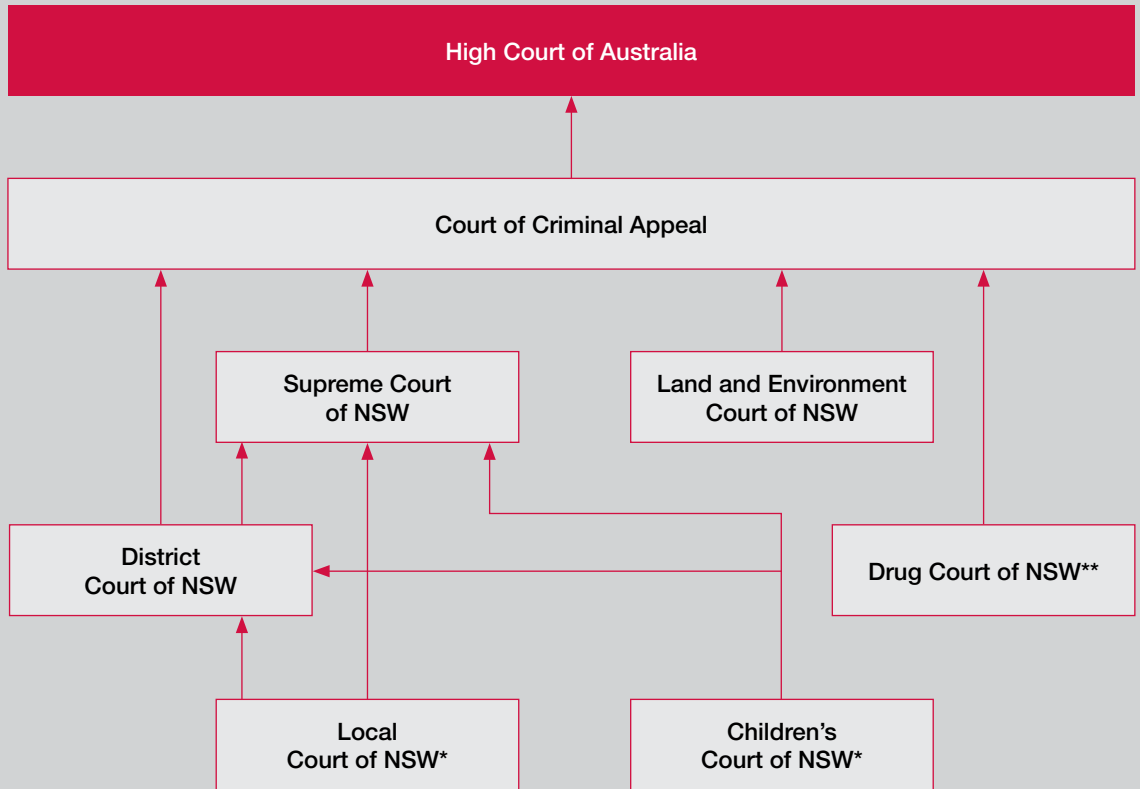
Equity Division

The Equity Division exercises the traditional equity jurisdiction dealing with claims for remedies other than damages and recovery of debts, including contractual actions, rights of property, and disputes relating to partnerships, trusts, and deceased estates.

The Division hears applications brought under numerous statutes, including the *Corporations Act 2001* (Cth), the *Succession Act 2006*, and the *Property (Relationships) Act 1984*. The Division also handles a diverse range of applications in the areas of admiralty law, commercial law, technology and construction, probate and the Court's adoption and protective jurisdictions.



Figure 1.1 NSW COURT SYSTEM CRIMINAL JURISDICTION

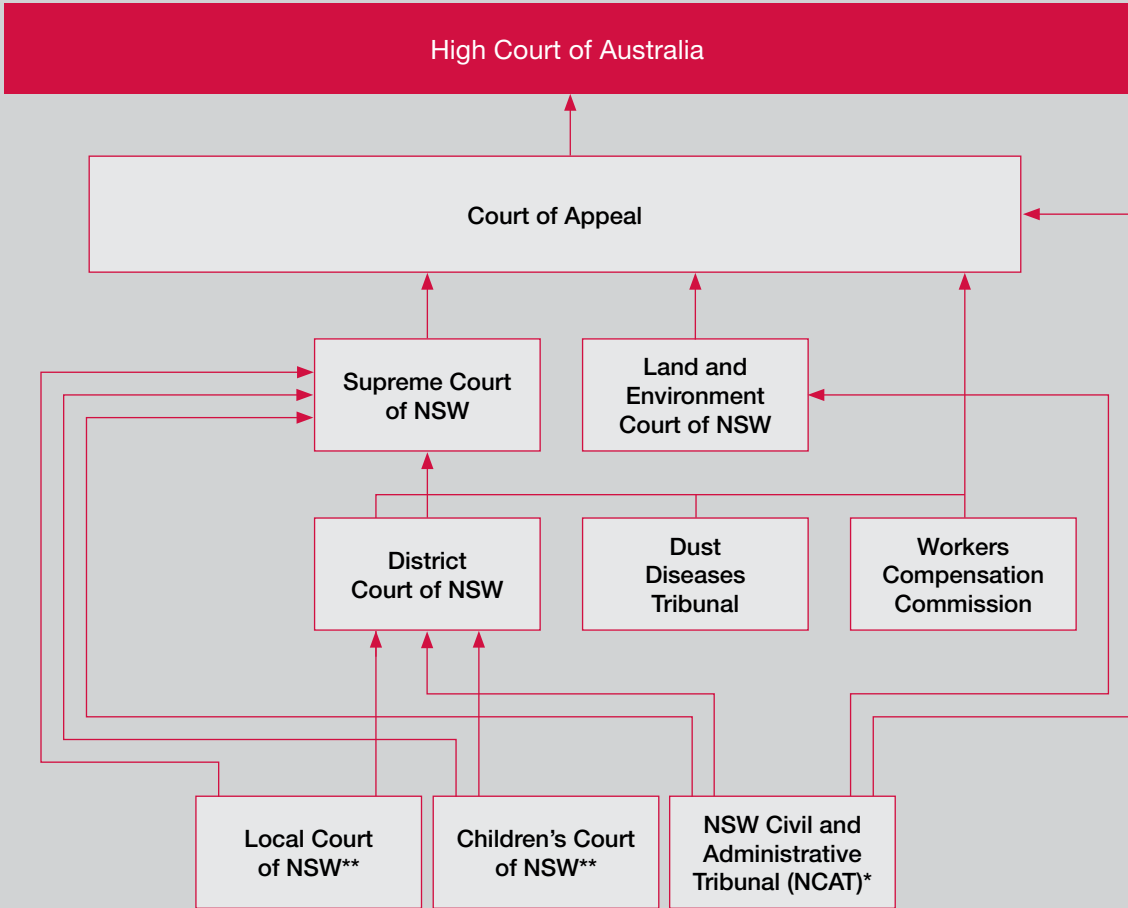


Note: The above diagram is a simplified representation of the appeal process in NSW. Actual appeal rights are determined by the relevant legislation.

* Appeals can be made to the District Court of NSW, or directly to the Supreme Court in certain circumstances.

** Some appeals from committal proceedings may be made directly to the Court of Criminal Appeal

Figure 1.2 NSW COURT SYSTEM CIVIL JURISDICTION



Note: The above diagram is a simplified representation of the appeal and judicial review process in NSW. Actual appeal rights are determined by the relevant legislation.

* Appeals from certain decision of NCAT may be made to the Court of Appeal, Supreme Court, Land and Environment Court or District Court. See *Civil and Administrative Tribunal Act 2013* ("the Act"), Part 6, Division 3. Also, certain decisions may be judicially reviewed by the Supreme Court or Court of Appeal under Section 34 of the Act; refer to section 48 of the *Supreme Court Act 1970* as to which decisions are assigned to the Court of Appeal.

** Appeals can be made to the District Court of NSW, or directly to the Supreme Court in certain circumstances

WHO MAKES THE DECISIONS?

The judicial officers of the Supreme Court of New South Wales are its Judges and Associate Judges. The Registrars of the Court have limited decision-making powers.

The Judges

The Governor of New South Wales formally appoints the Judges of the Court following a decision by Cabinet. Judicial appointments are made on the basis of a legal practitioner's integrity, high level of legal skills and the depth of his or her practical experience.

The Governor appoints judges pursuant to section 25 of the *Supreme Court Act* 1970. Section 25 specifies that the Court will include: a Chief Justice, a President of the Court of Appeal and such other Judges of Appeal, Judges and Associate Judges, as the Governor may appoint from time to time. The Governor is also empowered to appoint qualified persons as Acting Judges of Appeal or Acting Judges when the need arises.

The Chief Justice is, by virtue of his office, a Judge of Appeal, and the senior member of the Court of Appeal. The other members of the Court of Appeal are the President and the Judges of Appeal. The Judges of the Court are assigned to specific Divisions, and ordinarily confine their activities to the business of those Divisions. In certain circumstances, the Chief Justice may certify that a particular Judge should act as an additional Judge of Appeal in certain proceedings before the Court of Appeal.

The *Supreme Court Act* 1970 also provides that the Chief Justice may appoint Judges to administer a specific list within the Common Law or Equity Divisions. Details of the Judges assigned to these lists in 2018 can be found in Chapter 3.

Set out below are the Judges of the Court, in order of seniority, as at 31 December 2018.

Chief Justice

The Honourable Thomas Frederick Bathurst, AC

President

The Honourable Justice Margaret Joan Beazley, AO

Judges of Appeal

The Honourable Justice Ruth Stephanie McColl, AO

The Honourable Justice John Basten

The Honourable Justice Robert Bruce Macfarlan

The Honourable Justice Anthony John Meagher

The Honourable Justice Clifton Ralph Russell Hoeben, AM RFD

The Honourable Justice Julie Kathryn Ward

The Honourable Justice Fabian Gleeson

The Honourable Justice Mark James Leeming

The Honourable Justice Anthony James Payne

The Honourable Justice Richard Weeks White

The Honourable Justice Paul Le Gay Brereton, AM RFD

Chief Judge at Common Law

The Honourable Justice Clifton Ralph Russell Hoeben, AM RFD

Chief Judge in Equity

The Honourable Justice Julie Kathryn Ward

Judges

The Honourable Justice Michael John Walton

The Honourable Justice Robert Calder McDougall

The Honourable Justice Peter Anthony Johnson

The Honourable Justice Stephen Rothman, AM

The Honourable Justice Derek Michael Price, AM

The Honourable Justice David Jacob Hammerschlag

The Honourable Justice Ian Gordon Harrison

The Honourable Justice Elizabeth Lillian Fullerton

The Honourable Justice Lucy McCallum

The Honourable Justice Nigel Geoffrey Rein

The Honourable Justice Robert Allan Hulme

The Honourable Justice Michael John Slattery

The Honourable Justice David Lloyd Davies

The Honourable Justice Monika Schmidt
 The Honourable Justice Michael Andrew Pembroke
 The Honourable Justice Michael Lee Ball
 The Honourable Justice Peter Richard Garling, RFD
 The Honourable Justice John Robertson Sackar
 The Honourable Justice Ashley John Black
 The Honourable Justice Christine Elizabeth Adamson
 The Honourable Justice Geoffrey John Bellew
 The Honourable Justice James William John Stevenson
 The Honourable Justice Robert Thomas Beech-Jones
 The Honourable Justice Stephen Gerard Campbell
 The Honourable Justice Richard James Button
 The Honourable Justice Geoffrey Charles Lindsay
 The Honourable Justice Philip Hallen
 The Honourable Justice Francois Kunc
 The Honourable Justice Stephen David Robb
 The Honourable Justice Rowan James Hunter Darke
 The Honourable Justice Robertson James Wright
 The Honourable Justice Peter John David Hamill
 The Honourable Justice Helen McLeod Wilson
 The Honourable Justice Desmond John Fagan
 The Honourable Justice Natalie Jane Adams
 The Honourable Justice Julie Lily-Ann Lonergan
 The Honourable Justice Thomas Guy Radcliffe Parker
 The Honourable Justice Kelly Anne Rees
 The Honourable Justice Lea Caroline Armstrong

The Acting Judges

Set out below are details of those persons who held commissions as Acting Judges during the 2018 calendar year. Unless otherwise indicated, the judicial officer's commission was effective for the entire calendar year.

Acting Judges are asked to preside over specific hearings as the need arises. The total number of days each person acted as a Judge of the Court during 2018 is also indicated.

Acting Judges of Appeal (in alphabetical order)

- The Honourable Reginald Ian Barrett, former Judge of the Supreme Court of New South Wales and Judge of Appeal (acted as a Judge and Judge of Appeal for 65 days).
- The Honourable Arthur Robert Emmett, AO QC, former Judge of the Supreme Court of New South Wales and Judge of Appeal (acted as a Judge and Judge of Appeal for 219 days).
- The Honourable Ronald Sackville, AO QC, former Judge of the Federal Court of Australia (acted as a Judge and Judge of Appeal for 186 days).
- The Honourable Carolyn Chalmers Simpson, former Judge of the Supreme Court of New South Wales and Judge of Appeal (commission effective from 3 April 2018, acted as a Judge and Judge of Appeal for 170 days).

Acting Judges (in alphabetical order)

- The Honourable Peter John Hidden, AM QC, former Judge of the Supreme Court of New South Wales (acted as a Judge for 128 days).

Appointments

The following Judges were appointed in 2018 (in chronological order):

- The Honourable Justice Paul Le Gay Brereton, AM RFD, a Judge of the Supreme Court of New South Wales, was appointed a Judge of Appeal of the Supreme Court of New South Wales on 23 August 2018.
- Kelly Anne Rees, SC was appointed a Judge of the Supreme Court of New South Wales on 5 September 2018.
- Lea Caroline Armstrong was appointed a Judge of the Supreme Court of New South Wales on 31 October 2018.

Retirements

The following Judges retired in 2018 (in chronological order):

- The Honourable Justice Peter David McClellan, AM retired as a Judge of Appeal of the Supreme Court of New South Wales on 9 February 2018.
- The Honourable Justice Carolyn Chalmers Simpson retired as a Judge of Appeal of the Supreme Court of New South Wales on 29 March 2018.
- The Honourable Justice Megan Fay Latham retired as a Judge of the Supreme Court of New South Wales on 27 July 2018.

The Associate Judges

The Governor appoints Associate Judges to the Court under section 111 of the *Supreme Court Act* 1970. Associate Judges are usually assigned to perform work within either the Equity or Common Law Division. However, they may be asked to work outside the confines of these Divisions in the interests of flexibility.

The work of an Associate Judge generally involves hearing applications that arise before trial, certain types of trial work and work on proceedings that the Court of Appeal or a Judge may refer to the Associate Judge.

Applications that arise before trial include:

- applications for summary judgment
- applications for dismissal of proceedings
- applications for extensions of time to commence
- proceedings under various Acts
- applications for the review of decisions of Registrars.

In the Common Law Division, the Associate Judge conducts trials of actions for personal injury and possession of property. The Associate Judge also hears other trials (without a jury) that are referred to them by the Court of Appeal or a Judge, in addition to appeals from the Local Court and various tribunals.

In the Equity Division, the Associate Judge deals with proceedings under the *Family Provision Act* 1982 and the *Property (Relationships) Act* 1984, and applications for the winding up of companies

under the *Corporations Act* 2001 (Cth). The Associate Judge also deals with inquiries as to damages, or accounts referred by the Court of Appeal or Equity Judges, along with applications relating to the administration of trusts, and certain probate matters.

As at 31 December 2018, the Court's only Associate Judge was The Honourable Joanne Ruth Harrison (Common Law Division).

The Registrars

Registrars of the Court are appointed under section 120 of the *Supreme Court Act* 1970 pursuant to the provisions of the *Government Sector Employment Act* 2013. The Chief Justice may also certify officers of the Supreme Court or Local Courts to act as Deputy Registrars of the Court from time to time.

Registrars are allocated to work within the Court of Appeal, the Court of Criminal Appeal or to one of the Court's Divisions. However, they are permitted to work outside particular Divisions, if required.

Registrars are afforded limited powers of the Court under the Supreme Court Rules 1970 and the Uniform Civil Procedure Rules 2005, and undertake some of the functions formerly performed by Judges and Associate Judges.

The work of the Registrars commonly includes:

- defended applications in relation to security for costs, discovery, interrogatories, provision of particulars and subpoenas
- costs disputes if the amount in question is unlikely to exceed \$20,000
- unopposed applications for the removal of cases to, or from, the District Court
- conducting examinations under various Acts, including the *Corporations Act* 2001 (Cth) and the *Proceeds of Crime Act* 1987 (Cth)
- dealing with applications for orders under many of the provisions of the *Corporations Act* 2001 (Cth), such as the winding up of companies
- handling applications as referred to them by an Associate Judge
- issuing court orders and writs of execution, and
- entering default judgments.

The Supreme Court Rules 1970 and delegations under the *Civil Procedure Act 2005* permit Registrars to directly assist the Judges in caseload management. For instance, in the Court of Appeal, the Registrar deals with most interlocutory applications, excluding applications to stay judgment pending an appeal. In the Common Law Division, a Registrar conducts directions hearings in the General Case Management List, and also assists the Possession List and Professional Negligence List Judges.

The Registrars may also be called upon to mediate cases. During 2018, nine of the Court's Registrars were qualified mediators and available to conduct mediations throughout the year on a rostered basis.

Deputy Registrars are rostered to act as Duty Registrar and to provide procedural assistance each day to court users in the Registry, or by email or telephone. They also attend to the issue of court orders, writs of execution and other miscellaneous matters.

Set out below are the Registrars of the Court, as at 31 December 2018:

Executive Director and Principal Registrar

Chris D'Aeth

Director, Assistant Principal Registrar and Prothonotary

Rebel Kenna

Registrar, Court of Appeal

Jerry Riznyczok

Registrar, Court of Criminal Appeal

Katrina Curry (January – April)

George Galanis

Registrar, Common Law Case Management

Christopher Bradford

Registrar in Equity

Leonie Walton

Registrar, Corporations List

Leonie Walton

Senior Deputy Registrars

Nicholas Flaskas

Jennifer Hedge

Brendan Bellach

Louise Brown

Deputy Registrars

Emoke Durkin

Bhaskari Siva

Suzin Yoo

Assistant Deputy Registrars

Lynda Gerritsen

Sivashna Chetty

SUPPORTING THE COURT: THE REGISTRY

The work of the Registry

The Court operates with the support of the Registry, which provides administrative and clerical support to the Court.

In civil matters, the Registry is responsible for: accepting documents filed at the Court; securing the custody of court documents including exhibits and documents produced under subpoena; listing matters for hearing; issuing court process; attending to the information needs of the Court's users by providing procedural guidance; maintaining the Court's physical files and computer records; and ensuring that all the necessary facilities are available for hearings.

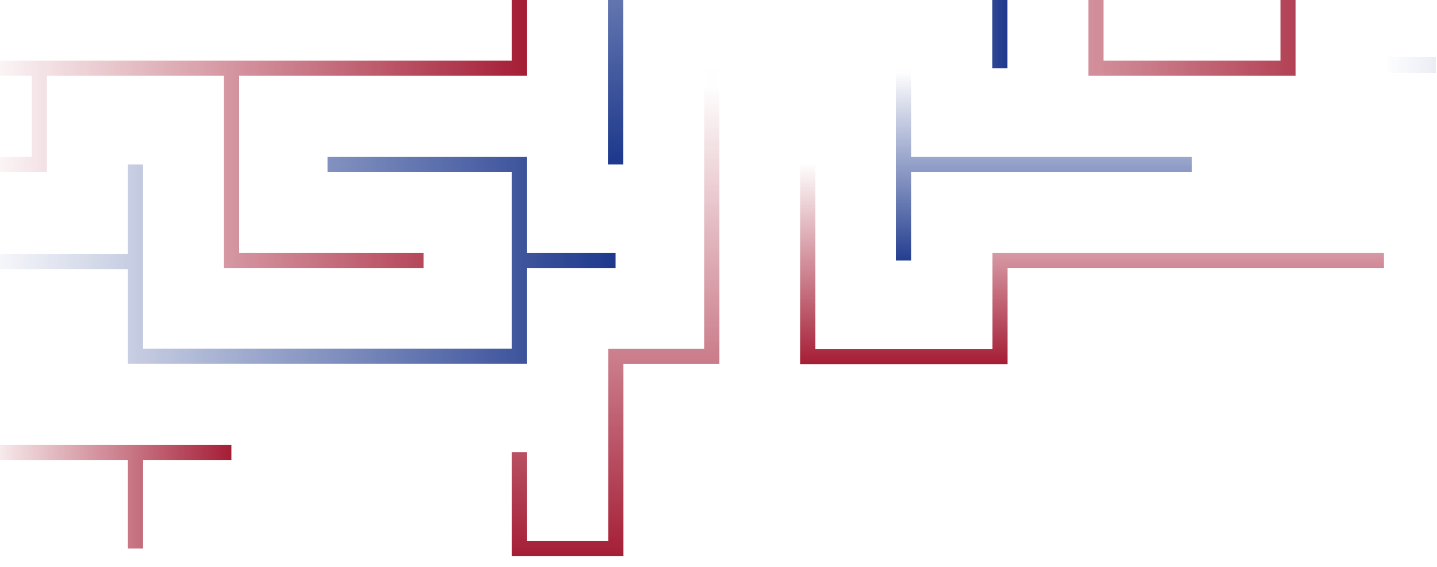
In criminal matters, the Registry provides support in processing committals, bail applications, applications under Part 7 of the *Crimes (Appeal and Review) Act 2001* and Common Law Division criminal summary jurisdiction proceedings.

In respect of the Court of Appeal, the Registry provides specialist administrative and clerical support to the Court of Appeal Judges and offers procedural guidance to litigants and their representatives. Similarly, in criminal appeal matters, the Registry provides support to the Court of Criminal Appeal Judges and users, and also issues orders concerning the custody of prisoners.

Management of the Registry

The Chief Justice directs the priorities to be pursued by the Registry. In general, the priorities reflect the central aim of meeting the expectations of Court users competently, efficiently and professionally.

Day to day management of the Registry is handled by the Executive Director and Principal Registrar of the Court. The Executive Director is also responsible for securing and managing the resources the New South Wales Department of Attorney General and Justice provides to the Court, providing executive support to the Court's judicial officers and developing strategies to improve the delivery of Registry services. The Executive Director undertakes these duties in close consultation with the Chief Justice, other judicial officers, the Department, representatives from key professional bodies and the Court's users.



2 CASEFLOW MANAGEMENT

- Overview by jurisdiction
- Regional sittings of the Court
- Alternative dispute resolution

OVERVIEW BY JURISDICTION

Introduction

The Court manages the flow of its cases from inception to completion in a number of different ways, and is continually looking to improve its processes and outcomes.

Caseflow management strategies are reflected in the Uniform Civil Procedure Rules, the Supreme Court Rules and the Practice Notes issued by the Chief Justice. The Judges, Associate Judges and Registrars work together to ensure that cases are resolved as efficiently and justly as possible.

Commonly, cases will be allocated to Registrars to establish the core arguments in dispute and determine when cases should progress to hearing before a Judge or an Associate Judge. A Registrar makes directions to ensure that a case is properly prepared for hearing. If an issue arises that falls outside the specified duties of a Registrar, he or she may refer that case to a Judge or an Associate Judge.

Court of Appeal

New appeal cases are reviewed for competency and, if necessary, referred back to legal representatives to either substantiate the claim of appeal as of right or seek leave to appeal. Applications for leave to appeal are examined to ascertain whether they are suitable for hearing concurrently with the argument on appeal.

Appeals are allocated a directions callover date before the Registrar once a notice of appeal is filed. At that callover, the appeal may be listed for hearing if the appellant has filed written submissions and the red appeal book. Further case management may be ordered with respect to lengthy or complex appeals.

The Registrar manages and lists most appeal cases and applications for leave to appeal, although some cases may be referred to a Judge of Appeal for special case management. Urgent cases are expedited and can be heard at short notice, if appropriate. The Registrar in the Court of Appeal also deals with most interlocutory applications (in accordance with a delegation by the Chief Justice under section 13 of the *Civil Procedure Act 2005*).

Mediation is offered to parties in appeals identified as capable of resolution by this process. Detailed

statistics regarding the number of matters referred to mediation can be found in Appendix (I).

Detailed information about case management practices in the Court of Appeal is set out in Practice Note SC CA 1.

Court of Criminal Appeal

Accused persons may initially lodge a Notice of intention to Appeal, without specifying their grounds of appeal. The Notice of Intention to Appeal allows the accused person six months (or such longer time as the Court grants) to file an appeal. Transcripts and exhibits are now provided to accused persons free of charge to facilitate the preparation of an appeal.

Case management begins when an appeal or application for leave to appeal is filed in the Registry. The appeal or leave application is listed for callover within two weeks of filing. Callovers are held fortnightly, although special callovers can be held in urgent matters. At the callover, the presiding Registrar will fix a hearing date and make directions for the filing and serving of submissions by the parties. The Registrar also manages cases that are deemed to require special attention.

Generally, three Judges hear an appeal or leave application. The Chief Justice may also direct that more than three Judges sit on an appeal or leave application, particularly in matters involving an important issue of law. In some circumstances, the Chief Justice may direct that two Judges hear an appeal against sentence. Single Judges hear sentence appeals from the Drug Court of New South Wales, and also deal with bail applications and other interlocutory applications in the Court.

Common Law Division

Case management in the Common Law Division begins when a summons or statement of claim is filed in the Registry. Each summons or statement of claim (with the exception of default matters) is given a return date before a Judge or Registrar and placed in a List. A Judge is appointed to manage each List, while the Common Law List Judge monitors all cases listed for hearing before a Judge. Registrars handle default matters administratively.

Common Law List Judge

The Common Law List Judge allocates cases listed for hearing to specific Judges. When deciding which Judge will hear a matter, the List Judge considers the type of cases, its estimated hearing length, and whether the Judge has other Court commitments. The List Judge also hears various applications in cases already listed for hearing, including all applications for adjournment. From time to time, the List Judge will issue further case management directions in cases already listed for hearing. The Common Law List Judge during 2018 was Justice Fagan.

Common Law Duty Judge

The Duty Judge is available each day to hear urgent applications, including applications for interlocutory injunctions, during and outside normal Court hours when required. Judges of the Division are rostered to act as the Duty Judge for a week at a time during Law Term. A Vacation Judge is rostered during the court vacation to perform this role.

The Duty Judge also conducts an applications list each Monday. The applications in this list cannot be determined by an Associate Judge or a Registrar and include appeals from the Local Court under the *Crimes (Local Courts Appeal and Review) Act 2001*, applications for restraining orders, applications for declaratory relief, and applications to dispense with a jury. Matters are initially listed at 9 am before a Registrar to determine whether the application is ready to proceed. The Duty Judge may specially fix applications that cannot be heard on the Monday to a later time or date.

The Duty Judge determines interlocutory applications for restraining assets and issues examination orders under the *Confiscation of Proceeds of Crime Act 1989*, *Criminal Assets Recovery Act 1990*, and *Proceeds of Crime Act 1987 (Cth)*. The Duty Judge also considers, in chambers, applications seeking authorisation of warrants, such as those made under the *Surveillance Devices Act 2007*.

Associate Judge

The Associate Judge in the Common Law Division deals with statutory appeals from the Local Court (except under the *Crimes (Local Courts Appeal and Review) Act 2001*). The Associate Judge also deals with applications for summary judgment and dismissal, applications for extension under the *Limitation Act 1969*, and contested applications to transfer matters from the District Court. The Associate Judge may deal with other matters as outlined in Schedule D of the Supreme Court Rules 1970.

Matters allocated to the Associate Judge's List are case managed by a Registrar daily at 9am. The Registrar refers applications to the Associate Judge when they are ready for hearing.

Lists of the Common Law Division

In addition to the above, the work of the Division is also distributed amongst a number of specialised Lists. The Chief Justice appoints a specific Judge to be responsible for the management of a List throughout the year. These Lists are set out below in alphabetical order, together with the Judge appointed to manage each List in 2018.

| Specialised case management List | Judge managing List in 2018 |
|--------------------------------------|-----------------------------|
| Administrative & Industrial Law List | Justice Adamson |
| Criminal List | Justice Johnson |
| Defamation List | Justice McCallum |
| Possession List | Justice Davies |
| Professional Negligence List | Justice Harrison |

Administrative & Industrial Law List

Three broad categories of cases are assigned to this list: statutory appeals arising from an error of law, or a question of law; administrative law matters commenced under section 69 of the *Supreme Court Act 1970* challenging an error of law on the face of the record or jurisdictional error, and matters under the *Industrial Relations Act 1996* that were formerly dealt with by the Industrial Court (also known as the Industrial Commission in Court Session).

The Administrative & Industrial Law List operates in accordance with the procedures outlined in Practice Note SC CL 3.

Bails List

Applications for bail or to review bail determinations can be made to the Supreme Court under the *Bail Act 1978* in respect of any person accused of any offence, even if the trial will not be heard in the Supreme Court. These applications are listed throughout the year, including during the court vacation. Common Law Division Judges are rostered on a weekly basis to determine these applications.

Criminal List

Arraignment hearings are held each month during Law Term. The aim of the arraignment procedure is to minimise the loss of available judicial time that occurs when trials are vacated after they are listed for hearing, or when a guilty plea is entered immediately prior to, or on the day of the trial's commencement.

The arraignment procedure contemplates the involvement of counsel at an early stage of the proceedings. This allows both the prosecution and defence to consider a range of issues that may provide an opportunity for an early plea of guilty, or to shorten the duration of the trial.

The procedures for arraignment are detailed in Practice Note SC CL 2.

Defamation List

Matters filed in this List after 1 January 2006 are managed in accordance with the provisions of the *Defamation Act 2005*. Matters are first listed before a Judge for directions and legal argument. The parties may also ask the Judge to consider if the dispute should be tried before a jury. If the Judge grants an application for trial by a jury, the matter will be set down for hearing. The jury will determine if the material in question is defamatory and if there is any lawful defence for publishing the material. If the jury finds that the plaintiff has been defamed without any lawful defence being established, the Judge will then determine any damages payable and resolve any outstanding issues under dispute.

Matters filed before 1 January 2006 are case managed in an identical way, but the issues considered by the jury differ slightly. In these matters, the jury is asked to consider whether the matter complained of carries the imputation alleged, and if it does, whether the imputation is defamatory.

Practice Note SC CL 4 governs the operation of this List.

General List (formerly known as the General Case Management List)

This List comprises all Common Law Division civil claims that are not included in the Administrative Law, Defamation, Professional Negligence or Possession Lists. It includes money claims, personal injury claims, claims for possession (excluding land), breach of contract, personal property damage, malicious prosecution, and claims under the Compensation to Relatives Act 1897. These cases are managed by a Registrar who conducts status conferences and final conferences. At the status conference, the Registrar gives directions to ensure the case is ready for hearing by the compliance date and encourages the early resolution of disputes through mediation or settlement.

The procedures associated with the running of this List are set out in Practice Note SC CL 1.

During 2018, to assist in early identification and case management of urgent High Risk Offender matters, the Court introduced new administrative processes that separate applications for extended supervision orders for high risk offenders from other matters in the General List. The applications handled under the new listing procedures are summarised in Appendix (i).

Possession List

The Possession List deals with all proceedings seeking recovery through the possession of land. The management of the List encourages early resolution of cases through mediation, other alternative dispute resolution processes or settlement. Case management is also used to clarify the real issues in dispute.

Practice Note SC CL 6 applies to cases in this List.

Professional Negligence List

Claims against medical practitioners, allied health professionals (such as dentists, chemists and physiotherapists), hospitals, solicitors and barristers are allocated to the Professional Negligence List. Specialised case management encourages parties to focus on the real issues under dispute in these types of claims. A Registrar monitors cases at regular conference hearings. Conference hearings provide an opportunity for parties to discuss outstanding issues in the case, and provide a forum for mediation between the parties. The Professional Negligence List Judge hears applications and makes directions according to the specific needs of each matter.

Practice Note SC CL 7 applies to this List.

Equity Division

Proceedings in the Equity Division are case managed by Registrars and Judges of the Division to achieve the just, quick and cheap resolution of the real issues in dispute between the litigants. The work of the Division is administered through the General List and a number of specialised Lists.

Expedition Judge

Cases are expedited when sufficient urgency is shown. Applications for expedition are made to the Expedition Judge on Fridays. The Expedition Judge case manages all expedited cases and hears those cases when they are ready for trial. During 2018, the Expedition Judge was Justice Sackar.

Equity Duty Judge

A Judge of the Division is available at all times for urgent applications. Duty Judges are rostered in blocks of two weeks. If a matter requires an urgent final hearing, the Duty Judge will consult with the Chief Judge with regard to possible allocation of an urgent final hearing date.

General List

All cases other than those in the specialised Lists, including applications for family provision under Chapter 3 of the *Succession Act 2006* or *Family Provision Act 1982*, are entered into the General list.

Family provision applications are managed in accordance with Practice Note SC Eq 7 by the Family Provision List Judge, who also sets the cases down for hearing. Other cases in the General List are managed by the Registrar in Equity in accordance with Practice Note SC Eq 1 and Eq 14, the Online Court protocol. The Registrar sets cases down for hearing before the Judges of the Division. The Registrar consults with the Chief Judge in Equity in relation to long and/or complex matters.

Specialised Lists of the Equity Division

The Equity Division's caseload is also managed by allocating certain matters to specific Lists according to the nature of the claims. These Lists are set out below in alphabetical order, together with the Judge appointed to manage each List in 2018.

| Specialised case management List | Judge managing the List in 2018 |
|---|--|
| Admiralty List | Justice Rein |
| Adoptions List | Justice Brereton |
| Commercial List | Justice Hammerschlag |
| Commercial Arbitration List | Justice Hammerschlag |
| Corporations List | Justice Brereton Justice Black |
| Expedition List | Justice Sackar |
| Family Provision List | Justice Hallen |
| Probate List | Justice Lindsay |
| Protective List | Justice Lindsay |
| Real Property List | Justice Darke |
| Revenue List | Justice White |
| Technology and Construction List | Justice Hammerschlag |

Admiralty List

The Admiralty List deals with maritime and shipping disputes. It is administered in the same manner as the Commercial List (see below).

Adoptions List

This List deals with applications for adoption orders and declarations of the validity of foreign adoptions under the *Adoptions Act 2000*. Most applications are unopposed. Once all supporting affidavits are filed, a Judge will deal with the application in the absence of the public, and without the attendance of the applicants or their lawyers. Unopposed applications require close attention for compliance with formal requirements, but there is little delay. A small number of contentious hearings take place in court in the absence of the public. Most of these relate to dispensing with consent to adoption. The Registrar in Equity deals with requests for information under the *Adoptions Act 2000*.

Commercial List

The Commercial List is concerned with cases arising out of transactions in trade or commerce. The case management strategy applied to the running of this List aims to have matters brought on for hearing quickly by:

- attending to the true issues at an early stage
- ensuring witness statements are exchanged in a timely manner
- intense monitoring of the preparation of every case.

There is also adherence to the allotted hearing dates, and hearings are continued to conclusion, even though time estimates may be exceeded.

Commercial Arbitration List

The List provides parties with a quick and effective mechanism for resolving disputes in relation to arbitration agreements, or which arise in the context of, or from, arbitral proceedings.

Disputes entered into the List arise from the context of arbitral proceedings in which the Court has prescribed jurisdiction in the *Commercial Arbitration Act 2010*, or by virtue of a provision within an arbitration agreement, or otherwise.

The Judge assigned to manage the List calls over all pending applications fortnightly, and parties to matters entered into the List are expected to comply with the provisions of Practice Note SC Eq 9.

Corporations List

A Registrar sits four days a week to hear most applications and hearings under the *Corporations Act 2001* (Cth) and related legislation. The Registrar may refer applications to the Judge on a Monday. The Registrar determines routine applications to wind-up companies, applications for leave to proceed against companies in liquidation (limited to personal injury actions) and applications to reinstate companies.

The Judge will give directions and monitor preparations for hearing in longer matters, as well as in other complex corporate cases. Cases managed in this List are generally given a hearing date as soon as they are ready.

Practice Note SC Eq 4 applies to cases entered into the Corporations List.

Probate List

The work performed by the Judges and the Probate Registry consists of both contentious and non-contentious cases. The Registrar and Deputy Registrars deal with the majority of non-contentious cases. This includes the granting of common form probate where applications are in order and are unopposed.

Both the Probate List Judge and the Registrars have procedures whereby some supervision is kept over executors in the filing of accounts, and ensuring beneficiaries are paid.

In court, the Registrar considers routine applications, and applications concerning accounts. Should a routine application require a decision on a matter of principle, the application is referred to the Probate List Judge.

The Probate List Judge sits once a week to deal with complex applications. If an application can be dealt with quickly, it is usually heard immediately. Others are set down for hearing, normally within a month.

Contentious matters are monitored by either a Judge or a Registrar. Contentious matters commonly include disputes as to a testator's last valid will. When these cases are ready to proceed, they are placed in the callover list to receive a hearing date before an Equity Judge.

Protective List

The work of this List is to ensure that the affairs of people deemed incapable of looking after their property, or themselves, are properly managed. The List also deals with appeals from the Guardianship Tribunal of New South Wales, along with applications (in chambers) by the New South Wales Trustee and Guardian for advice regarding the administration of estates. The Court also considers applications regarding missing persons' estates and, in certain circumstances, may order that their estate be managed under the *NSW Trustee and Guardian Act 2009*.

Often the issues under dispute in the Protective List are of a highly sensitive nature. The Court acknowledges this situation, and handles these proceedings with the minimum degree of formality. However, when there is a dispute that cannot be solved in this way, it is decided more formally.

The Protective List Registrar sits in court one day a week. The Registrar may refer a case to be determined by the Judge without further appearance or adjourn a case into the Judge's list. A Judge sits once a week to deal with any referred cases. Most cases are considered on the Judge's usual sitting day as soon as the parties are ready. Longer cases, however, are specially fixed, usually within one month.

Real Property List

The Real Property List was established in June 2015 to manage disputes over land that the filing party seeks to resolve through equitable relief, rather than recovering a monetary sum as damages or debt under the common law. The disputes could relate to a contract for the sale of land, or issues with leases, easements, covenants or strata and community schemes. The Real Property List Judge sits weekly to manage new cases and complex interlocutory applications that have been given leave to proceed. The Registrar provides support to the List Judge by handling procedural applications for substituted service, security for costs or to set aside subpoenas and notices to produce.

Practice Note SC Eq 12 applies to cases entered into the Real Property List.

Revenue List

The Revenue List is dedicated to the hearing of taxation matters. The List was created to ensure that these matters are heard as efficiently as possible. Matters in the Revenue List are heard by a specific Equity Division Judge each month, and allocated the earliest hearing date possible before this same Judge.

Practice Note SC Eq 10 applies to cases entered into the Revenue List.

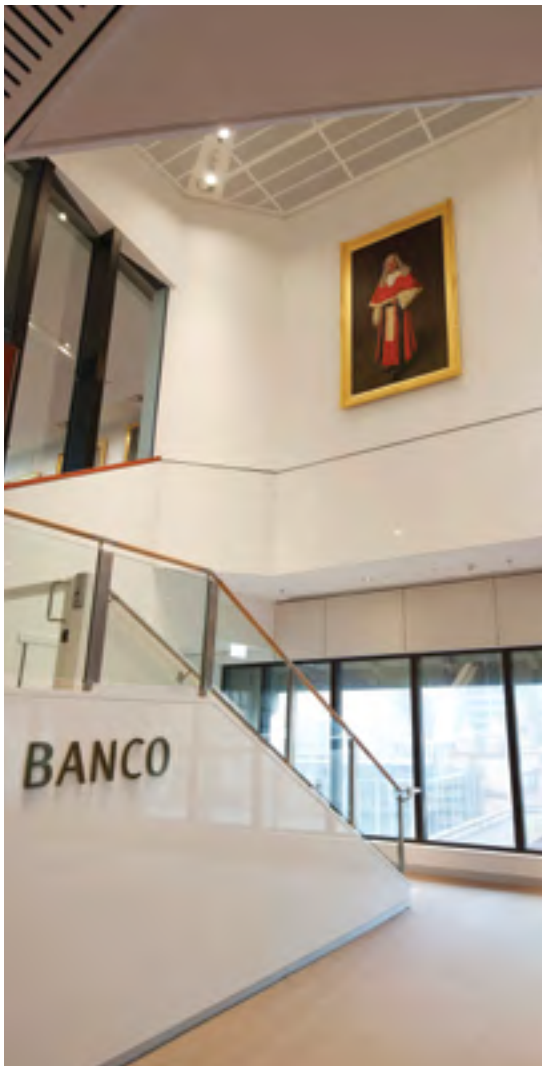
Technology and Construction List

Cases involving complex technological issues and disputes arising out of building or engineering contracts are allocated to this List. The List is managed by the same Judge and in the same manner as those in the Commercial List.

REGIONAL SITTINGS OF THE COURT

In June 2018 the Court of Appeal conducted a two-day hearing in Newcastle for the first time in a new, purpose-built courtroom. In first instance matters, the Supreme Court conducted trials and hearings at Bathurst, Bega, Broken Hill, Coffs Harbour, Dubbo, Lismore, Newcastle, Port Macquarie, Wagga Wagga and Wollongong during 2018.

Criminal trials and civil hearings will continue to be held in venues outside Sydney as required.



ALTERNATIVE DISPUTE RESOLUTION

Alternative dispute resolution is a broad term that refers to the means by which parties seek to resolve their dispute, with the assistance of a neutral person, but without a conventional contested hearing before a Judge or Associate Judge. The alternative dispute resolution method most commonly employed in Supreme Court proceedings is mediation.

Mediation

Mediation is available for most civil proceedings pursuant to Part 4 of the *Civil Procedure Act 2005*. Mediation is not available in criminal proceedings.

The role of the mediator is to assist parties in resolving their dispute by alerting them to possible solutions, while allowing the parties to choose which option is the most agreeable. The mediator does not impose a solution on the parties. Nine qualified Registrars and Deputy Registrars were certified to conduct mediations throughout 2018 at specified times each week. Alternatively, parties may use private mediators.

A matter may proceed to mediation at the request of the parties, or the Court may refer appropriate proceedings to mediation, with or without the consent of parties. If the Court orders that a matter be referred to mediation, there are several ways in which a mediator may be appointed. If the parties are in agreement as to a particular mediator, they can ask the Court to appoint that mediator or they may agree to mediation by a Registrar of the Court. If parties cannot agree upon a mediator, they should attempt to agree on how the Court can appoint a qualified mediator. Some options are set out in Practice Note SC Gen 6.

Settlement of disputes by mediation is encouraged in the Court of Appeal and in the Common Law and Equity Divisions. Parties may derive the following benefits from mediation:

- an early resolution to their dispute
- lower costs
- greater flexibility in resolving the dispute as the solutions that may be explored through mediation are broader than those open to the Court's consideration in conventional litigation.

Even where mediation fails to resolve a matter entirely and the dispute proceeds to court, the impact of mediation can often become apparent at the subsequent contested hearing. Mediation often helps to define the real issues and facts in dispute and this may result in a reduction in court time and, consequently, lower legal costs.





3 COURT OPERATIONS

- Overview of operations by jurisdiction
- Timeliness
 - Measurement against benchmarks
 - Listing delays
- Use of Alternative Dispute Resolution

OVERVIEW OF OPERATIONS BY JURISDICTION *

* to be read in conjunction with Appendix (I)

Court of Appeal

The net number of new cases coming to the Court of Appeal was 355 this year. This was similar to the number last year, but 23 per cent lower than the number four years ago.

The sources of the new cases in 2018 were: Supreme Court (194), District Court (113), Land and Environment Court (21), NSW Civil and Administrative Tribunal (13) and other sources (14).

Of the 355 new cases, 186 were commenced by notice of appeal, 139 by summons seeking leave to appeal, and 30 by summons for the Court of Appeal to exercise its original jurisdiction.

The net number of disposals this year was 361, which is 5 per cent lower than last year but still exceeding the rate at which new cases are coming to the Court of Appeal. Overall, during 2018, final disposals occurred by the following methods:

- settlement, or else non-progression to an appeal following a grant of leave to appeal – 11 per cent;
- judgment following hearing of either an appeal, an original jurisdiction summons or a concurrent hearing (a concurrent hearing enables the application for leave to appeal and, where leave is granted, the consequent appeal to be determined in a single hearing) – 69 per cent;
- refusal, striking out or other final disposal of an application for leave to appeal – 15 per cent;
- striking out or other final disposal of either an appeal or an original jurisdiction summons – 5 per cent.

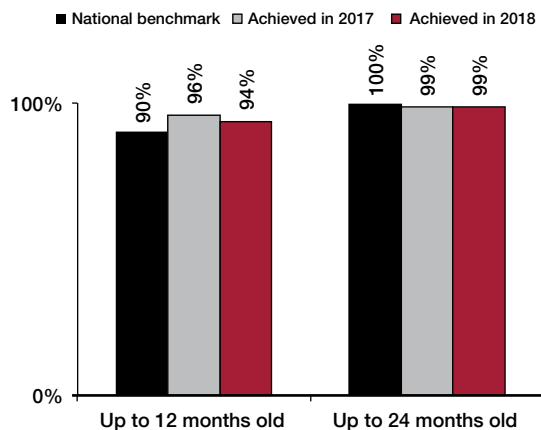
The overall Court of Appeal caseload at the end of 2018 was 178 cases, a 3 per cent reduction from the end of 2017. Of the 178 pending cases, 58 (33 per cent) were cases for which the question of leave to appeal had yet to be determined.

The age profile of the Court of Appeal's pending caseload remained at a good level during 2018 (see Figure 3.1). At the end of the year the proportion of pending cases within 12 months of age was

94 per cent (with the number of cases older than 12 months increasing slightly, from 8 to 11) – this remains better than the national benchmark (90 per cent) for that age group. One case was older than 24 months – it is an appeal that cannot progress until there is resolution of a related case in another court.

During most of 2018 the listing delay for non-urgent hearing of substantive appeals and for concurrent hearings was 2-4 months. It settled at 1.7 months for the start of the 2019 law term. Hearings for leave applications alone are listed more quickly, and the listing delay for these was 1.8 months or less throughout most of 2018, settling at 1.0 month for the start of the 2019 law term.

Figure 3.1 **Court of Appeal achievements against national benchmarks for age of pending cases**



Court of Criminal Appeal

The number of new cases coming to the Court of Criminal Appeal this year was 407. This was 7 per cent higher than the number in 2017, and followed five years of relatively stable filing rates.

The sources of criminal appeals in 2018 were: District Court (351), Supreme Court (36), Land and Environment Court (7) and other sources (12).

Of the 407 new cases, 265 were appeals against severity of sentence (of which 52 were appeals by the Crown), 108 were appeals against conviction, 19 were appeals against interlocutory judgments and 15 cases of other types (including one case returned from the High Court for re-hearing).

Not only was the number of new cases higher this year, but there was also an increase in the proportion which were conviction appeals. In 2018, 27 per cent of new cases were conviction appeals, compared with 20 per cent in 2016 and 24 per cent in 2017. Conviction appeals are more complex and typically require longer hearings than appeals against severity of sentence only. Conviction appeal hearings are usually twice the length of hearings for severity-only appeals, and can extend to a whole day or longer.

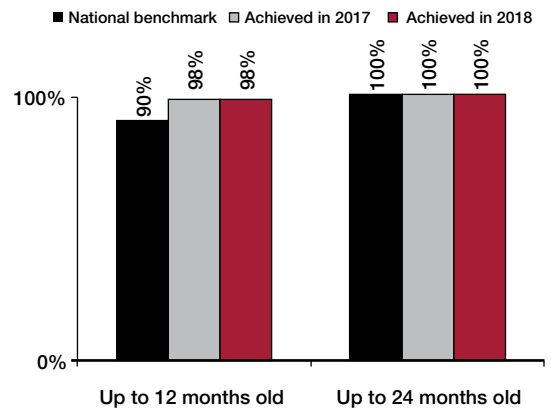
The number of disposals this year was 366 this year, 7 per cent less than the number last year. Of the 366 disposals, 325 were following a substantive hearing, 30 were by the appellant abandoning or withdrawing the appeal prior to a hearing, and 11 were by other methods (most commonly through non-compliance with the Criminal Appeal Rules).

This year, with the higher rate of new cases coming in and the decrease in the disposal rate, the pending caseload increased from 130 cases to 171 cases.

The age profile of the Court of Criminal Appeal's pending caseload remained at an optimal level during 2018. At the end of the year, it again met or well exceeded the national benchmarks (see Figure 3.2), with only 4 cases older than 12 months (none of these being older than 16 months).

During 2018 the listing delay for non-urgent hearing of criminal appeals fluctuated between 1.2 and 4.5 months. It settled at 3.0 months for the start of the 2019 law term. Interlocutory appeals are listed more quickly according to their urgency.

Figure 3.2 Court of Criminal Appeal achievements against national benchmarks for age of pending cases



Common Law Division criminal cases

In 2018 there were 93 new cases (defendants) registered in the Criminal List, compared with 112 during 2017 and 102 during 2016. Of the 93 new cases, 73 are prosecutions by the NSW Office of the Director of Public Prosecutions (67 of these cases involve homicide charges) and 20 are by the Office of the Commonwealth Director of Public Prosecutions.

After entry into the Criminal List, the next step usually is arraignment. The majority of defendants enter a plea of “not guilty” at arraignment, and the arraignment concludes with those cases being listed for trial. Nearly all trials are conducted with a jury.

At arraignments during 2018 a total of 91 defendants were given listings for trials (8 being for judge-alone trials), with the trials set to start in either 2018 or 2019 (apart from one trial set down for early 2020). Additionally, 3 defendants were listed for fitness hearings (to deal with the question of the defendant’s capacity to stand trial).

This year there were 23 defendants who entered a plea of “guilty” at arraignment, compared with 14 during 2017 and 12 during 2016.

During 2018, a total of 41 pleas of “guilty” were taken, compared with 42 during 2017 and 32 during 2016. The number and timing of the pleas of “guilty” are factors that significantly affect the operation of the Criminal List: fewer pleas of “guilty” entered at arraignment lead to more cases queuing for trials and, consequently, increased listing delays and finalisation times for cases.

Some defendants change their plea to “guilty” after being given a trial date – sometimes the change occurs as late as the start of, or during, the trial. During 2018, there were 18 defendants who entered a plea of “guilty” after arraignment, of which 9 were after the start of the trial or during the month in which the trial was scheduled to start. When the plea is changed at such a late stage it usually impossible to re-assign that trial-time to another defendant.

For criminal trials listed to start during 2018 the hearing estimates given to the Court ranged from 1 day to 6 months. For trials (not started or not concluded) on hand at the end of each month during 2018, the average hearing estimate was between 5.1 and 6.2 weeks.

For many years the Criminal List has used its capacity for listing 3-week trials as the standard for measuring its listing delay. However, the average hearing estimate for criminal trials has increased: consequently, in November 2016, the standard reference for measuring listing delay for criminal trials became the 4-week trial. At the first arraignments of the 2019 law term, the listing delay was 6.5 months for criminal trials requiring at least 4 weeks of trial time. The listing delay for criminal trials can vary during the year, especially when several long trials are listed simultaneously, when long trials must be vacated and re-listed, or when defendants plead guilty after their trial has been set or started.

Trials for 76 defendants were listed to start during 2018. For 16 of those defendants the trial either collapsed or was adjourned (this happened for 14 defendants during 2017 and for 11 defendants during 2016). Re-starting or re-listing trials following collapse or adjournment reduces the Court’s capacity to deal with its backlog of cases.

For the thirteenth consecutive year no trial was “not reached” (a situation where the Court, rather than the parties, cannot start a listed trial). The Court does not normally over-list its criminal trials. There is already a risk of trials being “not reached” when earlier trials run longer than their estimated time, and over-listing compounds that risk. The Court is aware of the emotional and financial impact for the family of victims and for witnesses (and of the cost to the community in funding the criminal justice system) when trials are delayed. It is a high priority for the Court to allocate its resources so that every criminal trial can start on its listed day.

During 2018 a total of 99 defendants’ cases were finalised, compared with 105 during 2017. The Court prepared and handed down 74 sentences during 2018, compared with 74 during 2017.

By the end of 2018 there were 113 defendants with cases pending in the Criminal List, a decrease of 5 per cent from the position at the end of 2017 (119 defendants). Note that a relatively small number of cases can cause appreciable changes (on a percentage basis) in the pending caseload from year to year.

With the relatively low number of cases in this resource-intensive list, the age profile can also show some volatility. The age profile for pending cases in the Criminal List worsened during 2018 (see Figure 3.3) with respect to cases older than 12 months - the number of cases older than 12 months increased from 30 to 52. The number of cases older than 24 months, however, decreased from 10 to 6. Of the 6 cases older than 24 months at the end of 2018, 5 had been delayed at least once by the need to either re-start or re-list the defendant’s trial (arising from hung juries, collapsed trials and successful applications to vacate scheduled trial dates) and one case had its trial delayed for several months by numerous preliminary applications and, since starting, has over-run its 6-month estimate by several months. Access to acting judges is invaluable in maintaining an acceptable age profile for the Criminal List, as the only alternative would be to take permanently appointed judges away from other areas of work.

When evaluating the Court's performance against the national benchmarks it is important to note that almost all indictments presented to this Court are for offences of murder or manslaughter, or otherwise have the potential for a life sentence to be imposed. In contrast, the criminal lists of most other Australian supreme courts deal routinely with a broader range of charges that includes shorter maximum sentences. The national timeliness benchmark of 12 months from committal to sentencing is therefore a challenging target for this Court. Additionally, when making comparison to the national benchmark, note that the relatively small size of the List allows just a few cases to make statistically significant changes to percentage-based results.

The Bails List received applications from a total of 4,545 applicants during 2018, an increase of 15 per cent over the number in 2017 (3,953). Release applications were over 98% of the lodged applications.

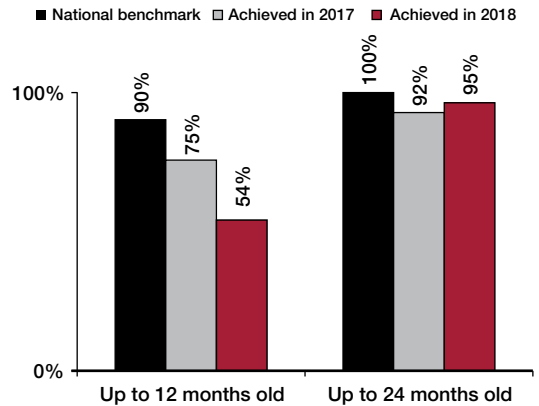
There were 4,353 Bails List applications disposed of during 2018, 9 per cent more than the number 2017 (3,984). The majority of disposals (63 per cent) were the result of the applicant withdrawing the application before or at the scheduled hearing.

Because lodgments exceeded disposals during the year, the Bails List pending caseload increased from 707 at the end of 2017 to 893 the end of 2018.

The listing delay for hearing of adults' applications in the Bails List has fluctuated widely over the year, from 3 to 15 weeks after lodgment, but was reduced to 2 weeks for the start of the 2019 law term. Juveniles' applications are given priority and are nearly always listed within 2 weeks of lodgment.

While the Court has allocated extra judges to the Bails List from time to time to reduce delays, the effectiveness of that strategy has been sporadic and limited by the capacity of key justice agencies to participate. To address the long-standing concern about Bails List delays, and following consultation with the justice agencies involved, the Court issued a new Practice Note in December 2018 for commencement in June 2019. The new Practice Note aims to provide Bails List applicants with a hearing within 20 days of the first call-over listing.

Figure 3.3 Criminal List achievements against national benchmarks for age of pending cases



Common Law Division civil cases

The civil work of the Common Law Division can be separated into two broad groups: contested or defended cases (these require case-management and include the specialised case-management lists) and cases requiring no case-management (such as uncontested cases proceeding to default judgment, and the miscellaneous applications dealt with administratively by registrars and registry officers).

Overall, there were 3,552 civil filings in the Division during 2018, an increase of 12 per cent from the number in 2017 (3,163). The principal area of increase was in uncontested cases (specifically the requests for service of foreign judicial documents), followed by contested cases in the Common Law General List (particularly personal injury cases), the Professional Negligence List and the Administrative Law List. A new list (the High Risk Offender List) was created to deal with the increasing number of applications for extended supervision or continued detention of high risk offenders.

During 2018 the disposal rate was 5 per cent higher than in 2017. The most noticeable increases in disposals occurred in the Professional Negligence List, the Administrative Law List and proceeds of crime cases. The total of 3,251 disposals included 1,399 contested cases (up from 1,240 last year), of which 426 had been listed for at least one hearing. The remaining 1,852 disposals were uncontested cases: apart from the 540 disposals

of miscellaneous applications, there were 654 uncontested cases dismissed for inactivity and 504 finalised by default judgment. During 2018 the registry received a total of 624 applications for default judgment, of which 96 per cent were either granted or requisitioned with 5 working days.

The number of pending cases in the Common Law Division rose by 11 per cent during 2018 (see Figure 3.4). The contested caseload increased by 11 per cent, from 1,742 to 1,938. This is expected to increase the number of cases requiring case-management directions and hearings in 2019 and 2020. The uncontested caseload also increased by 11 per cent, from 913 to 1,012, but that increase is largely confined to requests for service of foreign judicial documents (these cases remain open while the lodging party addresses any documentary deficiencies and the Office of the Sheriff attempts service).

The JusticeLink system is used to report the age of pending civil cases (see Figure 3.5). The national benchmark measures are set by the Productivity Commission's *Report on Government Services*. Inactive cases that should have been closed were present in the caseload up until the end of 2014. Consequently, the appropriate point from which to measure changes in the age profile of the real workload is from the end of 2014 onwards. During 2018, the proportion of the Division's civil caseload within 12 months of age improved slightly from 67 per cent to 70 per cent, and the proportion within 24 months of age also improved slightly from 84 per cent to 86 per cent. Over the year, the number of cases on hand and older than 24 months decreased from 412 to 401.

During 2018, the listing delay for non-urgent hearing of Common Law Division civil cases that required five days of hearing time fluctuated between 1.7 and 8.5 months. For the start of the 2019 law term, the listing delay had settled at 2.0 months for two-day hearings, 6.0 months for five-day hearings, and 9.0 months for ten-day hearings.

During the year, 997 matters were listed for a hearing of either the substantive issues or lengthy interlocutory issues (see Figure 3.6). Of those listed matters, 539 proceeded to a hearing, 373 settled after being listed for hearing and 85 successfully applied to vacate the hearing listing. This information is collated independently of the JusticeLink system.

So that available judicial time is used optimally, the Common Law Division's civil hearings are over-listed. This carries a risk that some cases may be "not reached" (a situation where the parties are ready to proceed but the Court is unable to provide a judge for the hearing). In 2018 none of the Division's listed hearings was "not reached" (compared with 2 cases "not reached" during 2017). Since 2007 the Division has maintained a "not reached" rate of 1 per cent or less for its listed civil hearings.

Civil hearings comprise just one area of work covered by the 23 judges of Common Law Division, who also hear all the Court's criminal trials, all hearings in the Bails List and all urgent applications to the Division, including those under the Crimes (High Risk Offenders) Act. The Common Law Division judges are also the principal judicial resource for the Court of Criminal Appeal. The task of appropriately balancing and re-balancing the allocation of Common Law Division judges to all these areas of work is challenging.

Figure 3.4 **Common Law Division pending civil caseloads at 31 December**

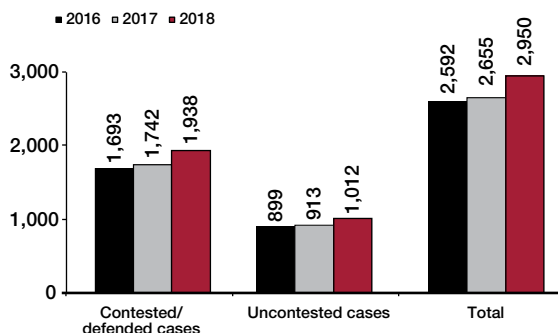


Figure 3.5 Common Law Division civil lists – achievements against national benchmarks for age of pending cases

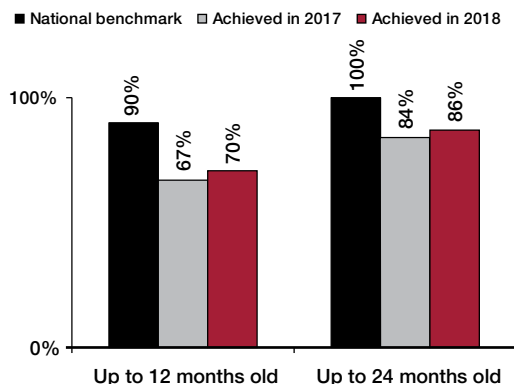
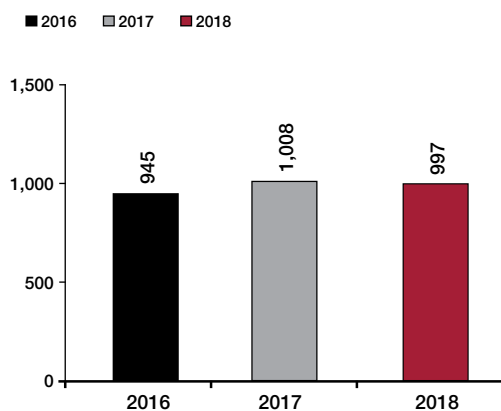


Figure 3.6 Listings for hearing – common law civil hearings



Equity Division

The following analysis of the operational trends within the Equity Division does not include uncontested probate cases. The volume of uncontested probate cases is so large that, if included, it would mask the important trends for all other cases in the Equity Division. Uncontested probate cases are discussed separately at the end of this section.

Overall, there were 4,128 filings in the Division during 2018, a minimal decrease from the number in 2017 (4,147). The most significant increases were in the Commercial List, Technology and Construction List and Adoptions List, and among contested probate cases. These were balanced by significantly reduced filings in the Corporations List (where typically over 80 per cent of cases are case-managed and finalised by the Registrar in Equity without requiring any listing before a judge) and Equity General List.

Overall, the disposal rate for the Division was 7 per cent higher in 2018 than in 2017, increasing from 3,947 to 4,204. The largest increases were in family provision cases, the Adoptions List, contested probate cases and the Real Property List. There was a significant decrease in the disposal rate for the Registrar's component of the Corporations List, but this would reflect the reduced filing rate in that area. The 4,204 disposals in 2018 included 703 cases that had a least one listing for hearing.

Overall, the number of pending cases in the Equity Division decreased by 2 per cent during 2018 (see Figure 3.7). The largest decreases were in the caseloads for family provision cases, the Adoptions List and the Registrar's component of the Corporations List (again, reflecting the reduced filing rate in that area). The areas of greatest increase were the Technology and Construction List, Commercial List and contested probate cases.

The JusticeLink system is used to report the age of pending civil cases (see Figure 3.8). The national benchmark measures are set by the Productivity Commission's *Report on Government Services*. The age profile of the Equity Division's pending caseload showed significant improvement during 2014, when auditing enabled a large number of inactive cases to be finally closed. Auditing continued through to early 2016 but resulted in only a small number of case closures during 2015 and 2016. The age profile of Equity Division cases at the end of December 2018 is shown at Figure 3.8. During 2018, the proportion of the Division's caseload within 12 months of age reduced from 69 per cent to 67 per cent, and the proportion within 24 months of age reduced from 89 per cent to 87 per cent. Over the year, the

number of cases on hand and older than 24 months increased from 341 to 378.

During 2018, for two-day hearings of non-urgent General List or Probate List cases, the listing delay ranged between 2.8 and 7.0 months. By the start of the 2019 law term the listing delay had settled at 6.0 months for two-day hearings, 6.3 months for five-day hearings and 9.0 months for ten-day hearings. Some judges of the Equity Division have been assigned for short periods to hear cases in other areas of the Court so that listing delays are managed across all areas of work.

The JusticeLink system does not provide reports regarding the matters listed for hearing, nor are there manually maintained statistics on this aspect for Equity Division cases, so analysis of the outcomes of the listed hearings cannot be presented.

Since 2014 the Equity Division has over-listed hearings to a small extent, and no case has been recorded as “not reached”.

Uncontested probate applications are handled by the Court’s registrars – these applications are for a grant of probate, a grant of letters of administration, or a re-seal (of a probate granted elsewhere). During 2018, a total of 26,538 applications were filed (a decrease of 3 per cent over the number filed during 2017). If an application meets all procedural requirements when lodged, a grant will be made on initial processing. During 2018 the waiting time for initial processing of grant applications ranged between 5 and 12 working days, settling at 4 working days by the start of the 2019 law term.

Figure 3.7 Equity Division pending civil caseloads at 31 December

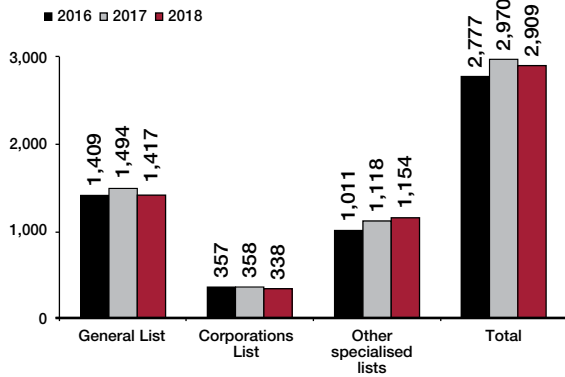
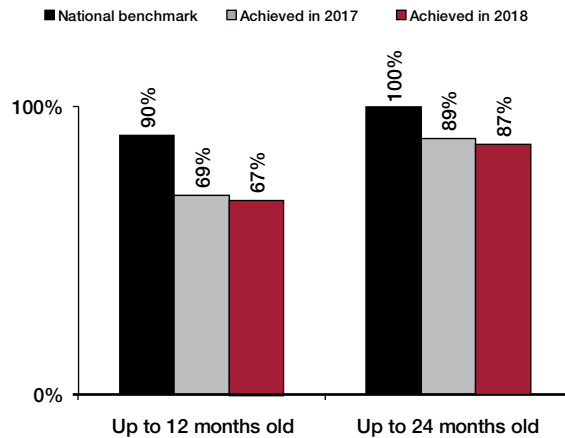


Figure 3.8 Equity Division - achievements against national benchmarks for age of pending cases



TIMELINESS

Measurement against benchmarks

The Court's performance in dealing with cases in a timely way is reported in terms of the age of the pending caseload. Measurement of the age distribution within a pending caseload helps the Court to assess more quickly whether delay reduction strategies are successful and to identify areas where further case management would be beneficial.

Courts and other organisations may use different methods to measure the age of cases or the timeliness of case handling, and this can produce statistics that are not necessarily comparable. To cite criminal cases as an example, some courts report performance by measuring the time between committal and the commencement of trial, while the Australian Bureau of Statistics produces national statistics that measure the time from committal to either acquittal or sentencing. Unless noted otherwise, the information in Appendix (I) concerning age of pending cases uses the same definitions of commencement and finalisation as are used by Productivity Commission in its *Report on Government Services*.

Appendix (I) shows the position this Court reached at 31 December for each reported year with regard to the age of its pending caseload. For criminal matters (including criminal appeals) the method of measurement fully with the method used by the Productivity Commission's *Report on Government Services*, except where cases are diverted to the Mental Health Review Tribunal. For the Court of Appeal, the reporting here is also aligned with the methods used by the Productivity Commission but is confined to those cases lodged in the Court of Appeal (whereas the Productivity Commission's figures cover all civil cases that are appellate in nature, not just those lodged in the Court of Appeal). For civil cases in the Common Law and Equity Divisions, the Court's reporting differs from the Productivity Commission's methods in three ways: firstly, the Court reports separately for each Division; secondly, for cases that are appellate in nature but heard in the Common Law or Equity Division, the Court reports those cases within the appropriate Division and not in combination with

Court of Appeal cases; and thirdly, the Court's reports include all pending cases, whereas the Productivity Commission's counting rules allow for exclusion of some particular case types and pending cases that have been inactive for at least 12 months.

Appendix (I) allows comparison of the Court's position with the national benchmarks for "backlogs" as set by the Productivity Commission. Those benchmarks are applicable to Australia's supreme courts and district/county courts, regardless of the case-mix of those courts. With regard to criminal non-appeal cases, the range of charges routinely brought in criminal lists of supreme courts varies across the country. This Court hears only criminal cases involving charges of murder or manslaughter or where there is otherwise the potential for a life sentence to be imposed; for such cases a 12-month timeframe from committal to sentencing is challenging. With regard to civil non-appeal cases, it is worth noting that every supreme court in the country has difficulty meeting the backlog benchmarks (see Table 7A.18 of the latest *Report on Government Services* published by the Productivity Commission).

This is the ninth year of reporting the size and age profile of the civil caseloads of the Common Law and Equity Divisions using data extracted from the NSW courts' case information system, JusticeLink. The extraction of data was continually refined from 2009 through to 2012, at which point the Court obtained reports that were better able to identify inactive civil cases. From 2012 to 2016 the Court audited its civil caseload to identify the many inactive cases that had accumulated since 2009. Auditing of backlogs was substantially completed for the Common Law Division by the end of 2014, and for the Equity Division by early 2016. We estimate nearly 5,000 inactive civil cases were closed as a result of that auditing, which should be taken into account when analysing the changes in size and age profile of the Court's civil caseload since 2010. The Court continues to routinely audit its caseload to identify inactive cases that should be dismissed or closed.

Listing delays

The reported listing delays indicate the timeliness with which the Court can allocate non-urgent hearings for various types of cases that have been assessed as ready for hearing, providing the parties are willing to select from the first available group of hearing dates offered by the Court. Listing delays change during the year and updated information is published daily in the court list.

The table of listing delays in Appendix (I) shows the listing delays that applied at the start of the new law term following the close of the reporting year. The listing delays refer to hearing-time requirements that are considered representative or typical of the various areas of the Court, as explained in the footnotes to the table. (Note that during 2016, the representative hearing-time requirement for Criminal List cases was changed from a 3-week trial to a 4-week trial.)

This standardised measurement of listing delays, in contrast to measurement of the age of pending cases or case finalisation times, focuses on the Court's management of its own resources to deliver timely hearings. It is distinct from other factors that lengthen case finalisation time, such as delays in serving court documents, delays caused by the need to join additional parties to proceedings, time taken up with interlocutory issues or appeals, time needed for parties to prepare their evidence, time that elapses while parties attempt mediation, and the delays caused when parties request a trial date that is later than the first available.

For the representative hearing lengths described in Appendix (I), over the 12 months leading up to the start of the 2019 law term:

- Court of Criminal Appeal hearing delays increased to 3.0 months
- Court of Appeal hearing delays improved further to 1.7 months (from the an already optimal level 12 months earlier);
- criminal trial listing delays increased to 6.5 months;
- Bails List hearing delays improved to 2 weeks after much lengthier delays earlier in the year;
- Common Law Division civil hearing delays improved slightly to 6.0 months; and
- Equity Division civil hearing delays increased to 6.0 months.

Over-listing is used in the Common Law Division, and to a much smaller extent in the Equity Division, in order to make most effective use of judicial time to manage listing delays.

Without access to acting judges, the management and balancing of listing delays across the entire Court would have been more difficult, and longer delays would have been likely in one or more areas of work.

USE OF ALTERNATIVE DISPUTE RESOLUTION

The Supreme Court supports mediation as a method of alternative dispute resolution for Supreme Court civil proceedings. Litigants in any contested civil case (including appeals) can consider using mediation. Mediation is generally inapplicable for cases where no defendant contests the claim and in applications for an uncontested grant of probate, for adoption of children, for winding-up of companies, for recovery of proceeds of crime or under the Crimes (High Risk Offenders) Act, and for the miscellaneous applications where only administrative processing is required. For other civil cases mediation is considered generally applicable, although individual cases may have circumstances that make mediation inadvisable or inappropriate.

Since 2014, in addition to its long-standing court-annexed mediation program, judicial settlement conferences have been used in family provision cases where the estate is valued at less than \$500,000 or where the parties jointly request one. These conferences are conducted by Justice Hallen and are timed to occur at an early stage of case management with a view to achieving settlement as soon as possible so as to minimise litigation costs. The judicial settlement conferences have reduced the number of cases going to the court-annexed mediation program, and need to be taken into account when interpreting statistics concerning the Court's use of mediation, both court-annexed and overall.

During 2018 the registry recorded a total number of 1,169 referrals to mediation (court-annexed or private), which was a 24 per cent increase from the 2017 total of 943 referrals. The number of court-annexed mediation listings (which are conducted by the Court's registrars) decreased from 571 in 2017 to 428 in 2018, so the increase in the total referrals arises from increased referrals to private mediators. It is possible that the total number of referrals does not fully include the use of private mediation because it is not essential for litigants to obtain a formal referral for mediation to use private mediation, nor (where no referral order has been made) to disclose to the Court that private mediation has been used.

During 2018, an estimated 4,726 civil cases were filed that were of types for which mediation was considered generally applicable. This is an increase of 4 per cent from the estimated 4,535 cases filed during 2017.

The "mediation referral index" is the total number of cases referred for mediation in a given year, expressed as a percentage of the total number of cases commenced (in that year) that are of types where mediation is considered to be generally applicable. For 2018 the mediation referral index was 24.7 per cent, up from 20.8 per cent for 2017.

Of the 428 cases listed for court-annexed mediation during the year, only 3 cases did not proceed to their allotted mediation session. Court-annexed mediations are conducted by those Supreme Court registrars who are additionally qualified as mediators. Of the 425 cases that proceeded to a court-annexed mediation session, the settlement rate was 47 per cent. The Court has a stringent convention for recording cases as "settled at mediation": the parties must have agreed to finalising orders (or have drafted heads of agreement) by the close of the mediation procedure. An additional 29 per cent of cases were recorded as "still negotiating" at the close of the mediation session, and many of those cases are likely to have settled subsequently. If parties agree to settle their dispute at any time after the close of the mediation session, those settlements are not recorded as "settled at mediation" even though the mediation procedure may have been fundamental to the parties eventually reaching settlement. The statistics for the court-annexed mediation program are collated independently of the JusticeLink system, where the data is not sufficiently reliable for this purpose. There are no statistics on settlement rates for cases referred to private mediators.

The waiting time during 2018 for a non-urgent court-annexed mediation session ranged between 2 and 9 weeks. The waiting time settled at 5 weeks for the start of the 2019 law term. Where the Court orders an expedited court-annexed mediation, the waiting time does not apply. The waiting time can change during the year, and updated information is published daily in the court list.

Use of arbitration for Supreme Court cases remains possible but is now unlikely because the types of cases that typically had been referred to arbitration no longer come to the Supreme Court. Arbitration of Supreme Court cases declined following redistribution of work among the State's courts. The most recent referral of a Supreme Court case to arbitration was in 2006 (one referral only in that year).





4 EDUCATION AND PUBLIC INFORMATION

- Judicial officer education (information supplied by the Judicial Commission of New South Wales)
- Public education programme
- The role of the Media Manager

JUDICIAL OFFICER EDUCATION

Many judicial officers updated and developed their skills and knowledge during the year by attending conferences, seminars and workshops. Some of the programs are tailored specifically to the Court's needs, while others target the wider legal community. An overview of some of the educational activities completed during 2018 appears below. For a more comprehensive list of activities, please refer to Appendix (III): Other Judicial Activity.

Domestic judicial education activities undertaken in 2018

During 2018, judges attended 93.26 days of face-to-face judicial education organised by the Judicial Commission, an average of 2 days of judicial education per judge. Participants are asked to rate the practical value of each education event to their role as a judge. The overall ratings in 2018 (from an average response rate of 57%) reveal that 93% of judges find the Supreme Court's education program relevant and a useful source of knowledge and ideas.

The Court's Annual Conference, held in August, included sessions on contributory negligence and causation, developments in criminal law, resulting trusts, strata title law, legal consequences of UK withdrawal from the EU, and joint criminal liability. Forty-three Supreme Court judges and the Principal Registrar attended.

In September, eleven Supreme Court judges attended a seminar 'The New Community Corrections Reforms'. This session addressed the recent community corrections reforms, including bonds/ICOs etc. the Crimes (Sentencing Procedure) Amendment (Sentencing Options) Act 2017 that commenced on 24 September 2018.

The Ngara Yura Committee presented various programs throughout the year:

- In March, five Supreme Court judges attended a Ngara Yura seminar on Sorry Business and Wills. This event considered the impact of *Re Estate Wilson, Deceased* (2017) 93 NSWLR 119, the first of its kind intestacy case considering a distribution order affecting the administration of an Indigenous intestate. This session raised issues surrounding Sorry Business and its importance in Aboriginal culture and facilitated a discussion on the importance of wills for Aboriginal people offering practical tips on how to make these culturally appropriate.
- In September, two judges attended a seminar that provided an introduction to the Aboriginal Land Rights System in NSW. This session covered an overview of the Aboriginal Land Rights Act 1983 (ALRA) the issues that may arise in the Land and Environment and Federal Court jurisdictions.
- In October, four judges attended a community visit to Redfern. This community visit focused on the three themes of the day being Empowered Communities, Community Spirit and Restorative Justice. This was an opportunity for judicial officers and their families to hear from the community and ask questions as well as gain information about programs that are available and also under development.

PUBLIC EDUCATION PROGRAMME

In 2018, numerous secondary school student groups and interested members of the public visited the Court independently with the assistance of a free, self-guided app. The free app guided visitors through a specially selected route highlighting the most legally and visually significant aspects of the Law Courts Building, while also providing insights into the Supreme Court's work. The app allows visitors an opportunity to visit the Court at times that suit their needs while ensuring they are equipped with information necessary to independently orient themselves within the Building and confidently undertake courtroom observation.

THE ROLE OF THE MEDIA MANAGER

The Court's Media Manager is the principal media spokesperson for the superior NSW courts and provides a professional court-media liaison service. The major role of the position is to provide the media with information about court proceedings in the Supreme Court, the Land & Environment Court (LEC) and the Industrial Relations Commission (IRC). The Media Manager works with the media to ensure that judicial decisions are correctly reported to the community and promotes initiatives taken by the courts to enhance access to justice. The Media Manager is also responsible for ensuring that media outlets are alert to any non-publication and suppression orders issued in proceedings, and that they are familiar with the terms and impacts of these orders. This is important because the media's failure to acknowledge or adhere to such orders in their coverage could compromise proceedings.

During 2018, the Media Manager completed 5,613 requests for information, up from 5,546 the previous year. Of these:

- 90 per cent related to Supreme Court matters
- 10 per cent related to the LEC, IRC and other courts and tribunals.

Sydney metropolitan journalists from major newspapers and radio and TV stations remained the major users of Media Manager services, accounting for 70 per cent of requests in 2018. Just over 11 per cent of users were from NSW regional newspapers, radio and TV stations, and less than one per cent was from suburban Sydney newspapers. The remaining 18 per cent of inquiries were from interstate or overseas journalists, writers for specialist/trade publications, authors, lawyers, students or members of the public.

During the reporting year, the Media Manager received 16 media applications to film final decisions under the broadcasting judgments legislation, which includes a presumption in favour of permitting recording and broadcast of judgment remarks that determine proceedings. All but one request was granted; 14 criminal sentences and one CCA decision.

In addition to reactive work, the Media Manager undertook proactive tasks such as initiating media coverage of the Opening of Law Term services at the Great Synagogue and Auburn Mosque, organising interviews to mark 100 years of women in the law, and participating in a research project regarding the history and role of Court media officers across Australia. The Media Manager continued to assist with the Supreme Court's social media activity and facilitated the Chief Justice's second Media Background Briefing, in which Chief Justice Bathurst met with journalists and reporters to discuss media access to, and use of, exhibits and Court files.



5 OTHER ASPECTS OF THE COURT'S WORK

- Uniform Civil Procedure Rules
- Law Courts Library
- Admission to the legal profession and appointment of Public Notaries
- Admission under the mutual recognition Acts
- Administration of the Costs Assessment Scheme
- Pro Bono Scheme
- Judicial Assistance Program

UNIFORM CIVIL PROCEDURE RULES

The *Civil Procedure Act 2005* and *Uniform Civil Procedure Rules 2005* commenced operation in 2005. The Uniform Rules Committee was established under sections 8 and Schedule 2 of the Act. The Chief Justice (who acts as chair) and the President of the Court of Appeal are ex-officio members of the Committee. The other Supreme Court representatives on the Committee during Justice Adamson and Justice Lindsay. As well as considering amendments to the Rules the Uniform Rules Committee approves forms for use in civil proceedings under section 17 of the Act.



LAW COURTS LIBRARY

The Law Courts Library is one of the premier law libraries in Australia; its collection predates the formation of the Supreme Court in 1824. The Library is a legal resource and information centre for all judicial officers, court staff and registrars in the Law Courts Building.

Legal authorities and accurate information are provided to support the timely and effective decision making of the courts. In 2018, librarians answered more than 1,400 requests from the Supreme Court, and around 4,150 legal resources were borrowed. Law Courts Library reader services librarians continued to provide support for court use of online resources and e-publications on iPads and other mobile devices.

In addition, 2,630 Supreme Court (including Court of Appeal and Court of Criminal Appeal) decisions were published on the NSW Caselaw website during 2018, which is managed and supported by the Library.

The NSW Department of Justice and the Federal Court of Australia jointly fund the Law Courts Library. The operations of the Library are overseen by the Library Advisory Committee, consisting of three Judges from the Federal Court of Australia and three Judges from the Supreme Court of NSW.

The Committee provides advice on matters of collection development and service provision.

During 2018, the Supreme Court representatives on the Advisory Committee were:

- The Honourable Justice Basten
- The Honourable Justice Macfarlan
- The Honourable Acting Justice Emmett

ADMISSION TO THE LEGAL PROFESSION AND APPOINTMENT OF PUBLIC NOTARIES

The Legal Profession Admission Board is responsible for:

- determining the eligibility and suitability of people seeking to be admitted as a lawyer in NSW
- accrediting academic law courses and practical legal training courses in NSW
- registering, enrolling and examining students in the Board's own Diploma in Law course
- appointing public notaries in NSW, and
- maintaining the Roll of Lawyers and the Roll of Public Notaries in NSW.

Constituted by the *Legal Profession Uniform Law Application Act 2014*, the Board is a self-funding statutory corporation. Membership of the Board comprises:

- the Chief Justice of NSW
- three Judges of the Supreme Court nominated by the Chief Justice
- a nominee of the Attorney General
- nominees of the Committee of NSW Law Deans, the Bar Council, and the Law Society Council.

During 2018, the members of the Board were:

- The Honourable the Chief Justice Bathurst
- The Honourable Acting Justice Emmett (Deputy Chair)
- The Honourable Justice Payne
- The Honourable Justice Lindsay
- Mr Garry McGrath SC
- Ms Margaret Allars SC
- Mr Charles Cawley (until 17 April 2018)
- Mr Wen-Ts'ai Lim (from 18 April 2018)
- Mr John Dobson
- Professor Lesley Hitchens
- Dr Jacob Campbell

A detailed account of the Board's activities and achievements can be found in its Annual Report, which is available for download from www.lpab.justice.nsw.gov.au

ADMISSION UNDER THE MUTUAL RECOGNITION ACTS

The Registry liaises with the Legal Profession Admission Board in performing the task of managing applications from legal practitioners for admission under the mutual recognition Acts: from New Zealand legal practitioners under the *Trans-Tasman Mutual Recognition Act 1997*, and from Australian legal practitioners from other States and Territories under the *Mutual Recognition Act 1992*.

In 2018, 66 New Zealand practitioners were enrolled under the *Trans-Tasman Mutual Recognition Act*. In comparison, there were 58 Trans-Tasman admissions in 2017 and 76 in 2016.

The number of Australian legal practitioners enrolled under the *Mutual Recognition Act 1992* remains negligible after legislative changes to allow most lawyers to practise seamlessly throughout Australia.



ADMINISTRATION OF THE COSTS ASSESSMENT SCHEME

The Costs Assessment Scheme is the mechanism through which clients and practitioners can resolve disputes about costs, and also quantify costs orders made by a NSW court or tribunal. The Scheme's processes are governed by the NSW legal profession legislation in force when the litigation in which the costs dispute arose commenced, or the costs order was made, commenced.

The Chief Justice appoints independent Costs Assessors to determine applications for costs assessment and review. All Costs Assessors are legally qualified and must have been a practising Australian lawyer for at least 5 years to be considered eligible for appointment.

The Costs Assessment section of the Registry undertakes the day-to-day administration of the Scheme under the guidance of the Manager, Costs Assessment.

During 2018, 1,336 costs assessment applications were lodged. Of these, 601 (45 per cent) related to costs between parties to costs orders; 186 (14 per cent) were brought by clients against practitioners, and 395 (30 per cent) were brought by practitioners to recover against clients. There were 154 reviews (11 per cent).

The review process is undertaken by a review panel comprising two senior assessors. The review panel generally considers the material before the assessor and can affirm or vary the original assessment. If the application is made under the *Legal Profession Act 2004* (LPA) a costs assessment determination can be appealed to the District Court as of right on questions of law and otherwise by leave. Although now repealed, the LPA still applies to assessments where the matter in which the costs order was obtained was commenced before 1 July 2015 or where first instructions from a client were given before 1 July 2015.

The *Legal Profession Uniform Law Application Act 2014* (as amended) incorporates the recommendations of the Chief Justices' Review concerning reviews. For matters falling under the new legislation, an appeal is now to the District Court, but only with leave if the amount in dispute is less than \$25,000 or to the Supreme Court but only with leave if the amount in dispute is less than \$100,000.

The Chief Justice appoints the Costs Assessment Rules Committee (CARC). Since 1 July 2015, with the commencement of the Application Act, CARC was reconstituted in the legislation to include a Supreme Court Judge, a District Court Judge, a nominee of Office of Legal Services Commissioner and of both NSW Law Society and NSW Bar Association as well as representative Costs Assessors. The CARC is chaired by The Honourable Justice Paul Brereton AM RFD.

The Costs Assessment User Group meets as necessary to discuss issues on costs assessment from a user's perspective. The User Group met regularly during 2018 to discuss progression of a new costs chapter in the Judicial Commission's Civil Bench Book, requirements for additional approved uniform civil forms and to plan educational events for costs assessors.

PRO BONO SCHEME

The Court established the Pro Bono Scheme with support from the New South Wales Bar Association and Law Society of New South Wales in 2001.

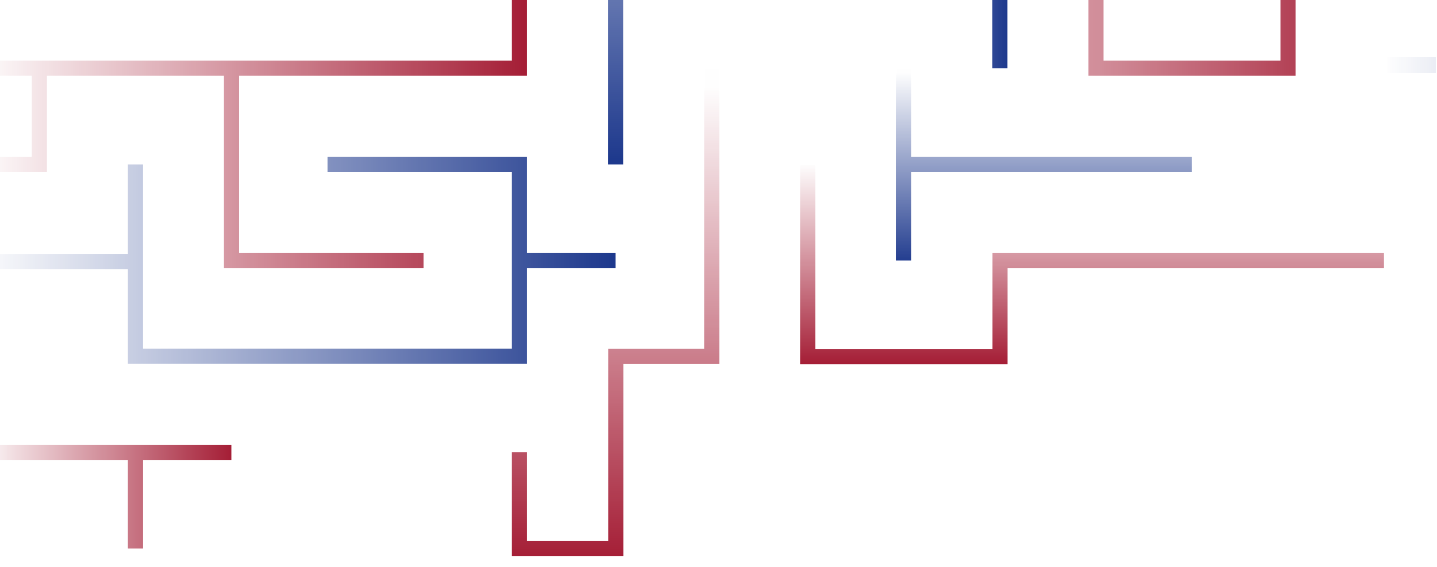
The Scheme operates in accordance with Part 7 Division 9 of the Uniform Civil Procedure Rules 2005 and enables unrepresented litigants to be referred to a barrister and/or solicitor once the Court determines they are deserving of assistance.

During 2018, the Court made 23 referrals under the Scheme: six referrals were made in Court of Appeal cases and 17 were made by Judges across the Common Law and Equity Divisions. The Scheme's success depends upon the continued goodwill of barristers and solicitors who have indicated a willingness to participate in the Scheme. The Court gratefully acknowledges and extends its sincere thanks to those who support the scheme by volunteering their services.

JUDICIAL ASSISTANCE PROGRAM

A Judicial Assistance Program was launched to help New South Wales judicial officers meet the demands of their work whilst maintaining good health and well-being. The scheme provides for 24-hour access to a professional, confidential counselling service and free annual health assessments. The Court administers this Program on behalf of all the jurisdictions.





6 APPENDICES

- I Court statistics – comprehensive table of statistics
- II The Court’s committees and user groups
- III Other judicial activity: conferences, speaking, engagements, publications, appointments to legal and cultural organisations, delegations and international assistance and commissions in overseas courts

APPENDIX (I): COURT STATISTICS – COMPREHENSIVE TABLE OF STATISTICS

(to be read in conjunction with Chapter 3)

- Filings, disposals and pending cases
- Timeliness
 - age of pending cases at 31 December
 - listing delays after the end of the year
- Alternative dispute resolution

Filings, disposals and pending cases

NOTES:

The figures for pending cases exclude cases that have been re-opened after judgment.

Pending caseload figures within the Common Law and Equity Divisions (or within case management lists within those Divisions) will not always reconcile with associated filing and disposal figures. This is because cases commenced in one case management list or Division may subsequently be transferred to another list or Division for further case management and disposal.

The statistics for 2014 through to 2018 for civil cases in the Common Law Division and for the Equity Division (other than the Adoptions List, Protective List and contested Probate List cases) have been extracted from the JusticeLink system.

The statistics for the Court of Appeal, Court of Criminal Appeal, Criminal List, Bails List, Adoptions List, Protective List and contested Probate List matters are not supplied through the JusticeLink system; they continue to be manually collated and are subject to audit and revision.

“n/a” – figures not available or not separately reported

“-” – item not applicable

“0” – zero count

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|------------|------------|------------|------------|------------|
| COURT OF APPEAL ^{1,2} | | | | | |
| Filings (net new cases) ³ | 461 | 379 | 397 | 354 | 355 |
| <i>Filings of appeals / applications for relief</i> | 310 | 255 | 261 | 241 | 228 |
| <i>Filings of applications for leave to appeal</i> ⁴ | 166 | 134 | 144 | 121 | 139 |
| Disposals (final disposals) ⁵ | 501 | 433 | 423 | 380 | 361 |
| <i>Disposals of appeals / applications for relief</i> | 330 | 312 | 277 | 257 | 249 |
| <i>Disposals of applications for leave to appeal</i> | 186 | 131 | 154 | 131 | 124 |
| Pending cases at 31 December | 290 | 236 | 210 | 184 | 178 |
| <i>Appeals / applications for relief</i> | 230 | 173 | 157 | 141 | 120 |
| <i>Applications for leave to appeal</i> | 60 | 63 | 53 | 43 | 58 |

¹ These statistics exclude notices of intention to appeal. A notice of intention to appeal does not commence a substantive appeal or application.

² These statistics cover Court of Appeal cases only. They are not comparable to “civil appeal” case statistics reported within the Productivity Commission’s *Report on Government Services*, which include all civil cases of an appellate nature, including appeals and reviews dealt with in the Common Law Division or Equity Division.

³ When a notice of appeal is filed after a successful application for leave to appeal, the appeal and the leave application are counted as one case (not two). For this reason, the figures for filings of notices of appeal (and applications for relief) and filings of applications for leave, combined, exceed the number of net new cases.

⁴ This item includes not only leave applications, but also applications where parties have elected to have a concurrent hearing of both the leave application and the appeal (if leave is granted).

⁵ Where an appeal is preceded by a grant of leave, this is counted as one continuous case, with a final disposal being counted only when the substantive appeal is finalised. For this reason, the figures for disposals of notices of appeal (and applications for relief) and disposals of applications for leave, combined, exceed the number of final disposals.

2014 2015 2016 2017 2018

COURT OF CRIMINAL APPEAL ¹

| | | | | | |
|------------------------------|-----|-----|-----|-----|-----|
| Filings | 373 | 342 | 363 | 380 | 407 |
| Disposals | 376 | 400 | 386 | 395 | 366 |
| Pending cases at 31 December | 226 | 168 | 145 | 130 | 171 |

¹ These statistics exclude appeals from decisions of the NSW State Parole Authority. There were 7, 7, 8, 2 and 0 applications lodged in the Court of Criminal Appeal for the years 2014 to 2018, respectively, for review of Parole Board decisions.

2014 2015 2016 2017 2018

COMMON LAW DIVISION – Criminal ^{1, 2}

Criminal List

| | | | | | |
|--------------------------------------|----|-----|-----|-----|-----|
| Filings (registrations) ³ | 72 | 118 | 102 | 112 | 93 |
| Disposals ⁴ | 92 | 88 | 105 | 105 | 99 |
| Pending cases at 31 December | 85 | 115 | 112 | 119 | 113 |

Bails List ⁵

| | | | | | |
|-----------------------------------|-------|-------|-------|-------|-------|
| Filings (applicants) | 3,780 | 4,401 | 3,996 | 3,953 | 4,545 |
| Disposals (applicants) | 3,637 | 4,201 | 3,991 | 3,984 | 4,353 |
| Pending applicants at 31 December | 561 | 761 | 742 | 707 | 893 |

¹ In all years, the figures exclude matters under Part 7 of the Crimes (Appeal and Review) Act, applications for re-determination of a life sentence, and summary jurisdiction cases (which are included within the statistics for “other summons cases” within the Common Law General List, where they are managed).

² The Court uses counting rules that align with national counting rules, except concerning referrals from and to the Mental Health Review Tribunal (MHRT). Whenever the Court determines that an accused person is unfit to plead, it refers that person to the MHRT – the Court records that event as a case disposal. If the MHRT subsequently determines that the person is fit to stand trial, the Court records that event as a new case commencement. If the MHRT determines that the accused person is unlikely to be fit to stand trial within the next 12 months it notifies the Court, which then obtains advice as to whether the Director of Public Prosecutions intends to take further proceedings against the accused. If the Director of Public Prosecutions advises that the proceedings are to be taken further, then the Court records a new case commencement.

³ The figures include committals for trial/sentence, ex officio indictments, re-trials ordered by the Court of Criminal Appeal or High Court, matters referred from the Mental Health Review Tribunal, transfers from the District Court, and re-activated matters (eg where a bench warrant is executed).

⁴ Disposals are counted at sentence, acquittal or other final disposal. Previously disposals were counted at verdict, plea of guilty, or other final disposal. (“Other final disposal” includes referral to the Mental Health Tribunal, no bill, death of the accused, order for a bench warrant to issue, transfer to another court, and other final orders.)

⁵ The figures for Bails List cases now count the number of applicants, not the number of applications. At a Bails List hearing, the Court may deal concurrently with multiple applications for any one applicant. From 2016 onwards, new reports have been used which extract data from the JusticeLink system – it is possible that these do not take into account some data entered retrospectively.

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|--------------|--------------|--------------|--------------|--------------|
| COMMON LAW DIVISION – Civil | | | | | |
| Administrative Law List | | | | | |
| Filings | 144 | 134 | 127 | 121 | 152 |
| Disposals | 136 | 158 | 149 | 114 | 132 |
| Pending cases at 31 December | 109 | 91 | 70 | 79 | 100 |
| Defamation List | | | | | |
| Filings | 58 | 47 | 69 | 54 | 39 |
| Disposals | 65 | 65 | 52 | 56 | 61 |
| Pending cases at 31 December | 81 | 65 | 84 | 85 | 65 |
| Common Law General List (formerly the General Case Management List) | | | | | |
| Filings | 1,056 | 1,176 | 1,105 | 1,109 | 1,231 |
| Contested claims | 454 | 484 | 449 | 442 | 542 |
| – <i>personal injury</i> | 266 | 315 | 291 | 347 | 427 |
| – <i>other claims</i> | 188 | 169 | 158 | 95 | 155 |
| Uncontested claims | 133 | 169 | 185 | 194 | 214 |
| Proceeds of Crime cases | 94 | 120 | 93 | 108 | 123 |
| Other summons cases | 375 | 403 | 378 | 365 | 352 |
| Disposals | 1,408 | 1,149 | 1,134 | 1,057 | 1,102 |
| Contested claims | 572 | 525 | 495 | 509 | 475 |
| – <i>personal injury</i> | 283 | 299 | 291 | 317 | 323 |
| – <i>other claims</i> | 289 | 226 | 204 | 192 | 152 |
| Uncontested claims | 185 | 109 | 154 | 114 | 151 |
| Proceeds of Crime cases | 116 | 77 | 97 | 85 | 110 |
| Other summons cases | 535 | 438 | 388 | 349 | 366 |
| Pending cases at 31 December | 1,286 | 1,275 | 1,247 | 1,274 | 1,362 |
| Contested claims | 886 | 850 | 865 | 819 | 913 |
| – <i>personal injury</i> | 531 | 562 | 575 | 575 | 677 |
| – <i>other claims</i> | 355 | 288 | 290 | 244 | 236 |
| Uncontested claims | 70 | 94 | 69 | 99 | 105 |
| Proceeds of Crime cases | 134 | 176 | 173 | 200 | 215 |
| Other summons cases | 196 | 155 | 140 | 156 | 129 |

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|--------------|--------------|--------------|--------------|--------------|
| Possession List | | | | | |
| Filings ¹ | 1,844 | 1,600 | 1,312 | 1,218 | 1,235 |
| Disposals | 2,641 | 1,592 | 1,376 | 1,250 | 1,207 |
| <i>Contested</i> | 136 | 100 | 61 | 76 | 46 |
| <i>Uncontested</i> | 2,505 | 1,492 | 1,315 | 1,174 | 1,161 |
| Pending cases at 31 December | 914 | 903 | 838 | 820 | 847 |
| <i>Contested</i> | 92 | 56 | 60 | 39 | 67 |
| <i>Uncontested</i> | 822 | 847 | 778 | 781 | 780 |
| Professional Negligence List | | | | | |
| Filings | 162 | 127 | 150 | 180 | 214 |
| Disposals | 193 | 191 | 153 | 131 | 173 |
| Pending cases at 31 December | 370 | 301 | 301 | 364 | 420 |
| High Risk Offender List ² | | | | | |
| Filings | - | - | - | - | 48 |
| Disposals | - | - | - | - | 36 |
| Pending cases at 31 December | - | - | - | - | 29 |
| Miscellaneous applications ³ | | | | | |
| Filings | 415 | 454 | 453 | 481 | 633 |
| Disposals | 436 | 435 | 437 | 503 | 540 |
| Pending cases at 31 December | 11 | 32 | 52 | 33 | 127 |
| COMMON LAW DIVISION TOTALS – Civil | | | | | |
| Filings | 3,679 | 3,538 | 3,216 | 3,163 | 3,552 |
| Disposals | 4,879 | 3,590 | 3,301 | 3,111 | 3,251 |
| Pending cases at 31 December | 2,771 | 2,667 | 2,592 | 2,655 | 2,950 |

¹ All Possession List cases are assumed to be uncontested at the time of filing. If a subsequent defence or cross-claim is filed the case is listed for case management and counted as a contested case.

² The High Risk Offender List commenced during 2018. Some cases commenced earlier in the Common Law General List were transferred to this List for case management and final disposal.

³ These include applications under the Mutual Recognition Act, Trans-Tasman Mutual Recognition Act, applications for production orders, requests for service within NSW of documents related to civil proceedings being conducted outside NSW, and applications to enforce judgments given outside Australia.

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|-------------------------------------|-------|-------|-------|------|------|
| EQUITY DIVISION ¹ | | | | | |
| Admiralty List | | | | | |
| Filings | 1 | 4 | 0 | 1 | 0 |
| Disposals | 1 | 1 | 4 | 0 | 2 |
| Pending cases at 31 December | 1 | 4 | 0 | 2 | 0 |
| Adoptions List ² | | | | | |
| Applications | 208 | 160 | 198 | 222 | 242 |
| Orders made | 214 | 168 | 179 | 195 | 273 |
| Pending cases at 31 December | 56 | 48 | 67 | 94 | 63 |
| Commercial List | | | | | |
| Filings | 195 | 155 | 147 | 155 | 196 |
| Disposals | 232 | 166 | 224 | 182 | 184 |
| Pending cases at 31 December | 277 | 282 | 223 | 200 | 222 |
| Commercial Arbitration List | | | | | |
| Filings | 3 | 2 | 1 | 5 | 1 |
| Disposals | 4 | 1 | 2 | 2 | 6 |
| Pending cases at 31 December | 1 | 1 | 0 | 4 | 1 |
| Corporations List | | | | | |
| Filings | 1,601 | 2,126 | 1,097 | 952 | 860 |
| <i>Judges' list</i> | 79 | 111 | 137 | 185 | 172 |
| <i>Registrar's list</i> | 1,522 | 2,015 | 960 | 767 | 688 |
| Disposals | 1,714 | 2,133 | 1,071 | 958 | 883 |
| <i>Judges' list</i> | 115 | 138 | 138 | 191 | 184 |
| <i>Registrar's list</i> | 1,599 | 1,995 | 933 | 767 | 699 |
| Pending cases at 31 December | 336 | 331 | 357 | 358 | 338 |
| <i>Judges' list</i> | 53 | 65 | 96 | 128 | 154 |
| <i>Registrar's list</i> | 283 | 266 | 261 | 230 | 184 |

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|-------|-------|-------|-------|-------|
| Equity General List | | | | | |
| Filings | 1,998 | 2,146 | 1,915 | 1,856 | 1,815 |
| <i>Family provision cases</i> | 774 | 972 | 1,018 | 973 | 981 |
| <i>Other cases</i> | 1,224 | 1,174 | 897 | 883 | 834 |
| Disposals | 2,595 | 2,207 | 2,058 | 1,774 | 1,910 |
| <i>Family provision cases</i> | 855 | 835 | 1,068 | 928 | 1,044 |
| <i>Other cases</i> | 1,740 | 1,372 | 990 | 846 | 866 |
| Pending cases at 31 December | 1,629 | 1,570 | 1,409 | 1,494 | 1,417 |
| <i>Family provision cases</i> | 419 | 554 | 492 | 544 | 470 |
| <i>Other cases</i> ³ | 1,210 | 1,016 | 917 | 950 | 947 |
| Probate (Contentious Matters) List | | | | | |
| Filings | 212 | 207 | 265 | 294 | 316 |
| Disposals | 200 | 187 | 244 | 246 | 300 |
| Pending cases at 31 December | 153 | 173 | 194 | 241 | 257 |
| Protective List ⁴ | | | | | |
| Applications | 110 | 107 | 83 | 110 | 102 |
| Disposals | 109 | 105 | 93 | 90 | 101 |
| Pending applications at 31 December | 33 | 35 | 25 | 45 | 46 |
| Real Property List ⁵ | | | | | |
| Filings | - | 150 | 394 | 406 | 409 |
| Disposals | - | 37 | 248 | 357 | 388 |
| Pending cases at 31 December | - | 141 | 292 | 310 | 310 |
| Revenue List | | | | | |
| Filings | 13 | 22 | 26 | 8 | 24 |
| Disposals | 39 | 8 | 18 | 18 | 27 |
| Pending applications at 31 December | 15 | 29 | 36 | 27 | 26 |
| Technology and Construction List | | | | | |
| Filings | 98 | 89 | 108 | 138 | 163 |
| Disposals | 180 | 114 | 139 | 125 | 130 |
| Pending cases at 31 December | 212 | 200 | 174 | 195 | 229 |

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|--------|--------|--------|--------|--------|
| EQUITY DIVISION TOTALS | | | | | |
| Filings | 4,439 | 5,168 | 4,234 | 4,147 | 4,128 |
| Disposals | 5,288 | 5,127 | 4,280 | 3,947 | 4,204 |
| Pending cases at 31 December | 2,713 | 2,814 | 2,777 | 2,970 | 2,909 |
| PROBATE – Applications lodged for grant of probate etc.⁶ | 24,526 | 26,408 | 26,243 | 27,294 | 26,538 |

¹ The figures reported for 2014 through to 2018 have been extracted from the JusticeLink system, except for the figures for the Adoptions List, Probate (Contentious Matters) List and Protective List (the data for those lists are obtained from manually collated data).

² In this List all applications types are counted, including information applications.

³ During 2014 and 2015 a large number of inactive cases in this List were audited and, where appropriate, closed. Accordingly, in those years the disposals figures are unusually high.

⁴ In this List, applications are counted instead of “cases” because cases in this List can be of a perpetual nature. During the period when a person’s affairs or property are managed under the NSW Trustee and Guardian Act, it is possible that more than one application will be made in relation to that person. “Disposals” refers to the number of disposed applications.

⁵ The Real Property List commenced on 1 June 2015. Some cases commenced earlier in the Equity General List were transferred to this List for case management and disposal.

⁶ This includes all probate applications that are lodged as uncontested applications for a grant of probate or letters of administration, or for reseal of a probate grant. Registrars deal with uncontested applications. Only a small proportion of these applications become contested. Contested applications are transferred to the Probate (Contentious Matters) List and are counted additionally as filings there. The figures here do not include probate-related matters handled by the registry, such as probate accounts matters, caveats, deposited wills, and elections to administer estates.

Timeliness – age of pending cases at 31 December ^{1, 2, 3}

| Number pending (and % of total) | National standard ⁴ | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|--------------------------------|----------------|----------------|----------------|----------------|----------------|
| COURT OF APPEAL | | | | | | |
| Total number of cases pending | | 290 | 236 | 210 | 184 | 178 |
| Cases within 12 months of age | 90% | 270 (93%) | 214 (91%) | 192 (91%) | 176 (96%) | 167 (94%) |
| Cases within 24 months of age | 100% | 288 (99%) | 234 (99%) | 210 (100%) | 183 (99%) | 177 (99%) |
| COURT OF CRIMINAL APPEAL | | | | | | |
| Total number of cases pending | | 226 | 168 | 145 | 130 | 171 |
| Cases within 12 months of age | 90% | 194 (86%) | 158 (94%) | 144 (99%) | 127 (98%) | 167 (98%) |
| Cases within 24 months of age | 100% | 222 (98%) | 166 (99%) | 145 (100%) | 130 (100%) | 171 (100%) |
| COMMON LAW DIVISION – Criminal ^{5, 6} | | | | | | |
| Total number of defendants pending | | 85 | 115 | 112 | 119 | 113 |
| Cases within 12 months of age | 90% | 56 (66%) | 93 (81%) | 80 (71%) | 89 (75%) | 61 (54%) |
| Cases within 24 months of age | 100% | 77 (91%) | 109 (95%) | 107 (96%) | 109 (92%) | 107 (95%) |
| COMMON LAW DIVISION – Civil | | | | | | |
| Total number of cases pending | | 2,771 | 2,667 | 2,592 | 2,655 | 2,950 |
| Cases within 12 months of age | 90% | 1,785 (64%) | 1,834 (69%) | 1,766 (68%) | 1,783 (67%) | 2,055 (70%) |
| Cases within 24 months of age | 100% | 2,299 (83%) | 2,242 (84%) | 2,204 (85%) | 2,243 (84%) | 2,549 (86%) |
| EQUITY DIVISION (excluding uncontested probate matters) | | | | | | |
| Total number of cases pending | | 2,713 | 2,814 | 2,777 | 2,970 | 2,909 |
| Cases within 12 months of age | 90% | 1,865 (69%) | 2,001 (71%) | 1,975 (71%) | 2,055 (69%) | 1,950 (67%) |
| Cases within 24 months of age | 100% | 2,369 (87%) | 2,508 (89%) | 2,471 (89%) | 2,629 (89%) | 2,531 (87%) |

- ¹ For Equity Division cases and the civil cases of the Common Law Division, the information is based on data from the JusticeLink system. Until the end of 2012, many finalised cases remained open in the JusticeLink system, contributing inaccurately to the data for the age of pending cases. During 2013, 2014 and 2015, with improved JusticeLink reports, the Registry was able to identify inactive cases in these Divisions – those cases were audited and, where appropriate, closed. As a result of the audits, the size of the pending caseloads was reduced and the age profiles changed.
- ² For cases in the Court of Appeal and the Court of Criminal Appeal, the age of cases includes time taken to deal with any associated application for leave to appeal.
- ³ These figures include the effect of factors outside the control of the Court, such as the time taken to complete relevant cases in other courts or interlocutory appeals, time taken to prepare essential reports, and time occupied by trials that result in a hung jury.
- ⁴ The national standards are taken from the “backlog” performance indicator within the Courts chapter of the *Report on Government Services* (published by the Productivity Commission). Note that the national standards apply to district/county courts as well as to supreme courts; consequently the national standards apply to a large range of indictments, criminality and civil case types. The case-mix of any court can influence that court’s capacity to achieve the standards. For criminal cases, for example, while other supreme courts in Australia typically deal with a broad range of offences, this Court deals typically with cases involving homicide offences (any other matters, generally involving the most serious criminality, may be brought only with the approval of the Chief Justice). For civil non-appeal cases, all supreme courts in Australia continue to have difficulty achieving the national standards (see the “Backlog” tables in Chapter 7A in the latest *Report on Government Services*).
- ⁵ The figures exclude matters under Part 7 of the Crimes (Appeal and Review) Act and applications for re-determination of a life sentence.
- ⁶ The figures are comparable from year to year. The counting unit is defendants. Cases are considered to be pending until the time of sentence/acquittal or other final disposal. Where a trial collapses and a new trial is ordered, the counting of the age of the case is calculated from the date of committal (not from the date of the order for a new trial).

Timeliness – listing delays after the end of the year ^{1,2}

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|-------------------------------------|------------|------------|------------|------------|------------|
| COURT OF APPEAL ³ | 3.8 months | 2.3 months | 1 month | 2.2 months | 1.7 months |
| COURT OF CRIMINAL APPEAL | 3 months | 2.5 months | 1.5 months | 1.2 months | 3.0 months |
| COMMON LAW DIVISION | | | | | |
| Criminal List ⁴ | 2.8 months | 5.5 months | 7.3 months | 5.5 months | 6.5 months |
| Civil lists ⁵ | 6.8 months | 6.0 months | 7.3 months | 7.0 months | 6.0 months |
| Bails List ⁶ | 3 weeks | 10.5 weeks | 9 weeks | 7 weeks | 2 weeks |
| EQUITY DIVISION ⁷ | 2.8 months | 3.0 months | 5.3 months | 4.5 months | 6.0 months |

- ¹ This is the time between the establishment of readiness for hearing and the first group of available hearing dates that the Court offers for criminal and civil trial cases, criminal and civil appeals and Bails List cases. These delays do not apply if the Court orders an expedited hearing.
- ² The listing delays show the position at the start of the new law term (for example, for 2018 it is the position at the start of the 2019 law term). This removes the end-of-year impact of the law vacation.
- ³ This refers to substantive appeals (including those heard concurrently with a leave application). The listing delay is significantly shorter for a hearing of a leave application alone.
- ⁴ For years up to 2015, this refers to cases requiring at least 3 weeks of trial time. From 2016 onwards, it refers to cases requiring at least 4 weeks of trial time.
- ⁵ This refers to cases requiring up to 5 days of hearing time.
- ⁶ This refers to adult applicants receiving public funding. Applications by juveniles are usually heard within 2 weeks.
- ⁷ This refers only to General List and Probate (Contentious Matters) List cases requiring 2 or more days of hearing time before a judge.

Alternative dispute resolution

| | 2014 | 2015 | 2016 | 2017 | 2018 |
|--|------------------|------------------|------------------|------------------|------------------|
| Court-annexed mediations listed ^{1, 2} | | | | | |
| Total | 486 ³ | 518 ³ | 615 ³ | 571 ³ | 428 ³ |
| <i>Common Law Division</i> | 28 | 32 | 38 | 51 | 29 |
| <i>Equity Division – not probate cases</i> | 432 | 447 | 528 | 455 | 344 |
| <i>Equity Division – probate cases</i> | 25 | 39 | 48 | 64 | 55 |
| <i>Court of Appeal</i> | 1 | 0 | 1 | 1 | 0 |
| Percentage settling at mediation ⁴ | 54% | 51% | 51% | 46% | 47% |
| Waiting time after the end of the year ⁵ | 6 weeks | 4 weeks | 5 weeks | 2 weeks | 5 weeks |
| Referrals to mediation generally | | | | | |
| Total referrals recorded ⁶ | 839 | 1,071 | 806 | 943 | 1,169 |
| Mediation referral index ⁷ | 19.0% | 23.1% | 17.3% | 20.8% | 24.7% |
| Arbitrations listed ⁹ | | | | | |
| Total | 0 | 0 | 0 | 0 | 0 |

¹ “Court-annexed mediation” refers to mediations conducted by the registrars of the Court who are also qualified as mediators. It excludes settlement conferences conducted by judges and mediations conducted by private mediators.

² This section refers to court-annexed mediation listings for the year – note that referrals to court-annexed mediation that are made late in one year may result in listings early in the following year.

³ Since 2014 there has been extensive use of judicial settlement conferences for family provision cases, particularly when jointly requested by the parties or where the estate is valued at less than \$500,000. This has resulted in a reduced use of court-annexed mediation (a more detailed explanation of the impact is given in the 2014 Annual Review).

⁴ This refers only to cases that have settled and either agreed upon finalising orders or drafted heads of agreement by the close of the mediation procedure. It does not include cases that advise a settlement at any later time (even though the mediation may have contributed significantly to reaching that settlement). In 2015, for example, in addition to the 51% of cases that settled at the close of their court-annexed mediation session, a further 26% of cases were negotiating a settlement. The registry does not collect settlement data for mediations conducted by private mediators.

⁵ This is the waiting time to the first available group of mediation sessions within the court-annexed mediation program, as reported at the start of the new law term (for example, for 2018 it is the position at the start of the 2019 law term). The waiting time will be less if an urgent mediation session is ordered by the Court.

⁶ This covers all occasions when the Court refers a case to mediation, regardless of whether the mediation is to be conducted through the court-annexed mediation program or by a private mediator.

⁷ The “mediation referral index” is the number of cases referred to mediation during the year, divided by the number of cases lodged (in that year) that are of a type for which mediation is considered to be applicable. For the purpose of calculating the mediation referral index, mediation is considered to be applicable for all civil cases types (including appeal cases), except for proceeds of crime cases, cases that have a high likelihood of proceeding to default judgment or have no defendant element, all cases in the Adoptions List, High Risk Offender List or Protective List, and 90 per cent of cases in the Corporations List. While a case may be of a type for which mediation is considered to be applicable, there may be a particular aspect of that case individually that makes it inappropriate for mediation; however, the calculation of the mediation referral index does not exclude any individual cases on that basis.

⁸ Reduced usage of court-annexed mediation, as a result of use of judicial settlement conferences (see footnote 3), has impacted these figures from 2014 onwards.

⁹ Referral for arbitration is possible for Supreme Court cases but no referrals have been recorded since 2006.

APPENDIX (II): THE COURT'S COMMITTEES AND USER GROUPS

Chief Justice's Executive Committee

The Chief Justice's Executive Committee was established in August 2011 to facilitate contemporaneous consideration and resolution of significant operational strategic issues. The Committee met weekly throughout 2018, except during periods when the Chief Justice was not available or unless the Chief Justice decided not to hold a meeting.

Members during 2018

The Honourable the Chief Justice Bathurst (Chair)
The Honourable Justice Beazley AO
The Honourable Justice Hoeben AM RFD
The Honourable Justice Ward
Mr Chris D'Aeth, Executive Director and Principal Registrar

Adoptions List Users Group

Members during 2018

The Honourable Justice Sackar (Chair)
The Honourable Justice Kunc
Ms Lydia Sianipar, Supreme Court NSW
Mr Robert Svoronos, Supreme Court NSW
Ms Sonali Abeynaike, Catholic Care
Ms Brooke Bowman, Dept Family Community Services (maternity leave)
Ms Nicola Callander, Legal Aid
Ms Nicole Hailstone, Crown Solicitor's Office
Ms Amanda Hall, Legal Aid
Mr Alistair Harvey-Sutton, Solicitor
Ms Esther Lawson, Barrister
Ms Lynne Moggach, Barnardos
Ms Jackie Palmer, Anglicare
Ms Grace Romeo, Dept Family Community Services
Mr Derek Smith, Dept Family Community Services
Ms Lisa Vihtonen, Barnardos
Ms Donna Ward, Barrister

Alternative Dispute Resolution Steering Committee

The Alternative Dispute Resolution (ADR) Steering Committee which was established in 1993 meets to discuss the Court's ADR processes and consider ways in which they might be improved.

The Committee works to encourage the use of ADR (particularly mediation) in resolving disputes, and to ensure the Court has adequate resources to provide this service. The Committee makes recommendations to the Chief Justice in pursuit of these objectives, consulting with other courts and external organisations where appropriate.

Members during 2018

The Honourable Justice Ward (Chair)
The Honourable Justice Hallen
The Honourable Justice Natalie Adams
Mr Chris D'Aeth, Executive Director and Principal Registrar
Ms Leonie Walton, Registrar - Equity
Mr Nicholas Flaskas, Senior Deputy Registrar (Secretary)
Mr Ian Davidson SC (Bar Assoc rep)
Ms Mary Walker
Mr Stephen Titus (Carneys Lawyers)

Appeal Courts Judgment Writing Committee (NJCA)

Members during 2018

The Honourable Justice Fraser, Court of Appeal Queensland (Chair)
The Honourable the Chief Justice Allsop, Federal Court of Australia
The Honourable the Chief Justice Blow, Supreme Court Tasmania
The Honourable Justice Ainslie Wallace, Family Court of Australia
The Honourable Justice Blue, Supreme Court South Australia
The Hon John Doyle, Supreme Court South Australia (retired)
The Honourable Justice Frances, Court of Appeal, New Zealand
The Honourable Justice Macfarlan
The Honourable Justice Neave, Court of Appeal Victoria
The Honourable Justice Pullin, Court of Appeal Western Australia
The Honourable Justice Southwood, Supreme Court Northern Territory

Australasian Joint Judges' Committee – (Organising Committee Joint Supreme Court/ Federal Court Conference)

Members during 2018

The Honourable Justice Stevenson (Chair)
The Honourable the Chief Justice Blow,
Supreme Court Tasmania
The Honourable Justice Cavanough,
Supreme Court of Victoria
The Honourable Justice Penfold, Supreme Court of
Australian Capital Territory
The Honourable Justice Heath, High Court of
New Zealand
The Honourable Justice Jessup, Federal Court of
Australia
The Honourable Justice Southwood, Supreme
Court of Northern Territory
The Honourable Justice Lyons, Supreme Court of
Queensland
The Honourable Justice Heenan, Supreme Court of
Western Australia
The Honourable Justice Vanstone, Supreme Court
of South Australia

Board of State Records Authority of New South Wales

The State Records Authority of New South Wales is the New South Wales Government's archives and records management authority. Its purposes are to preserve the State's archives and promote their use, and to set standards and provide guidance and services to improve records management in the New South Wales Public Sector. Pursuant to its governing legislation, its Board is required to include a New South Wales judge nominated by the Chief Justice of New South Wales.

Members during 2018

Ms Anne Henderson (Chair) (representing the
history profession)
The Honourable Justice Lindsay
Dr Stephen Choularton (representing private sector)
The Hon Dr Peter Phelps MLC
Mr Anthony Lean (representing Govt departments)
Mr Scott Nash (representing Local Government)

Building Committee

The Committee meets approximately every two months to discuss matters affecting the buildings within the Darlinghurst and King Street court complexes, and the Law Courts Building in Phillip Street. The Committee also identifies facilities that are required to support courtroom operations and the needs of Court users.

Members during 2018

The Honourable Justice Hoeben AM RFD
The Honourable Justice Brereton AM RFD
The Honourable Justice Stevenson
The Honourable Justice Hallen
Mr Chris D'Aeth, Executive Director and
Principal Registrar
Mr Nick Sanderson-Gough, Manager,
Court Operations and Communications
Mr Nathan Gray, Courtroom Support Coordinator
(Secretary)

Caselaw Governance Committee

The Caselaw Governance Committee was established to provide a forum for discussion attended by representatives of the various courts and tribunals which publish judgments and decisions on NSW Caselaw. NSW Caselaw is a platform run by the Department of Justice, of the New South Wales Government.

Members during 2018

The Honourable Justice Basten (Chair)
The Honourable Justice R A Hulme
The Honourable Justice Adamson
The Honourable Justice Black
The Honourable Justice Moore, Land and
Environment Court
The Honourable Justice Armstrong, President,
New South Wales Civil and Administrative
Tribunal
The Honourable Judge Berman, District Court
Her Honour Deputy Chief Magistrate Culver,
Local Court
Mr Chris D'Aeth, Executive Director and
Principal Registrar
Ms Cathy Szczygielski, Executive Director and
Principal Registrar, New South Wales Civil and
Administrative Tribunal

Ms Rosemary Davidson, Executive Officer,
Children's Court
Ms Vanessa Blackmore, Library Services
(Secretariat Support)
Ms Donna Reece, Caselaw Support Officer,
Library Services (Secretariat Support)

Civil Bench Book

Members during 2018

The Honourable Justice Garling
The Honourable Justice Kunc

College of Law

Members during 2018

The Honourable Justice Hallen

Commercial List Users Group

The Group provides a forum for discussion amongst the Commercial List Judges and legal practitioners who practise in the Commercial List. The Group meets to discuss various issues concerning the administration of the List, including matters of procedure and practice in relation to the Lists and the potential for revision of the practice to ensure that the Lists operate as efficiently as possible.

Members during 2018

The Honourable Justice Ward
The Honourable Justice Hammerschlag J (List Judge) (Chair)
The Honourable Justice Parker
The Honourable Justice Ball
The Honourable Justice Stevenson
Mr Mark Ashhurst SC, University Chambers
Mr Ziv Ben-Arie, Mills Oakley
Mr Tim Breakspear – Banco Chambers
Mr Graeme Johnson, Herbet Smith Freehills (Law Society Representative)
Mr Malcolm Stephens, Allens (Law Society Representative)
Mr Francis Hicks, Blackstone Chambers
Dr Ruth Higgins, Banco Chambers
Ms Elisa Holmes, Eleven Wentworth
Mr David Jury, HWL Ebsworth Lawyers
Mr Nick Kidd SC, 7 Wentworth Selborne Chambers
Mr Duncan Miller SC, 7 Wentworth Selborne Chambers

Mr Robert Newlinds SC, Banco Chambers
Mr Peter Pether, King & Wood Mallesons
Ms Georgia Quick, Ashurst
Ms Nuala Simpson, 7 Wentworth Chambers
Dr Kristina Stern SC, 6 Selborne Chambers
Mr David Sulan, Banco Chambers
Ms Vanessa Whittaker, Banco Chambers

Common Law Civil Users Group

The Group provides a forum for discussing and addressing matters of concern or interest in the administration of the Common Law Division's civil trial workload.

Members during 2018

The Honourable Justice Hoeben
The Honourable Justice Garling
The Honourable Justice Fagan
Mr Chris D'Aeth, Executive Director and
Principal Registrar
Mr Christopher Bradford, Registrar, Common Law
Mr Peter Deakin QC, Sir James Martin Chambers
Mr Eugene Romaniuk SC, Jack Shand Chambers
Ms Lorna McFee, New South Wales Bar Association
Ms Kathleen Harris, Law Society New South Wales
Ms Ramina Kambar, Law Society New South Wales

Corporations List Users Group

The Group promotes open and regular discussion between judicial officers and legal practitioners regarding the Corporations List, and assists in ensuring that the List is conducted in a fair and efficient manner.

Members during 2018

The Honourable Justice Black
The Honourable Justice Rees
Ms Rebel Kenna, Director & Prothonotary
Ms Leonie Walton, Registrar, Equity
Mr Damian Allen (8 Windeyer Chambers)
Mr Charles Bavin (Hunt & Hunt)
Mr Andrew Carter (Ashurst)
Mr Miles K Condon SC (16th Floor Wardell Chambers)
Mr Doran Cook SC (Blackstone Chambers)
Mr Glen Cussen (Kemp Strang)
Mr Steven Golledge (3 St James Hall Chambers)

Ms Georgina Hayden (ASIC)
 Mr Michael Hayter (Gillis Delaney)
 Mr Ben Hely, Herbert Smith Freehills
 Mr Luke Hastings, Herbert Smith Freehills
 Mr Michael Hughes (Minter Ellison)
 Aamena Hussein (Craddock Murray Neumann)
 Mr Jim Johnson (Frederick Jordan Chambers)
 Mr Roger D Marshall SC (Ground Floor
 Wentworth Chambers)
 Mr Khaled Metlej (Craddock Murray Neumann)
 Mr David McCrostie (Turks Legal)
 Mr Alexander Morris (Mallesons)
 Mr Michael Murray (Insolvency Practitioners of
 Australia)
 Mr Robert Newlinds SC (Banco Chambers)
 Ms Denise North (Insolvency Practitioners of
 Australia)
 Mr Malcolm Oakes SC (Tenth Floor Chambers)
 Ms Maria O'Brien (Baker McKenzie)
 Mr David Pritchard SC (3 St James Hall Chambers)
 Mr David Stack (Blackstone Chambers)
 Mr Jim Thomson (13 Wentworth Selborne
 Chambers)

Costs Assessment Users Group

Members during 2018

The Honourable Justice Brereton (Chair)
 Mr Brendan Bellach, Manager, Costs Assessment
 (Secretary)
 Ms Samantha Gulliver (Office of the Legal Services
 Commissioner)
 Mr Mark Brabazon (NSW Bar Association)
 Ms Valerie Higginbotham (NSW Law Society)
 Mr Gordon Salier
 Ms Michelle Castle
 Ms Alexandra Hutley
 Mr Stephen Lancken
 Mr John Sharpe
 Mr Chris Wall

Court of Criminal Appeal/Crime Users Group

The joint Court of Criminal Appeal/Crime Users
 Group meets as required to promote effective
 communication between the Court and key users.
 The Group focuses on ensuring that Court of
 Criminal Appeal procedures work effectively and
 efficiently within the required timeframes.

Members during 2018

The Honourable Justice Hoeben (Chair)
 The Honourable Justice Johnson
 The Honourable Justice R A Hulme
 Mr Chris D'Aeth, Executive Director and Principal
 Registrar
 Ms Rebel Kenna, Prothonotary
 Mr George Galanis, Registrar, Court of Criminal
 Appeal
 Mr Phillip Ingram SC, Office of the Director of Public
 Prosecutions
 Ms Ellen McKenzie, Commonwealth Director of
 Public Prosecutions
 Ms Janet Witmer, Legal Aid Commission New
 South Wales
 Ms Madeleine Schneider, Legal Aid Commission
 New South Wales
 Ms Clair Wasley, Aboriginal Legal Services New
 South Wales/Australian Capital Territory
 Mr S Odgers SC, New South Wales Bar Association
 Ms Elizabeth Hall, District Court of New South Wales
 Mr David Giddy, Law Society New South Wales
 Ms Pam Olsoen, Senior Registrar, Local Courts

Criminal Trial Bench Book

The Criminal Trials Bench Book Committee is
 chaired by the Honourable Rod Howie QC. Mr
 Hugh Donnelly, Director, Research and Sentencing,
 Judicial Commission of New South Wales is the
 Convenor). The judicial members of the Committee
 are listed below. Its function is to continually
 revise and update the Criminal Trials Bench Book
 with suggested jury directions and information
 on procedural aspects concerning the myriad
 issues that arise in the course of criminal trials in
 the District Court and the Supreme Court. The
 committee does not convene formal meetings but
 engages in regular discussion by electronic means.

Members during 2018

The Honourable Rod Howie QC (Chair)
 The Honourable Justice Johnson
 The Honourable Justice R A Hulme
 His Honour Judge Lakatos SC, District Court of
 New South Wales
 His Honour Judge Arnott, District Court of New
 South Wales
 Ms Pierrette Mizzi, Judicial Commission

Education Committee

The Supreme Court Education Committee, in partnership with the Judicial Commission of New South Wales, plans and organises continuing judicial education for judges of the Court

The principal activity of the Committee involves the planning for the annual Supreme Court conference held in August or September. The underlying focus of the Committee, in its collaboration with the Judicial Commission, is to maintain, as in past years, a high standard of professional development and training for judges of the Court. As in the past, the Committee and the Court are indebted to the speakers who prepared and presented papers at the various seminars and at the conference.

Members during 2018

The Honourable Justice Basten (Chair)
The Honourable Justice Leeming
The Honourable Justice Hoeben AM RFD
The Honourable Justice Payne
The Honourable Justice White
The Honourable Justice Johnson
The Honourable Justice Harrison
The Honourable Justice Garling RFD
The Honourable Justice Black
The Honourable Justice Wright
Mr Chris D'Aeth, Executive Director and Principal Registrar
Ms Una Doyle, Education Director, Judicial Commission of New South Wales (Convenor)

Equity Liaison Group

This Group was established in 2001 to promote discourse between the legal profession and representatives of the Equity Division in regard to matters of interest and importance to the operation of the Division. The Group is informal and the meetings facilitate candid discussions about the operations of the Division. Typically, these discussions encourage cooperation between the judges and legal profession in developing suggested improvements to the Division's operations.

Members during 2018

The Honourable Justice Ward (Chair)
The Honourable Justice Slattery
Ms Leonie Walton, Registrar, Equity Division
Mr C R C Newlinds SC
Mr G A Sirtes SC
Ms V Whittaker
Mr M Ashhurst SC
Mr M K Condon SC
Ms A M Kennedy
Mr J K Martin
Mr B J Miller
Ms P G Suttor
Mr C Alexander

Harmonisation Committee

The Harmonisation of Rules Committee is a committee of the Council of Chief Justices. It has representatives of the Federal Court of Australia, the Family Court of Australia, each of the Supreme Courts of Australia and the High Court of New Zealand. The goals of the Committee are the harmonisation of rules of court and, as appropriate, practice in specific subject areas, either as identified by references from the Council of Chief Justices or, with the endorsement of the Council, by consensus amongst participating jurisdictions, through the members of the Committee. The Committee monitors the operation of harmonised rules of court and practice adopted by participating jurisdictions, as well as relevant proposals for modification of the substantive law, to generate amendments to those rules and practices on a harmonised basis. The convenor of the Committee is appointed by the Council of Chief Justices. Other members are nominated by the head of each participating jurisdiction for one or more specific subject area projects, for the monitoring of adopted harmonised rules of court or for both. The Committee is supported by a Registrar of the Federal Court, with research and advice from the Australasian Institute of Judicial Administration.

Members during 2018

The Honourable Justice Perram (Chair and Convenor)

The Honourable Justice Hammerschlag, Supreme Court of New South Wales

The Honourable Justice Rein, Supreme Court of New South Wales

The Honourable Justice Cavanough, Supreme Court of Victoria

The Honourable Justice Croft, Supreme Court of Victoria

The Honourable Justice Douglas, Supreme Court of Queensland

The Honourable Justice Le Miere, Supreme Court of Western Australia

The Honourable Justice Blue, Supreme Court of South Australia

The Honourable Justice White, Supreme Court of South Australia

The Honourable Justice Evans, Supreme Court of Tasmania

The Honourable Justice Refshauge, Supreme Court of Australian Capital Territory

Master Luppino, Supreme Court of Northern Territory

The Honourable Justice Strickland, Family Court of Australia

The Honourable Justice Fogarty, High Court, New Zealand

The Honourable Justice Kenny, Federal Court of Australia

The Honourable Justice Lander, Federal Court of Australia

Professor Gregory Reinhardt, Australasian Institute of Judicial Administration

Mr John Mathieson, Deputy Registrar, Federal Court of Australia (Secretary)

Ms Melanie Faithfull, Federal Court of Australia (Minutes)

Information Technology

The Information Technology Committee meets to assess the information technology needs of judicial officers and their staff, the technology facilities in courtrooms throughout the State used by the Court and to review the implementation of IT services.

Members during 2018

The Honourable Justice Garling (Chair)

The Honourable Justice Gleeson

The Honourable Justice Sackar

The Honourable Justice Beech-Jones

Mr Chris D'Aeth, Executive Director and Principal Registrar

Mr Nick Sanderson-Gough, Manager, Court Operations and Communications

Mr Aaron Liu, Director, Information Technology Services

Mr John Mahon, Information Technology Services

Ms Kathy Duke, Information Technology Services

Mr Con Doulgeris, Information Technology Services

Joint Conference on Sentencing (NJCA & Australian National University, Faculty of Law)

Members during 2018

The Honourable Justice Debra Mullins, Supreme Court of Queensland (Chair)

The Honourable Justice Fagan, Supreme Court of New South Wales

The Honourable Justice Rachel Pepper, Land and Environment Court of NSW

His Honour Judge Stephen Norrish, District Court of NSW

Her Honour Judge Sue Cohen, County Court of Victoria

Chief Magistrate Steven Heath, Magistrates Court of WA

Magistrate Andrée Horrigan, Children's Court of WA

Chief Judge Geoff Muecke, District Court of South Australia

Justice Peter Murphy, Family Court of Australia (Brisbane)

The Honourable Justice Richard Refshauge, Supreme Court of the ACT

Ms Amy Begley, ANU College of Law

A/Professor Mark Nolan, ANU College of Law

Dr Anthony Hopkins, ANU College of Law, ANU

Ms Lillian Lesueur, Chief Executive Officer, NJCA
Ms Karen Sloan, Program Manager, NJCA

Judicial Conference of Australia

Members during 2018

The Honourable Justice Beech-Jones, Supreme Court of New South Wales (President)
The Honourable Justice Walton, Supreme Court of New South Wales
The Honourable Justice Judith Kelly, Supreme Court of the Northern Territory (Vice President)
His Honour Judge Michael Baumann, AM, Federal Circuit Court of Australia (Treasurer)
Chief Justice Alan Blow, OAM, Supreme Court of Tasmania
His Honour Judge Wayne Chivell, District Court of South Australia
His Honour Judge Philip Eaton, District Court of Western Australia
The Honourable Justice Timothy Ginnane, Supreme Court of Victoria
His Honour Judge Graeme Henson AM, Chief Magistrate, Local Court of New South Wales
The Honourable Justice Neil McKerracher, Federal Court of Australia
The Honourable Justice Hilary Penfold, Supreme Court of the Australian Capital Territory
Magistrate Marc Sargent, Magistrates' Court of Victoria

Judges' Handbook Committee

Members during 2018

The Honourable Justice Ward
The Honourable Justice Schmidt
The Honourable Justice Stevenson
The Honourable Justice Darke
The Honourable Justice Lonergan

Judicial Commission of New South Wales

The Judicial Commission of New South Wales provides a continuing education and information program for the judicial officers of New South Wales, and examines complaints about judicial officers' ability or behaviour. Ten Commission members guide the Commission's strategic direction and examine all complaints.

Members during 2018

The Honourable the Chief Justice Bathurst (President and Chair)
The Honourable Justice Beazley, President of the Court of Appeal
The Honourable Justice Preston, Land and Environment Court of New South Wales
The Honourable Justice Derek Price, AM, Chief Judge, District Court of New South Wales
His Honour Judge Henson, Chief Magistrate, New South Wales Local Court
Mr Peter Kite, Chief Commissioner, Industrial Relations Commission of NSW
Dr Judith Cashmore AO
Mr David Giddy
Professor Brian McCaughan AM
Mr Yair Miller

Judgment Writing Program Committee (National Judicial College of Australia)

The Planning Committee for Judgment Writing has been developed for the Australian judiciary. The program is designed to enhance participants' judgment writing skills through analysis, discussions and rewriting of judgments in small groups, assisted by professional writers and senior judges.

Members during 2018

The Honourable Alan Wilson QC, Supreme Court of Queensland (retired) (Chair)
The Honourable Justice Schmidt
The Honourable Justice Stevenson
Judge Penny Eldridge, Adelaide Youth Court
The Honourable Justice Mullins, Supreme Court of Queensland
The Honourable Justice Murphy, Family Court of Australia (Brisbane)
The Honourable Justice Wilson, Supreme Court of Queensland
Ms Lillian Lesueur, National Judicial College of Australia (Chief Executive Officer)
Ms Julie van den Engel, National Judicial College of Australia (Programme manager)

Judicial Remuneration Committee

Members during 2018

The Honourable Justice Hoeben (Chair)
The Honourable Justice Rothman
The Honourable Justice Schmidt
The Honourable Justice Sackar

Jury Task Force

Members during 2018

The Honourable Justice Fullerton (Chair)
The Honourable R A Hulme
His Honour Judge Hock, District Court
Mr Christopher Turner, Assistant Sheriff,
Regional Manager – Metropolitan
Mr Gavin Rowan, Manager Jury & Court
Management
Ms K Leah, Senior Policy Officer, Legislation and
Policy Division, Department of Justice

Law Admissions Consultative Committee

The Law Admissions Consultative Committee consists of representatives of the law admitting authority in each Australia jurisdiction, the Committee of Australian Law Deans, the Australasian Professional Legal Education Council and the Law Council of Australia. It is generally responsible to the Council of Chief Justices, which appoints the chairman of LACC. LACC's main role is to forge consensus between the bodies represented by its members on matters relating to the academic and practical legal training requirements for admission to the Australian legal profession. The functions of LACC are to develop, consider and make recommendations about policies, procedures and other matters directly or indirectly related to admission to the legal profession.

Members during 2018

Professor Sandford D Clark (Chair)
The Honourable Acting Justice Emmett

Law Courts Library Advisory Committee

The Committee was established in 2003 pursuant to a Memorandum of Understanding between the Federal Court and the New South Wales Attorney General's Department relating to the Law Courts Library situated in the Law Courts Building at Queen's Square Sydney.

The Committee gives advice in relation to the management of the library and its collections and is constituted by three representatives from each of the Supreme Court and Federal Court.

Members during 2018

The Honourable Justice Basten
The Honourable Justice Macfarlan
The Honourable Acting Justice Emmett
The Honourable Justice Flick, Federal Court
of Australia
The Honourable Justice Jagot, Federal Court
of Australia
The Honourable Justice Perram, Federal Court
of Australia

Law Extension Committee (Sydney University)

Members during 2018

Her Honour Magistrate Daphne A Kok (Senate
nominee) (Chair)
The Honourable Justice White (Chief Justice's
nominee)
Professor Joellen Riley, Dean, Law School
Mr Ross Anderson, (Law School nominee)
Professor Sheelagh McCracken (Law School
nominee)
Professor Cameron Stewart (Law School nominee)
Professor Philippa Pattison (Deputy Vice Chancellor
[Education] & Senate Nominee)
Professor Roslyn Arnold (Senate nominee)
Professor Tyrone Carlin (Senate nominee)
Mr Tony O'Brien (Bar Association of NSW nominee)
Ms Janet Oakley (Bar Association of NSW nominee)
Mr John Dobson (Law Society of NSW nominee)
Ms Heidi Fairhall (Law Society of NSW nominee)
Ms Belinda Hutchinson AM, Chancellor
Dr Michael Spence, Vice Chancellor
Mr Alec Brennan, Deputy Chancellor

Law Reform Commission

Members during 2018

Mr Alan Cameron AO (Chair)
The Honourable Justice Brereton, AM RFD
(Deputy Chair)
The Honourable Carolyn Simpson (Commissioner)
Dr Annabelle Bennett, AO SC (Commissioner)
Mr Tim Game SC

The Hon Harold Sperling QC
Professor David Weisbrot AM
The Hon Anthony Whealy QC
Mr Paul McKnight, Executive Director

Legal Profession Admission Board

Justice Emmett has been the nominee of the Chief Justice as presiding member on the Legal Profession Admission Board. The Board has responsibility for three broad functions, being the oversight of the approval and admission of lawyers in New South Wales, the accreditation of law schools in New South Wales and the examination of students-at-law for the Diploma of Law course taught in conjunction with the Law Extension Committee of the University of Sydney.

Members during 2018

The Honourable the Chief Justice Bathurst
The Honourable Acting Justice Emmett
(Deputy Chair)
The Honourable Justice Payne
The Honourable Justice Lindsay
Mr Garry McGrath SC
Ms Margaret Allars SC
Mr Charles Cawley (until 17 April 2018)
Mr Wen-Ts'ai Lim (from 18 April 2018)
Mr John Dobson
Professor Lesley Hitchens
Dr Jacob Campbell
The Honourable the Chief Justice Bathurst
The Honourable Acting Justice Emmett
(Deputy Chair)
The Honourable Justice Payne
The Honourable Justice Lindsay

Bar Association of New South Wales

Mr Garry McGrath SC
Ms Margaret Allars SC

Law Society of New South Wales

Mr Charles Cawley (until 17 April 2018)
Mr Wen-Ts'ai Lim (from 18 April 2018)
Mr John Dobson

Organisations

Professor Lesley Hitchens (Dean of Law,
University of Technology, Sydney)
Dr Jacob Campbell

Legal Profession Admission Board Examinations Committee

Members during 2018

The Honourable Justice Hamill (Chair)
The Honourable Justice Darke
Mr Michael Christie SC (6 Selborne Wentworth
Chambers)
Mr Andrew Boog
Mr Ross Anderson
Ms Susan Carter
Mr John Dobson
Ms Maureen Noonan

Legal Profession Admission Board Legal Qualifications Committee

Members during 2018

The Honourable Justice Robb (Chair)
The Honourable Justice Button
The Honourable Justice Adams
Mr John Fernon SC
Ms Elizabeth Picker
Mr Thomas Spohr
Mr Richard Harvey
Ms Mary Macken
Mr Charles Cawley
Mr Stuart Westgarth
Ms Jenny Eggleton
Ms Carolyn Penfold
Prof Peter Radan
Dr Gordon Elkington
Mr Peter Underwood
Mr Gregory Ross

Media Court Committee

Members during 2018

The Honourable Justice Payne (Chair)
The Honourable Justice Lonergan
The Honourable Justice Rees
Ms Sonya Zadel (Media Manager)
Ms Lisa Miller (Media Manager)

National Admissions Committee

Members during 2018

The Honourable Justice White
The Honourable Justice Kyrou, Supreme Court
of Victoria

National Judicial Orientation Programme

The National Judicial Orientation Program committee assists newly appointed judges with their transition to judicial office. The program offers insights into the role and responsibilities of a member of the judiciary, provides the opportunity for new appointees to benefit from the knowledge and experience of senior judges who attend the program as speakers, and allows for an exchange of ideas and experiences among participants.

Members during 2018

The Honourable Justice Harrison (Chair)
The Honourable Justice Robert Benjamin,
Family Court of Australia
The Honourable Justice Emilios Kyrou,
Supreme Court of Victoria
The Honourable Justice Debra Mullins, Supreme
Court of Queensland
His Honour Judge Stephen Norrish, District Court
of New South Wales
His Honour Judge Steven Rares, Federal Court
of Australia
Her Honour Judge Wager, District Court of
Western Australia
Mr John McGuinness, Director, National Judicial
College of Australia
Ms Genny Green, Academic Director, National
Judicial College of Australia
Professor Greg Reinhardt, Australasian Institute
of Judicial Administration
Mr Ernest Schmatt PSM, Judicial Commission of
New South Wales
Ms Una Doyle, Judicial Commission of New
South Wales

Ngara Yura (Judicial Commission Aboriginal Liaison Committee)

Members during 2018

The Honourable Justice Rothman (Chair)
The Honourable James Allsop AO, Chief Justice of
the FCT
The Honourable Justice Rachel Pepper, Land and
Environment Court
His Honour Judge Andrew Haesler SC, District Court
Her Honour Deputy Chief Magistrate Jane Mottley,
Local Court

His Honour Magistrate Doug Dick, Local Court
Her Honour Magistrate S Duncombe,
Children's Court
Mr Terry Chenery, CEO, Hunter Aboriginal
Children's Services
Prof Megan Davis, Director, Indigenous Law Centre,
Faculty of Law UNSW
Mr Ernie Schmatt PSM, Chief Executive,
Judicial Commission
Ms Una Doyle, Education Director,
Judicial Commission (Convenor)
Ms Ruth Sheard, Manager, Conferences and
Communication, Judicial Commission
Ms Joanne Selfe, Ngara Yura, Judicial Commission
(Program Project Officer)

NSWLR Liaison Committee

Members during 2018

Mr Mark Brabazon SC (Chair)
The Honourable Justice Beazley
The Honourable Justice Basten
The Honourable Justice Meagher
The Honourable Justice Leeming
The Honourable Justice Adamson
The Honourable Justice Lindsay
Mr Garry Rich SC (Council member)
Ms Sophie Callan (Council member)
Dr Elisabeth Peadon (NSWLR Editor)
Ms Fiona Hopkins (Council's General Manager)
(Convenor)

Parliamentary Counsel's Consultative Group

Members during 2018

The Honourable Justice Basten
The Honourable Justice Leeming
The Honourable Justice Beech-Jones

Planning Committee for Dialogues on being a Judge (National Judicial College of Australia)

The Planning Committee for Dialogues on being a Judge develops programs for mid-career judges and magistrates to provide an opportunity for them to examine their approach to their work through the exploration of a number of contemporary themes.

Members during 2018

The Honourable Justice Stephen Gageler,
High Court of Australia (Chair)
The Honourable Justice Monika Schmidt
His Honour Gordon Barrett, District Court of
South Australia
The Honourable Justice Ann Ainslie-Wallace,
Family Court of Australia
The Hon Jon Doyle (formerly Chief Justice of the
Supreme Court of South Australia)
Mr John McGinness, Director, National Judicial
College of Australia
Ms Jenny Green, National Judicial College
of Australia

Possession List Users Group

The Possession List Users Group was established in 2006. The Possession List is, numerically, the largest list in the Common Law Division and involves claims for possession of land following mortgage default. The Group comprises representatives from a range of law firms who regularly appear for plaintiffs in the List and organisations (Legal Aid New South Wales, the Consumer Credit Legal Centre and Redfern Legal Centre) who provide legal assistance to those experiencing problems with debt. The Group does not have appointed members. Rather, representatives from those firms and organisations attend and provide a range of views on relevant issues. The Group's primary objectives are to encourage frank discussion concerning issues affecting the running of the List, to identify how any problems might be overcome and to improve court processes to assist parties in this class of proceedings.

Members during 2018

The Honourable Justice Davies (Chair)
Ms Rebel Kenna, Director and Prothonotary
Mr Christopher Bradford, Registrar, Common
Law Division
Ms Naomi Ubrihien, Manager, Client Services
Mr Milio Cesta-Incani, Manager, Listing Services
Mr Campbell Hudson, Dentons Australia
Mr Richard Lewin, Dentons Australia
Mr Gary Koning, Dentons Australia
Mr Rod Cameron, Hicksons
Ms Nora Minassian, Thomson Geer

Ms Pip Nagam, Thomson Geer
Ms Kimberley Wells, Thomson Geer
Ms Khoterra Shaw, Thomson Geer
Ms Lauren Hatton, Thomson Geer
Ms Caitlin Watson, Atkinson Vinden
Ms Dana Beiglari, Legal Aid NSW
Ms Clarissa Mirarchi, Legal Aid NSW
Mr Mark Hilton, Norton Rose Fulbright Australia
Ms Roslyn Diesner, Galilee Solicitors
Ms Katherine Joy, Galilee Solicitors
Mr Simon Duke, Galilee Solicitors
Mr James He, Galilee Solicitors
Ms Narmin Audish, Legalstream
Mr Matthew Pike, HWL Ebsworth
Ms Julie Talakovski, HWL Ebsworth
Mr Adam Young, HWL Ebsworth
Ms Isabella Fyfe, HWL Ebsworth
Ms Kathryn Brann, Summer Lawyers
Ms Jennifer Balech, Summer Lawyers
Mr Andrew Hack, Summer Lawyers
Ms Elisabeth McGready, Summer Lawyers
Ms Debra Sweikert, Summer Lawyers
Ms Gayathri Singh, Summer Lawyers
Ms Yulia Gurdina, Summer Lawyers
Ms Elizabeth Mead, Summer Lawyers
Mr Michael Rose, 9th Floor Wentworth Chambers

Probate Users Group

The Group meets from time to time to discuss matters concerning the operation and administration of the Court's probate work. The Group considers improvements to practices and processes and makes recommendations to the Rules Committee when appropriate. The Group also discusses specific issues pertinent to probate matters and deceased estates generally.

Members during 2018

The Honourable Justice Lindsay
The Honourable Justice Hallen
Mr Chris D'Aeth, Executive Director and Principal
Registrar
Ms Rebel Kenna, Manager, Court Services &
Prothonotary
Ms Louise Brown, Senior Deputy Registrar
Mr Jonathan Simpkins SC
Mr John Armfield

Professor R Croucher, Macquarie University
(representing New South Wales Law Schools)
Ms P Vines, University of New South Wales
Mr R Neal, Law Society of New South Wales
Ms P Suttor, Law Society of New South Wales
Ms R Pollard, New South Wales Trustee and
Guardian
Mr P Whitehead (representing trustee companies)
Mr M Willmott, New South Wales Bar Association

Professional Negligence List Users Group

The Group meets as required to discuss issues relevant to the administration and operation of the List.

Members during 2018

The Honourable Justice Harrison (Chair and
Convenor)
Mr David Higgs SC
Mr Duncan Graham SC
Mr Michael Fordham SC
Ms Jacqui Sandford
Ms Kathryn Sant
Mr Jason Downing
Ms Anne Horvath
Mr Patrick Rooney
Ms Louise Cantrell (Henry Davis York)
Ms Kerrie Chambers (Ebsworths)
Ms Rebecca Kearney (Avant)
Ms Karen Kumar (Hicksons)
Mr Bill Madden (Carroll & O’Dea)
Ms Julie Mahony (Stacks Goudkamp)
Ms Francesca Minniti (Curwoods)
Mr Don Munro (Tress Cocks)
Ms Anna Walsh (Maurice Blackburn)

Programs Advisory Committee (National Judicial College of Australia)

Members during 2018

The Honourable Justice Stevenson
The Honourable Justice John Dowsett,
Federal Court (Brisbane)
Chief Magistrate Steven Heath (Magistrates Court,
WA)
Judge Tom Altobelli (Federal Circuit Court
of Australia)

Judge Frank Gucciardo (County Court of Victoria)
Magistrate Andree Horrigan (Children’s Court of WA)
Justice Glenn Martin (Supreme Court of
Queensland)
Chief Judge Geoff Muecke (District Court of SA)
Professor Stephen Bottomley (Dean, ANU College
of Law)
Ms Wendy Kukulies-Smith (ANU College of Law)
Ms Lillian Lesueur (Chief Executive Officer,
National Judicial College of Australia)

Standing Advisory Committee of the Judicial Commission on Judicial Education

The Standing Advisory Committee on Judicial
Education advises the Judicial Commission of
New South Wales about continuing judicial
education. Its activities include identifying specific
needs and recommending particular educational
activities; recommending papers for publication in
The Judicial Review, and coordinating the activities
of the respective court’s Education Committees,
where appropriate.

Membership consists of the chairpersons (or their
representatives) of the Education Committees of
each of the five courts.

Members during 2018

The Honourable Justice Basten (Chair)
Chief Commissioner Peter Kite SC,
Industrial Relations Commission
The Honourable Justice Pain, Land and
Environment Court of New South Wales
His Honour Judge Lakatos SC, District Court of
New South Wales
His Honour Deputy Chief Magistrate Michael Allen,
Local Court of New South Wales
Ms Una Doyle, Education Director,
Judicial Commission of NSW

Supreme Court Rules Committee

The Rule Committee meets as required to consider
proposed changes to the Supreme Court Rules
1970 with a view to increasing the efficiency of the
Court’s operations, and reducing cost and delay
in accordance with the requirements of access to
justice. The Committee is a statutory body that
has the power to alter, add to, or rescind any of the

Rules contained in, or created under, the *Supreme Court Act 1970*. The Committee's membership is defined in Section 123 of the Act, and includes representatives from each Division of the Court and key organisations within the legal profession. Many of the rules that govern civil proceedings are now incorporated in the Uniform Civil Procedure Rules. In these circumstances, fewer meetings of the Rule Committee have been required.

Members during 2018

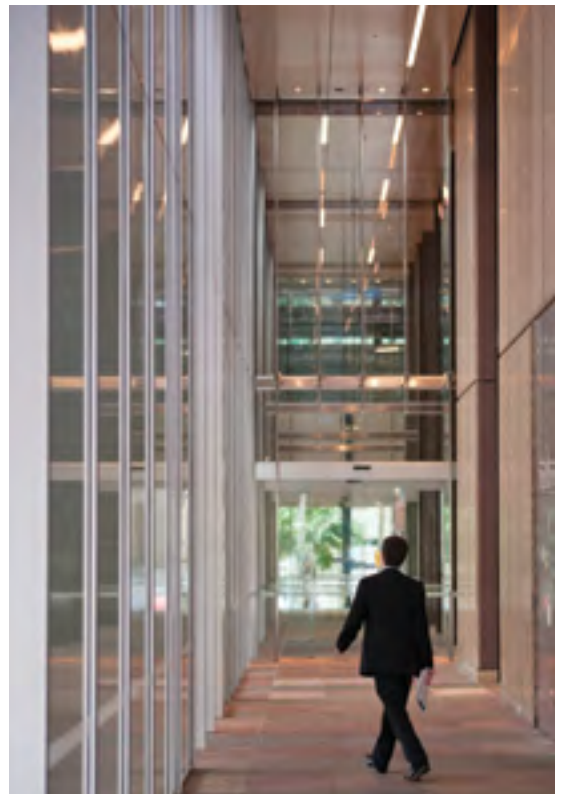
The Honourable the Chief Justice Bathurst (Chair)
The Honourable Justice Beazley
The Honourable Justice Meagher
The Honourable Justice Adamson
The Honourable Justice Lindsay
The Honourable Justice Darke
Ms Rebel Kenna, Director and Prothonotary (Secretary)
Ms Sylvia Fernandez, Law Society of New South Wales
Ms Carol Webster SC (NSW Bar Association representative)
Mr David Hing (Law Society of New South Wales deputy/alternate)

Uniform Rules Committee

The *Civil Procedure Act 2005* (NSW) and the Uniform Civil Procedure Rules 2005 (NSW) commenced in 2005, consolidating provisions in relation to civil procedure under a single Act. It provides a common set of rules for civil proceedings in the Supreme, District and Local Courts of New South Wales, and, to a limited extent, in the Land and Environment Court of New South Wales and the Industrial Relations Commission of New South Wales. The Uniform Rules Committee was established under Section 8 and Schedule 2 of the Act. The Chief Justice chairs the Committee, with representatives from the Supreme Court and other courts, as well as from the New South Wales Bar Association and the Law Society of New South Wales. The Committee met four times during 2017. As well as considering amendments to the Rules (under section 9 of the Act), the Committee approves forms for use in civil proceedings (under section 17 of the Act).

Members during 2018

The Honourable the Chief Justice (Chair)
The Honourable Justice Beazley
The Honourable Justice Adamson
The Honourable Justice Lindsay
The Honourable Justice Preston, Chief Judge, LEC
Her Honour Judge Olsson, District Court
His Honour Judge Letherbarrow, District Court
Her Honour Magistrate Jennifer Atkinson, Local Court
His Honour Magistrate Michael O'Brien, Local Court
Ms Carol Webster SC (New South Wales Bar Association)
Mr David Hing (Law Society of NSW)
Mr Jon Prowse (Law Society of NSW alternate representative)
Mr Chris D'Aeth, Executive Director and Principal Registrar
Ms Rebel Kenna, Director and Prothonotary (Secretary)



APPENDIX (III): OTHER JUDICIAL ACTIVITY

In addition to hearing and determining cases, the Court's judicial officers actively contribute to the ongoing professional development of the legal community domestically and abroad. Their contributions encompass activities such as: presenting papers and speeches at conferences and seminars; submitting articles for publication; giving occasional lectures at educational institutions; meeting judicial officers from courts around the world, and hosting delegations. Many judicial officers are also appointed to boards, commissions, and committees for wide range of legal, cultural and benevolent organisations. The Judges' and Associate Judge's activities during 2018 are summarised below in chronological order.

Judicial officers generally use private funds to cover travel and accommodation costs when attending a conference or speaking engagement outside Australia. However, the NSW Department of Justice provides funding towards attendance at several key official events each year. These events are identified as critical to promoting the Court's reputation and role within the Asia Pacific as a centre for commercial dispute resolution, and demonstrating its commitment globally towards developing ethical judicial processes. The events judicial officers attended during 2018 with financial assistance were:

| Recipient of travel grant | Event date | Purpose of overseas visit |
|---|------------------|---|
| The Honourable Justice Sackar | 8 Jan 2018 | University of Oxford – Lecture, Oxford, United Kingdom |
| The Honourable Justice Beazley AO, President, Court of Appeal | 28 May 2018 | Attended the Judges Academy in Taipei, Taiwan |
| The Honourable Justice Ward, Chief Judge in Equity | 1 – 3 Sep 2018 | Attended the Banking & Financial Services Law Association Conference in Queenstown, New Zealand |
| The Honourable Justice Black | 22 – 23 Sep 2018 | Attended the 2 nd Justice Insolvency Network Conference in New York, United States of America |
| The Honourable Justice Hammerschlag | 22 – 23 Sep 2018 | Attended the 2 nd Justice Insolvency Network Conference in New York, United States of America |
| The Honourable T F Bathurst, AC, Chief Justice of New South Wales | 27 – 28 Sep 2018 | Attended the Standing International Forum for Commercial Courts in New York, United States of America |
| The Honourable Justice Ward, Chief Judge in Equity | 22 – 30 Sep 2018 | Attended the Standing International Forum for Commercial Courts in New York, United States of America |
| The Honourable Justice Beech-Jones | 13 – 18 Oct 2018 | Attended the 61 st Annual Meeting of the International Association of Judges in Marrakesh, Morocco |
| The Honourable T F Bathurst, AC, Chief Justice of New South Wales | 2 – 5 Nov 2018 | Attended the 31 st LAWASIA Conference in Siem Reap, Cambodia |
| The Honourable Justice Ward, Chief Judge in Equity | 2 – 5 Nov 2018 | Attended the 31 st LAWASIA Conference in Siem Reap, Cambodia |
| The Honourable Justice McDougall | 2 – 5 Nov 2018 | Attended the 31 st LAWASIA Conference in Siem Reap, Cambodia |

Private funding sources were used to attend all other conferences or speaking engagements in overseas destinations detailed in this appendix.

THE HONOURABLE T F BATHURST AC, CHIEF JUSTICE OF NEW SOUTH WALES

Conferences:

| | |
|------------------|---|
| 22 - 24 Jan 2018 | Supreme and Federal Court Judges' Conference (Sydney) |
| 15 - 18 Apr 2018 | ICCA Congress (Sydney) |
| 31 May 2018 | CMLR Seminar "Regulating in the Digital Economy – Bitcoin, Blockchain & Initial Coin Offerings" (Sydney) |
| 26 Jun 2018 | Contemporary Issues in Corporate and Competition Law: A Conference in Honour of Professor Robert Baxt AO (Melbourne, Vic) |
| 26 Jul 2018 | AAL Seminar "Overcoming Financial Barriers to Access to Justice" (Sydney) |
| 21 Aug 2018 | Centre for Governance & Public Policy and Transparency International Australia conference "Australia's public integrity institutions: Strengths, weaknesses, options" (Canberra, ACT) |
| 27 Aug 2018 | Sir James Martin Oration (Sydney) |
| 09 - 11 Sep 2018 | CMJA 18 th Triennial Conference (Brisbane, Qld) |
| 27 - 28 Sep 2018 | Standing International Forum on Commercial Courts (New York, USA) |
| 24 - 25 Oct 2018 | NJCA Judicial Leadership Program – Heads of Jurisdiction (Melbourne, Vic) |
| 02 - 05 Nov 2018 | 31 st LAWASIA Conference (Siem Reap, Cambodia) |
| 15 - 17 Nov 2018 | ABA/NSW Bar Association Biennial Conference (Sydney) |
| 20 Nov 2018 | Supreme Court Corporate Law Conference (Sydney) |

Speaking engagements:

| | |
|-------------|--|
| 22 Jan 2018 | Welcome Remarks: Supreme & Federal Courts Judges' Conference (Sydney) |
| 31 Jan 2018 | Speech: Opening of Law Term Dinner, "The Place of Lawyers in Politics", Strangers Dining Room, Parliament House (Sydney) |
| 06 Feb 2018 | Speech: Opening of Law Term Reception Greek Orthodox Pan-Orthodox Church Service |
| 07 Feb 2018 | Speech: Opening of Law Term The Great Synagogue |
| 08 Feb 2018 | Speech: Farewell Ceremony for Justice Peter McClellan |
| 01 Mar 2018 | Speech: Opening of Baker McKenzie's Barangaroo Offices |
| 23 Mar 2018 | Admission of Lawyers |
| 27 Mar 2018 | Farewell Ceremony for Simpson JA |
| 18 Apr 2018 | Speech: Closing Address ICCA Congress |
| 16 May 2018 | Launch of The Legal Friends of Lysicrates and James Martin |
| 29 May 2018 | Speech: Affinity Iftar Dinner |
| 26 Jun 2018 | Directors' and Officers' Duties in the Age of Regulation Conference in honour of Professor Baxt |
| 04 Jul 2018 | The Role of Courts ACICA New York Convention Symposium |
| 11 Aug 2018 | Speech: Opening address NSW Bar Association ADR Masterclass |
| 15 Aug 2018 | Book Launch Heydon Selected Speeches and Papers |

| | |
|--------------|--|
| 21 Aug 2018 | Symposium on Australia's Public Integrity Institutions; The Courts and Integrity Bodies: Constitutional Conundrums |
| 23 Aug 2018 | Closing Ceremony Address International Law Association Biennial Conference |
| 24 Aug 2018 | Opening Address Supreme Court of New South Wales Annual Conference |
| 07 Sep 2018 | Efficient, Informal and Fair Tribunals Delivering Under Pressure COAT NSW Annual Conference |
| 14 Sep 2018 | Flip Innovation Dinner Law Society Hackathon Supreme Court Challenges |
| 17 Sep 2018 | Justice On a Shoe String How Do We Make the Legal Aid Dollar Go Further Inaugural Bill Grant Access to Justice Oration |
| 20 Sept 2018 | Inaugural Supreme Court ADR Address on ADR, ODR and AI-DR, Or Do We Even Need Courts Anymore |
| 18 Oct 2018 | Francis Forbes Society History Tutorial on the History of the Law of Commercial Arbitration |
| 30 Oct 2018 | Address to the NSW Legislative Drafters on the Principle of Legality |
| 16 Nov 2018 | The Role of the Commercial Bar in the mid-21st Century at the 2018 Australian Bar Association Conference |
| 20 Nov 2018 | Opening Address at Supreme Court Corporate and Commercial Law Conference 2018 |
| 29 Nov 2018 | Family Court of Australia Judge's Meeting on Cooperation Between Courts |
| 04 Dec 2018 | Farewell Ceremony for the Honourable Justice McColl |

Publications:

"On to Strasbourg or Back to Temple? The Future of European Law in Australia Post-Brexit" (2018) 92 Australian Law Journal 679

"The Court and Integrity Bodies: Constitutional Conundrums" [2018] (Summer) Bar News 9

Appointments to legal, cultural or benevolent organisations:

President (Chair) of the Judicial Commission of NSW

Chair of the Supreme Court Rule Committee

Chair of the Uniform Rules Committee

Chair of the Judicial Section of LAWASIA

Delegations and international assistance:

07 Mar 2018 Official visit to New South Wales by His Excellency Mr Kwok Fook Seng, High Commissioner of Singapore.

01 May 2018 Official visit to New South Wales by His Excellency Dr Ajay Marotrao Gondane, High Commissioner of India.

22 May 2018 Official visit to New South Wales by His Excellency Mr Y Kristiarto S Legowo, Ambassador of Indonesia.

20 Jun 2018 Official visit to New South Wales by Her Excellency Jeanne Guehe, Ambassador of the Republic of Cote d'Ivoire.

| | |
|-------------|---|
| 28 Jun 2018 | Luncheon for His Excellency Mr Keizo Takewaka, Consul-General of Japan, with Ms Junko Katsuda (Principal Lawyer at Katsuda Synergy Lawyers), Ms Tomoko Yamamoto (Principal Solicitor at Yamamoto Attorneys), Dr Luke Nottage (Co- Director of Australian Network for Japanese Law) and Ms Yuriko Yamamoto (Visiting Judge - Australian Network for Japanese Law). |
| 05 Jul 2018 | Luncheon for His Excellency Mr Gu Xiao, Consul-General of the People's Republic of China, with Mr Mi Bin (Deputy Consul-General) and Mr Wang Fanfu (Head of Political and Media Section). |
| 09 Aug 2018 | Official visit to New South Wales by His Excellency Mr Wahidullah Waissi, Ambassador of the Islamic Republic of Afghanistan. |
| 15 Aug 2018 | Official visit to New South Wales by His Excellency Dr Ali Kraishan, Ambassador of the Hashemite Kingdom of Jordan. |
| 31 Aug 2018 | Delegation from the Sentencing Commission, Supreme Court of Korea headed by The Hon Wan Joo Choe. |
| 18 Sep 2018 | Official visit to New South Wales by His Excellency Dr Bernhard Zimburg, Ambassador of Austria and Mr Karl Hartleb, Consul General & Austrian Trade Commissioner for Australia & New Zealand. |
| 16 Oct 2018 | Delegation from Supreme Peoples' Court of China headed by Mr YAN Maokun, Senior Judge and hosted by the Australian Human Rights Commission. |
| 12 Nov 2018 | Official visit by His Excellency Mr Keizo Takewaka, Consul-General of Japan, accompanied by Consul Mr Koichi Tsuchida. |
| 13 Nov 2018 | Official visit to New South Wales by His Excellency Mr Mark Sofer, Ambassador of Israel. |
| 11 Dec 2018 | Official visit by Sir Salamo Injia upon his retirement as the former Chief Justice of Papua New Guinea. |

THE HONOURABLE JUSTICE BEAZLEY AO, PRESIDENT OF THE COURT OF APPEAL

Conferences:

| | |
|------------------|---|
| 20 - 24 Jan 2018 | Supreme and Federal Court Judges' Conference (Sydney) |
| 14 - 16 Mar 2018 | Inter-Pacific Bar Association Annual Meeting and Conference (Manila, Philippines) |
| 14 - 17 Aug 2018 | International Malaysia Law Conference (Kuala Lumpur, Malaysia) |
| 24 - 25 Aug 2018 | Supreme Court of NSW Annual Conference (Bowral, NSW) |
| 04 - 06 Oct 2018 | Salzburg Global Corporate Governance Forum (Salzburg, Austria) |

Speaking engagements:

| | |
|-------------|--|
| 20 Feb 2018 | Seminar: Introducing the New Court of Appeal Practice Note to the Profession, New South Wales Bar Association Continuing Professional Development Seminar (Sydney) |
| 10 Mar 2018 | Keynote address, Gibraltar Conference (Bowral, NSW) |
| 11 Mar 2018 | Keynote address, Western Sydney University First Year Law Camp (Bowral, NSW) |
| 15 Mar 2018 | Panel member: Is the Hague Convention on Choice of Court Agreements a Game Changer?, Inter-Pacific Bar Association Annual Meeting and Conference (Manila, Philippines) |

| | |
|-------------|--|
| 03 Apr 2018 | Paper: Tendency Evidence After Hughes, Office of the Department of Public Prosecutions Conference (Sydney) |
| 04 Apr 2018 | Paper: Recurring Issues in the Court of Appeal, District Court of New South Wales Annual Conference (Leura, NSW) |
| 11 Apr 2018 | Keynote address, Minter Ellison Insurance Contracts Act Handbook Launch (Sydney) |
| 03 May 2018 | Keynote address, University of New South Wales Law Society Womens' Mentoring Program Launch (Sydney) |
| 19 May 2018 | Keynote address: The Jurisprudence of the Court of Appeal: Colour and Movement, College of Law Specialist Legal Conference (Sydney) |
| 26 May 2018 | Paper: Appeals against Conviction in the Military Justice System – Substantial Miscarriage of Justice, Navy Legal Training Workshop (Jervis Bay, ACT) |
| 28 May 2018 | Paper: Appellate Procedure, Judges Academy of Taiwan (Taiwan) |
| 29 May 2018 | Paper: Class Actions in Australia: Observations, Lessons and Challenges from the First Twenty Five Years, Judges Academy of Taiwan (Taiwan) |
| 29 May 2018 | Paper: The Enforcement of Foreign Arbitral Awards and Judgments: Changing the International Dispute Resolution Landscape, Judges Academy of Taiwan (Taiwan) |
| 15 Jun 2018 | Keynote address, New South Wales Bar Association 'Honouring Justice Jane Mathews AO' (Sydney) |
| 13 Aug 2018 | Paper: The Courts and Arbitration: De Facto Partners, Asian International Arbitration Centre (Kuala Lumpur, Malaysia) |
| 15 Aug 2018 | Paper: The Public Prosecutor: Public Official or Elected Law Officer – Room for Both?, Malaysia Australia Business Council (Kuala Lumpur, Malaysia) |
| 15 Aug 2018 | Panel member: Fiduciary Conflicts in the Contemporary Commercial Environment International Malaysia Law Conference (Kuala Lumpur, Malaysia) |
| 16 Aug 2018 | Plenary panel member: Shattering the Glass Ceiling: Significant Roles for Women in the Law, International Malaysia Law Conference (Kuala Lumpur, Malaysia) |
| 26 Aug 2018 | Panel member: Technology and the Courts – How Technology can be a Tool for Access to Justice: A Global Perspective, Australian Women Lawyers Conference (Sydney) |
| 07 Sep 2018 | Keynote address: What Does Law Really Do for Society?, St Aloysius' College Law Lunch (Sydney) |
| 17 Sep 2018 | Keynote address: Sentencing, Law Society of New South Wales 'Young Justice Program' (Sydney) |
| 20 Sep 2018 | Closing address, Bar Practice Course (Sydney) |
| 20 Sep 2018 | Keynote address: Diversity on the Bench, William Ah Ket Scholarship (Sydney) |
| 27 Sep 2018 | Paper: Administrative Law and Statutory Interpretation: Room for the Rule of Law?, Australian Institute of Administrative Law National Conference (Sydney) |
| 09 Oct 2018 | Keynote address: Women in Leadership, Notre Dame Law Society Women in Law Breakfast (Sydney) |
| 09 Oct 2018 | Keynote address, Australian Catholic University Graduation (Sydney) |
| 13 Oct 2018 | Keynote address, University of Queensland Law Society Valedictorian Law Dinner (Brisbane, Qld) |

| | |
|-------------|--|
| 18 Oct 2018 | Keynote address: 100 Years of Women in Law in NSW, Carroll & O'Dea '100 Years of Women in Law' (Sydney) |
| 01 Nov 2018 | Keynote address: Artificial Intelligence, Insurance and the Law, Australian Insurance Law Association National Conference (Perth, WA) |
| 02 Nov 2018 | Panel member: Appellate Judgment Writing, Australasian Institute of Judicial Administration Appellate Judges' Conference (Brisbane, Qld) |
| 16 Nov 2018 | Keynote address: Women in the Law (and Wine), Women in Wine Symposium (Sydney) |
| 21 Nov 2018 | Keynote address, Madison Marcus (Sydney) |
| 28 Nov 2018 | Keynote address, The Future of Australian Legal Education Book Launch (Sydney) |
| 10 Dec 2018 | Keynote address, Baker McKenzie 'Celebrating 100 Years of Women Lawyers in NSW' (Sydney) |

Publications:

'Is the Hague Convention on Choice of Court Agreements a Game Changer? (Part One)' (2018) 91 IPBA Journal 12

'Is the Hague Convention on Choice of Court Agreements a Game Changer? (Part Two)' (2018) 92 IPBA Journal 16

'100 Years of Women in the Law' (2018) 30 Judicial Officers' Bulletin 105

Appointments to legal, cultural or benevolent organisations:

Chair, New South Wales Chapter, Australian Institute of Administrative Law

Chair, School of Law Advisory Board, University of Notre Dame Australia

Member, Expert Reference Group: Human Rights & Technology Project, Australian Human Rights Commission

Patron, Toongabbie Legal Centre

President, Arts Law Centre of Australia

Delegations and international assistance:

25 Sep 2018 Official visit: Her Excellency Ms Lucky Sherpa, Ambassador of Nepal to Australia and Mr Deepak Kumar Khadka, Honorary Consul-General of Nepal to New South Wales

THE HONOURABLE JUSTICE BASTEN

Conferences:

20 - 23 Jan 2018 Supreme and Federal Court Judges' Conference (Sydney)

23 Feb 2018 Gilbert & Tobin Constitutional Law Conference (Sydney)

18 May 2018 Judges and the Academy Seminar Series (Melbourne, Vic)

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

12 Oct 2018 Judges and the Academy Seminar Series (Melbourne, Vic)

Speaking Engagements:

| | |
|-------------|--|
| 22 Mar 2018 | Opening Address – Class Actions Seminar UNSW (Sydney) |
| 29 Mar 2018 | Keynote Address – UNSW Law Journal Launch of Issue 41(1) “Statutory Interpretation and Parliamentary Materials” (Sydney) |
| 13 Apr 2018 | Paper “Unison, the Parole Board and Principle of Legality” The Principle of Legality, Judges and the Academy Seminar Series (Melbourne, Vic) |
| 27 Sep 2018 | Paper “Administrative Law in the 21 st Century and Beyond – Judicial Review: Can We Abandon Grounds?” AIAL 2018 National Conference (UNSW Sydney) |
| 02 Nov 2018 | Paper “Choosing Principles of Interpretation” 9 th AJA Appellate Judges’ Conference (Brisbane, Qld) |
| 03 Nov 2018 | Paper “The Courts and The Executive: A Judicial View” CIPL Public Law Weekend (Canberra, ACT) |
| 19 Nov 2018 | UNSW Book Launch “The Schoolhouse Gate: Public Education, the Supreme Court, and the Battle for the American Mind’ by Justin Driver (Sydney) |
| 21 Nov 2018 | Commenting on paper by Lisa Burton Crawford “The Rule of Law in the Age of Statutes” AACL Seminar (Sydney) |
| 14 Dec 2018 | Paper “Construing Executive Power” UNSW Seminar (Sydney) |

Publications:

| |
|---|
| “Judicial Review: Can We Abandon Grounds?” AIAL Forum No 93 (2018) |
| “Teaching Statutory Interpretation” paper in “The Future of Australian Legal Education”, Law Book Co (2018) |
| “Separation of Powers – Dialogue and Deference” (2018) 25 AJ Admin L 1 |
| “Unison, the Parole Board and Principle of Legality”: (2018) 29 PLR 187 |

Appointments to legal, cultural or benevolent organisations:

| |
|---|
| Chair, Judicial Commission of NSW Standing Advisory Committee on Judicial Education |
| Chair, Supreme Court Education Committee |
| Member, Editorial Board of The Judicial Review, Journal of the Judicial Commission of NSW |
| Member, Supreme Court CaseLaw Governance Committee |
| Member, Law Courts Library Advisory Committee |
| Member, Advisory Committee, G&T Centre of Public Law |

THE HONOURABLE JUSTICE MACFARLAN**Conferences:**

| | |
|------------------|--|
| 24 - 25 Aug 2018 | Supreme Court of NSW Annual Conference (Bowral, NSW) |
|------------------|--|

THE HONOURABLE JUSTICE MEAGHER

Conferences:

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Speaking Engagements:

28 Feb 2018 Commercial Law Section, NSW Bar Association, Speech, "Insurance and the Courts" (Sydney)

26 Oct 2018 Environment & Planning Law Association (NSW) 2018 Conference, Speech, "Court of Appeal update" (Sydney)

Appointments to legal, cultural or benevolent organisations:

Kincoppal-Rose Bay School of the Sacred Heart – Board Member

Sydney Symphony Orchestra – Non-Executive Director

University of Notre Dame, Australia – Advisory Council Member

THE HONOURABLE JUSTICE WARD, CHIEF JUDGE IN EQUITY

Conferences:

23 - 24 Jan 2018 Supreme & Federal Courts Judges' Conference (Sydney)

25 Feb 2018 AIJA Council meeting (Sydney)

17 Mar 2018 AIJA Council meeting (Sydney)

02 Mar 2018 6th Judicial Seminar on Commercial Litigation (Sydney)

26 May 2018 AIJA Council meeting (Brisbane, Qld)

18 - 20 Jul 2018 Obligations IX Conference (Melbourne, Vic)

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

01 - 03 Sep 2018 BFSLA's 35th Annual Conference (Queenstown, New Zealand)

27 - 28 Sep 2018 The Standing International Forum of Commercial Courts Conference (New York, USA)

13 Oct 2018 AIJA Council meeting (Melbourne, Vic)

02 - 05 Nov 2018 31st Law Asia Conference (Siem Reap, Cambodia)

Speaking Engagements:

14 Feb 2018 Speech at the Society of Trust and Estate Practitioners Australia Seminar, "Fragmenting Equities" (Banco, Sydney)

22 - 23 Feb 2018 Plenary session at the Law Society of Western Australia, Law Summer School, "Fragmenting equities" (Perth, WA)

06 Mar Address to West Wallsend High School, Rule of Law Institute of Australia (Sydney)

07 Mar 2018 Speech at the College of Law 2018 Judges Series, "Affidavit Evidence" (Banco, Sydney)

09 May 2018 Opening address to the NSW Bar Association - Bar Practice Course 'Bar Readers Practice Course - The Equity Division' (Sydney)

| | |
|------------------|---|
| 21 May 2018 | Keynote address at the Ramadan Iftar Dinner, "Integrated Diversity in the Legal Profession" (Sydney) |
| 28 May 2018 | Keynote address at the College of Law's Autumn Academic Awards Ceremony, (Sydney) |
| 18 - 20 Jul 2018 | Chair session at the Obligations IX Conference, Trusts and Purpose, Matthew Harding (Melbourne, Vic) |
| 27 Jul 2018 | Closing Address at the 30 th Anniversary of the Journal of Contract Law Conference (Sydney) |
| 09 Aug 2018 | Educational talk with the St Andrew Cathedral students, Rule of Law Institute of Australia (Sydney) |
| 03 Sep 2018 | Speaker at the BFSLA's 35 th Annual Conference, Australian Appellate Decisions in Insolvency Law: Recent Updates; and Of Singaporean yachts, Chilean Ponzi schemes and the Italian merchant marine (among others): An update on cross-border insolvency in Australia (Queenstown, New Zealand) |
| 07 - 08 Sep 2018 | Opening oration at The Blue Mountains Law Society Succession Conference (Blue Mountains, NSW) |
| 14 Sep 2018 | Speech at the Bar Practice Course - ADR Session, Court Annexed Mediation (Sydney) |
| 20 Sep 2018 | Supreme Court NSW ADR Address (Sydney) |
| 17 Oct 2018 | Closing address, at the University of Sydney Law School's Women's Mooting Program (Sydney) |
| 22 Oct 2018 | Speaker/Panel Member at the Herbert Smith Freehills Class Action and Litigation Funding Reform Conference (Sydney) |
| 25 Oct 2018 | Judicial Panel at the Judicial Q&A, NSW Bar Association (Sydney) |
| 29 Oct 2018 | Judge the Justice William Gummow Cup Moot 2018, Sydney University Law Society (Sydney) |
| 12 Nov 2018 | Speech at the Remembrance Day - Commemoration (Banco, Sydney) |
| 15 - 17 Nov 2018 | Speaker/Joint Panel Session at the Australian Bar Association / New South Wales Bar Association biennial conference - Rise 2018 (Sydney) |

Appointments to Legal, Cultural or Benevolent Organisations:

Chair of the Supreme Court ADR Steering Committee

Member and Fellow of The Australian Academy of Law

Member of the AIJA Council

THE HONOURABLE JUSTICE GLEESON

Conferences:

| | |
|----------------|---|
| 23 Feb 2018 | Commercial Law Association, Contract Master Class (NSW State Library) |
| 24-26 Aug 2018 | Supreme Court Judges Conference (Peppers Craigieburn, Bowral) |
| 23 Sep 2018 | Judicial Insolvency Network meeting (US Bankruptcy Court, Southern District of New York) |
| 23-25 Sep 2018 | International Insolvency Institute's 18 th Annual Conference (NYU Law School, New York) |

Speaking engagements:

| | |
|-------------|--|
| 23 Feb 2018 | Chair, Commercial Law Association, Contract Master Class (NSW State Library) |
| 27 Feb 2018 | Address to Camden Haven High School students (Rule of Law Institute) (Supreme Court, Sydney) |
| 12 Mar 2018 | Address - Book Launch – Contract Law in Australia (7 th Ed), Carter J (NSW State Library) |
| 18 May 2018 | 2018 NSW Young Lawyers Patron – Golden Gavel Awards (Westin Hotel, Sydney) |
| 2 Jun 2018 | 2018 NSW Young Lawyers Patron – Mid-Year Assembly Address (Crown Plaza, Hawkesbury Valley) |
| 5 Jul 2018 | 2018 NSW Young Lawyers Patron – Adjudicator at Young Lawyers Workplace and Safety Committee (Baker & McKenzie) |
| 27 Jul 2018 | Opening Address – 30 th Anniversary Journal of Contract Law Conference (NSW State Library) |
| 13 Sep 2018 | 2018 NSW Young Lawyers Patron – State of the Profession Address (NSW Law Society) |

Appointments to Legal, Cultural or Benevolent Organisations:

2018 NSW Young Lawyers Patron, NSW Law Society

THE HONOURABLE JUSTICE LEEMING**Conferences:**

| | |
|------------------|---|
| 13 Apr 2018 | “The Principle of Legality”, roundtable organised by Supreme Court of Victoria and University of Melbourne (Melbourne, Vic) |
| 17 - 20 Jul 2018 | “Obligations IX – Form and Substance in the Law of Obligations”, University of Melbourne (Melbourne, Vic) |
| 24 - 25 Aug 2018 | Supreme Court of NSW Annual Conference (Bowral, NSW) |

Speaking engagements:

| | |
|-------------|--|
| 16 Mar 2018 | “Hidden in plain sight: Statutes and the qualified immunity of roads authorities” - Keynote address, Australian Lawyers Alliance (Manly, NSW) |
| 20 Jul 2018 | “Statute Law in the Law of Obligations – Dimensions of Form and Substance” - plenary address, Obligations IX, University of Melbourne (Melbourne, Vic) |
| 24 Aug 2018 | “The entanglement of statute law and judge-made law” - Supreme Court of NSW Annual Conference (Bowral, NSW) |

Publications:

“Ex parte candour, solicitor’s liens and set-off” (2018) 92 ALJ 22

“Constitutional Aspects of Commonwealth and State Application Laws (with special attention to ss 79 and 80 of the Judiciary Act 1903 (Cth))” in N Williams (ed), Key Issues in Public Law (Federation Press).

“Receipts Clauses and ‘Contractual Estoppel’ Revisited” (2018) 134 LQR 171

“Power” in Saunders and Stone, “The Oxford Handbook of the Australian Constitution” (Oxford University Press), 759-783

“Not Slavishly Nor Always – Equity and Limitation Statutes” in P Davies, S Douglas and J Goudkamp (eds), *Defences in Equity* (Hart Publishing, 2018)

Review of Maintenance in Medieval England 77 *Cambridge Law Journal* 402

“Trustees’ Rights of Indemnity, Insolvency and Statutory Distributions to Preferred Creditors” (2018) 92 *ALJ* 503

Cases and Materials on Equity and Trusts (9th edition, LexisNexis Butterworths) (with J D Heydon)

Appointments to legal, cultural or benevolent organisations:

Challis Lecturer in Equity, University of Sydney

Trustee, Sydney Grammar School (from July 2018)

Advisory Committee, Francis Forbes Society

Honours Supervisor, University of Sydney (Alexi Polden)

Director, The Federation Press Pty Ltd

Editorial Board member: *Australian Bar Review*, *Journal of Equity*

THE HONOURABLE JUSTICE PAYNE

Conferences:

23 - 24 Jan 2018 Supreme & Federal Courts Judges' Conference (Sydney)

Speaking engagements:

22 Feb 2018 NSW Bar Association – Launch of the Court of Appeal website

29 Aug 2018 Director of Public Prosecutions – Privilege against self-incrimination

17 Nov 2018 Australian Bar Association conference – Corporate Criminal Law

Publications:

Editor, *Federal Criminal Law Looseleaf*

Appointments to legal, cultural or benevolent organisations:

Board member, Legal Profession Admission Board

Appointee to the Conduct Division of the Judicial Commission of NSW

THE HONOURABLE JUSTICE WHITE

Conferences:

22 - 24 Jan 2018 Supreme and Federal Court Judges' Conference (Sydney)

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Appointments to legal, cultural or benevolent organisations:

Member, Law Extension Committee of University of Sydney

THE HONOURABLE JUSTICE BRERETON AM RFD

Speaking engagements:

| | |
|------------------|--|
| 09 Feb 2018 | Speaker, Dept of Family & Community Services – Annual Child Protection Legal Conference, “The search for the forever family – issues and trends in out-of-home-care adoption” (Sydney) |
| 16 Feb 2018 | Closing address, University of Sydney Law School Conference on Private International Law, “Commercial Issues in Private International Law”, (Sydney) |
| 21 Mar 2018 | Presenter, College of Law, Judges’ Series, “Subpoenas, Discovery and Interrogatories”, (Sydney) |
| 05 Apr 2018 | Speaker, CLE By the Sea, “The search for the forever family – issues and trends in out-of-home-care adoption”, (Terrigal, NSW) |
| 11 - 12 May 2018 | Speaker, Family Law Practitioners’ Association of Qld, Family Law Retreat, “In Mixed Company: Corporations in Family Law”, (Noosa, Qld) |
| 02 Jun 2018 | Chair and Speaker, Annual Costs Assessors Seminar, Banco Court, Law Courts Building, (Sydney) |
| 04 Jul 2018 | Speaker, Queensland Police Operational Command Continuum Course, “Command Responsibility”, (Brisbane, Qld) |
| 11 Aug 2018 | Speaker, Continuing Professional Development Committee of the Family Law Practitioners’ Association of Western Australia, “In Mixed Company: Corporations in Family Law”, (Perth, WA) |

Publications:

Foreword, “PPS in Practice” Nicholas Mirzai & Christopher Athanassios, (Thomson Reuters Australia)

Appointments to legal, cultural or benevolent organisations:

Deputy Chair, NSW Law Reform Commission

Chair, Costs Assessment Rules Committee

Chair, Costs Assessment User Group

Chair, Adoptions List User Group

Chair, Corporations List User Group

Member, Harmonisation of Rules Committee

Delegations and International Assistance:

22 Feb 2018 President and Chief Operating Officer, INSOL International, UK

THE HONOURABLE JUSTICE WALTON

Conferences:

05 – 07 Oct 2018 Judicial Conference of Australia Colloquium 2018 (Melbourne, Vic)

Speaking engagements:

21 Mar 2018 Lecturer, Masterclass at Sydney Business School, University of Wollongong:
Post-termination Restraint Clauses in Employment Contracts

09 Oct 2018 Joint Presenter, MBA Conference at Sydney Business School, University of Wollongong:
Implications of Law for Managers

31 Oct 2018 Lecturer, Masterclass at Sydney Business School, University of Wollongong:
“I Think, Therefore I am”: Machina Sapiens in Work

Appointments to legal, cultural or benevolent organisations:

Executive Committee, Judicial Conference of Australia

Governing Counsel, Judicial Conference of Australia

Editorial Committee, Australian Journal of Labour Law

THE HONOURABLE JUSTICE JOHNSON

Publications:

Joint author with the Hon RN Howie QC of loose-leaf service Criminal Practice and Procedure (NSW), Sydney.

THE HONOURABLE JUSTICE ROTHMAN AM

Conferences:

19 Feb 2018 Anglo-Australasian Lawyers Society (AALS) Breakfast Seminar: [Hon Mark Dreyfus QC
MP] (Sydney)

26 Feb 2018 Arnold Bloch Leibler Lawyers Seminar: “The Impact of the Trump Presidency on the rule
of law” [Professor Dershowitz] (Sydney)

01 Mar 2018 Ngara Yura Seminar: “Sorry Business and the making of culturally appropriate will” [NSW
Judicial Commission Ngara Yura Committee/NSW Bar Association Indigenous Barristers’
Strategy Working Party/ Law Society of NSW Indigenous Issues Committee] (Sydney)

13 Mar 2018 ACON/Sydney Health Ethics Lecture: “Exploring the intersections of human rights and
LGBTI people with diverse sexualities, genders and sex characteristics.” [Dr Astrid Ley
(deputy head of Sachsenhausen Memorial and Museum, Germany, and international
expert on pink triangle victims of the Nazi regime), Hon Michael Kirby AC CMG (former
Justice of the High Court of Australia), Professor Jenni Millbank (leading expert on
gender, health and law), Morgan Carpenter (co-executive director, Organisation Intersex
International Australia)] (Sydney)

19 Jun 2018 Forbes Society Australian Legal History Tutorial: “History of the Law of Tort”
[Professor Mark Lunney] (Sydney)

25 Jun 2018 UIA/ Arnold Bloch Leibler Legal Seminar: “From the law books to the battlefield”
[Gadi Ezra, HR Advisor to Israeli IDF Joint Chiefs of Staff, Strategic Adviser at the Joint
Chiefs of Staff dealing with matters of diplomacy and international and humanitarian law]
(Sydney)

| | |
|-------------|---|
| 05 Jul 2018 | Anglo-Australasian Lawyers Society (AALS) Breakfast Seminar: “President Trump and Chairman Kim: will it end in tears?” [Hon Michael Kirby AC CMG] (Sydney) |
| 25 Oct 2018 | Federal Court Seminar: “Availability of judicial review arising from dispute settlement procedures in Industrial instruments” [Kylie Nomchong SC, Denman Chambers and Ingmar Taylor SC, Greenway Chambers] (Sydney) |
| 30 Oct 2018 | Supreme Court Education Committee/Judicial Commission Twilight Seminar: “The New Community Corrections Reforms” [Rosemary Caruana, Assistant Commissioner, Department of Corrective Services] (Sydney) |
| 15 Nov 2018 | Australian Bar Association and NSW Bar Association National Conference (Sydney) |
| 19 Nov 2018 | Seminar: “Challenges to the rule of law and democratic institutions” [Sharon Abraham-Weiss, ED of ACRI and the Hon Justice Sackville] (Sydney) |
| 20 Nov 2018 | Australian Law Journal Special Issue Launch: “Climate Change and the Law” [Professor Lesley Hughes] (Sydney) |

Speaking engagements:

| | |
|-------------|--|
| 07 Feb 2018 | Welcome, Jewish Law Service for the Commencement of the 2018 Law Term (Sydney) |
| 22 Feb 2018 | Panel Discussion with Imam Shayh Haisam Farache, principal solicitor at Garrison Lawyers: “Shariah Law – Insights and realities for Australian Juris” NSW Bar Association/ Muslim Legal Network Seminar (Sydney) |
| 18 Mar 2018 | Speech: “Disadvantage and Crime: The Impact of Bugmy & Munda on Sentencing Aboriginal and Other Offenders” Public Defenders Criminal Law Conference (Sydney) |
| 16 May 2018 | Guest Speaker: “Equal Justice - The Key to Democracy” L22 Chambers Judicial Series Seminar (Sydney) |

Appointments to legal, cultural or benevolent organisations:

| |
|---|
| President – The Great Synagogue (Sydney) |
| Director; Board Member & Chair Workplace Relations Committee – NSW Association of Independent Schools |
| Honorary Life Member; Executive Member – NSW Jewish Board of Deputies |
| Co-Chair – Australian Council of Jewish Schools |
| Board Member – International Association of Jewish Lawyers and Jurists |
| Member – National Indigenous Awareness Committee of the National Judicial College of Australia |
| Life Governor – Moriah War Memorial College |

THE HONOURABLE JUSTICE HAMMERSCHLAG

Conferences:

27 - 28 Sep 2018 SIFoCC New York Conference (New York, USA)

Speaking engagements:

05 Feb 2018 Judge at the Jessup Moot Final for Macquarie University (Sydney)

12 Mar 2018 College of Law Keynote Presentation "Emerging Issues in Commercial Transactions" - "Introduction and Commentary" (Sydney)

20 Mar 2018 UNSW CLE Building and Construction Law Seminar - Introductory Remarks - "A Commentary on Issues in the Building Construction and Technology List" (Sydney)

31 Jul 2018 Australian Construction Law Discussion Group - Closing Remarks - (Sydney)

16 Nov 2018 Australian Bar Association/NSW Bar Association Biennial Conference - Addressing joint session with Hon Justice Middleton "The Fate of Old Time Advocacy Skills in Modern Commercial Litigation" (Sydney)

Appointments to legal, cultural or benevolent organisations:

Chair of Commercial Users Group - Meeting 30 Aug 2018

THE HONOURABLE JUSTICE HARRISON

Conferences:

01 Jun 2018 National Judicial College Meeting (Canberra, ACT)

22 - 25 Jul 2018 NJOP Conference (Broadbeach, QLD)

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Speaking engagements:

23 Jul 2018 Presenter, NJOP Conference, Broadbeach - How do I manage my time with available resources

24 Jul 2018 Chair, NJOP Conference, Broadbeach - Confronting challenges in the exercise of discretion

26 Jul 2018 Judge the finalist for the Ron Shorter Award at Colin Biggers & Paisley

25 Aug 2018 Supreme Court Conference Dinner Speaker

Appointments to legal, cultural or benevolent organisations:

Chairman of the NJOP Steering Committee

Committee Member of the Supreme Court Education Committee

THE HONOURABLE JUSTICE REIN

Conferences:

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Speaking engagements:

15 Jun 2018 Commercial Law Association June Judges Series Seminar – “Close Encounters of the Unconscionable Kind: Ipstar Australia Pty Ltd v APS Satellite Pty Ltd [2018] NSWCA 15” (State Library, Sydney)

Appointments to legal, cultural or benevolent organisations:

Member of the Harmonisation of Rules Committee

THE HONOURABLE JUSTICE RA HULME**Conferences:**

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Speaking engagements:

04 May 2018 County Court of Victoria - Victorian Standard Sentencing Scheme; the New South Wales Experience (Melbourne, Vic)

24 Jul 2018 National Judicial College of Australia - National Judicial Orientation Program - The Trial from Hell (Broadbeach, Qld)

24 Aug 2018 Supreme Court of NSW Annual Conference - Developments in Criminal Law (Bowral, NSW)

12 Sep 2018 District Court of New South Wales - The New Sentencing and Community Corrections Reforms (Sydney)

Publications:

Co-author Criminal Law News, LexisNexis Butterworths

Appointments to legal, cultural or benevolent organisations:

Court of Criminal Appeal List Judge

Member, Jury Task Force

Member, Criminal Trial Courts Bench Book Committee

Member, CaseLaw Governance Committee

Member, JusticeLink Committee

Member, Court of Criminal Appeal/Crime Users Group

THE HONOURABLE JUSTICE SLATTERY**Conferences:**

23 - 24 Jan 2018 Supreme & Federal Courts Judges' Conference (Sydney)

17 Feb 2018 Reserve Legal Officers National Heads of Panel Conference – Military Law Centre – Victoria Barracks, Paddington (Sydney)

26 - 27 May 2018 New South Wales Navy Reserve Legal Panel Annual Conference – HMAS Creswell (Jervis Bay, ACT)

26 - 27 Oct 2018 Australian Defence Force – Judge Advocate General's Conference (Canberra, ACT)

Speaking engagements:

| | |
|------------------|--|
| 06 Feb 2018 | Swearing in ceremony for Lieutenant Colonel Jonathan Hyde as a judge advocate |
| 12 Feb 2018 | Speech to ADF Legal Officers in Legal Training Module 1 - Victoria Barracks, Paddington, "The Qualities of the Best Military Lawyers" |
| 17 Feb 2018 | Speech to Reserve Legal Officers National Heads of Panel Conference – Military Law Centre – Victoria Barracks, Paddington Sydney – "The JAG's Discipline Law Reform Agenda for 2018" |
| 15 Mar 2018 | Swearing in ceremony for Commander Greg Sirtes SC as a judge advocate |
| 28 - 29 Mar 2018 | Navy Senior Leadership Group Speech - HMAS Creswell "Lessons Learned from the Sea King Board of Inquiry" |
| 04 Apr 2018 | World War I Commemoration – "Storkey VC and Macnaghten" – NSW Bar Common Room |
| 11 Apr 2018 | Speech to University of Sydney Law School "Percy Valentine Storkey: The Sydney Law Student Who Won a Victoria Cross" |
| 26 - 27 May 2018 | JAG speech at HMAS Cresswell - "Update on Current Military Justice Issues and proposed DFDA amendments" |
| 17 Sep 2018 | Speech to Tri Service Training Night, "Reforms to the Defence Force Discipline Act and the Conduct of Legal Officers in the ADF", Perth |
| 18 Sep 2018 | Speech to Tri Service Training Night, "Reforms to the Defence Force Discipline Act and the Conduct of Legal Officers in the ADF", Adelaide |
| 19 Sep 2018 | Speech to Tri Service Training Night, "Reforms to the Defence Force Discipline Act and the Conduct of Legal Officers in the ADF", Canberra |
| 26 Sep 2018 | Speech to Tri Service Training Night, "Reforms to the Defence Force Discipline Act and the Conduct of Legal Officers in the ADF", Sydney |
| 10 Oct 2018 | Speech to Tri Service Training Night, "Reforms to the Defence Force Discipline Act and the Conduct of Legal Officers in the ADF", Melbourne |
| 01 Nov 2018 | Speech to Navy Legal Workshop Dinner "How Sir Laurence Street changed the ADF" |
| 12 Nov 2018 | Remembrance Day Commemoration Event – Banco Court, "Lieutenant Edwin Mayhew Brissenden" |

Publications:

Report of the Judge Advocate General of the Australian Defence Force to the Australian Parliament for the period 1 January to 31 December 2018.

Appointments to legal, cultural or benevolent organisations:

Judge Advocate General of the Australian Defence Force from 14 May 2015

Trustee of the Indigenous Barristers Trust – The Mum Shirl Fund since 2006

THE HONOURABLE JUSTICE DAVIES

Conferences:

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

THE HONOURABLE JUSTICE SCHMIDT

Conferences:

19 – 21 Mar 2018 National Judicial College of Australia, Judgment Writing Program (Perth, WA)

31 May 2018 Twilight Seminar: Ngara Yura Visit Sydney Observatory (Sydney)

22 – 27 Jul 2018 National Judicial Orientation Program (Brisbane, Qld)

14 – 17 Oct 2018 National Judicial College of Australia, Writing Better Judgments Program (Brisbane, Qld)

25 Oct 2018 Judicial Q&A at the NSW Bar Association (Sydney)

30 Oct 2018 Twilight Seminar: The New Community Corrections Reforms (Sydney)

Speaking engagements:

29 May 2018 Occasional Address, University of Sydney Graduation Ceremony, University of Sydney Law School (Sydney)

Appointments to legal, cultural or benevolent organisations:

Chair of the National Judicial Orientation Program

Member of the Advisory Board for the Master of Labour Law and Relations (MLLR), Sydney Law School

Member, National Judicial College of Australia Planning Committee for Dialogues on Being a Judge

Acting Chair, National Judicial College of Australia Planning Committee for Judgment Writing

Member, Supreme Court Education Committee

Member, Supreme Court Remuneration Committee

Member, CLE for Registrars

THE HONOURABLE JUSTICE BALL

Conferences:

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Speaking engagements:

17 Aug 2019 Opening Speech for 2018 AILA Masterclass (Sir Ninian Stephens Insurance Law Masterclass), (Sydney)

Publications:

Principles of Insurance Law, LexisNexis, co-authored with David StL Kelly

THE HONOURABLE JUSTICE GARLING RFD

Conferences:

| | |
|------------------|--|
| 23 - 24 Jan 2018 | Supreme & Federal Courts Judges' Conference (Sydney) |
| 08 May 2018 | Post Royal Commission Thought Leadership Series |
| 24 – 25 Aug 2018 | Supreme Court of NSW Annual Conference (Bowral, NSW) |
| 30 Oct 2018 | Seminar: New Community Corrections Orders |

Speaking engagements:

| | |
|-------------|---|
| 16 Jul 2018 | CanRevive Annual Function – Keynote Speaker |
| 03 Aug 2018 | Local Court Annual Conference |
| 21 Oct 2018 | Australasian College of Legal Medicine – Judicial Perspective of Expert Witnesses |

Appointments to legal, cultural or benevolent organisations:

| |
|---|
| Civil Trials Bench Book Committee, Judicial Commission of NSW |
| Supreme Court Education Committee |
| Chair, Supreme Court IT Committee |
| Supreme Court Common Law Users Group |
| Chair, Loreto Ministries Ltd |
| Honorary Patron, CanRevive Inc |

Delegations and International Assistance:

| | |
|-------------|--|
| 03 Sep 2018 | Executive Director, Research Director and Training Director of the Justice Studies Centre of the Americas. |
|-------------|--|

THE HONOURABLE JUSTICE BLACK

Conferences:

| | |
|------------------|---|
| 25 - 26 Aug 2018 | Business Law Section, Law Council of Australia, Corporations Workshop, (Byron Bay, NSW) |
|------------------|---|

Speaking engagements:

| | |
|-------------|---|
| 11 Apr 2018 | Recent developments in Corporations and Insolvency Law - New South Wales Bar Association CPD Program |
| 06 Jun 2018 | Recent developments in corporate law - CLA June Judges series |
| 26 Jun 2018 | The Contributions of Professor Robert Baxt - A Retrospective - Conference in honour of Professor Baxt held at University of Melbourne |
| 25 Aug 2018 | Design and distribution obligations and product intervention powers – Corporate Law Workshop 2018 |
| 2018 | Taught courses in financial services regulation, Semester 1, 2018, University of Sydney and University of New South Wales. |

Publications:

Joint editor, Contemporary Issues in Corporate and Competition Law: Essays in Honour of Professor Robert Baxt AO, LexisNexis, 2018

Joint author, Securities and Financial Services Law, 9th ed, LexisNexis, 2016

Joint author, Austin & Black's Annotations to the Corporations Act, LexisNexis.

Contributor, Australian Corporation Law: Principles and Practice, LexisNexis.

Appointments to legal, cultural or benevolent organisations:

Adjunct Professor, Faculty of Law, University of Sydney

Visiting Fellow, Faculty of Law, University of New South Wales

Fellow, Australian Academy of Law

THE HONOURABLE JUSTICE ADAMSON**Appointments to legal, cultural or benevolent organisations:**

Member, Uniform Rules Committee

Member, Supreme Court Rule Committee

THE HONOURABLE JUSTICE STEVENSON**Conferences:**

20 - 24 Jan 2018 Supreme and Federal Courts Judges' Conference (Sydney)

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

05 - 07 Oct 2018 JCA Colloquium (Melbourne, Vic)

15 - 17 Oct 2018 NJCA Writing Better Judgments Conference (Brisbane, Qld)

22 - 23 Nov 2018 NJCA New Perspectives on Judicial leadership in the Courtroom Conference (Sydney)

Speaking engagements:

21 Feb 2018 Speaker – The College of Law 2018 Judges' Series, presentation titled "Lawyer-Client Privilege in Litigation" (Sydney)

17 Mar 2018 Co-speaker – NSW Bar Association CPD Conference, "Court craft – what is effective and what is not" (Orange, NSW)

12 Sep 2018 Lecture - Kenneth Sutton Annual Lecture on Insurance, presentation titled "Rectification of Insurance Contracts" (Sydney)

10 Oct 2018 Opening Remarks - CLE Building and Construction Law Seminar, presentation titled "Practice & Procedure in the Technology and Construction List"

15 Oct 2018 Presenter - National Judicial College of Australia (NJCA), Writing Better Judgments conference, presentation titled "Practical Issue Identification" (Brisbane, Qld)

30 Oct 2018 Guest Speaker - Australian Construction Law Discussion Group Annual Dinner, presentation titled "Practice & Procedure in the Technology and Construction List" (Sydney)

Appointments to legal, cultural or benevolent organisations:

Member of the National Judicial College of Australia, Programs Advisory Committee

THE HONOURABLE JUSTICE BEECH-JONES**Conferences:**

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

05 - 07 Oct 2018 Judicial Conference of Australia Colloquium (Melbourne, Vic)

14 - 18 Oct 2018 International Association of Judges (Morocco)

Speaking engagements:

03 Apr 2018 District Court Conference "Judicial Ethics and Social Media" (Leura, NSW)

Appointments to legal, cultural or benevolent organisations:

President of the Judicial Conference of Australia (ceased October 2018)

Chairman of the Cooper-Rice Brading Foundation

THE HONOURABLE JUSTICE CAMPBELL**Conferences:**

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

16 - 17 Nov 2018 Bar Association Biennial Conference (Sydney)

Speaking engagements:

18 May 2018 Key note address – College of Law Presentation

26 May 2018 Final Mock Trial

05 Sep 2018 Speaking to school children from Hills High – Rule of Law Society

THE HONOURABLE JUSTICE BUTTON**Conferences:**

30 Jan 2018 Legal Qualifications Committee Meeting (Sydney)

17 Jul 2018 Legal Qualifications Committee Meeting (Sydney)

24 – 26 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

20 Nov 2018 Legal Qualifications Committee Meeting (Sydney)

THE HONOURABLE JUSTICE LINDSAY**Conferences:**

24 – 26 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

7 – 9 Sep 2018 Succession Conference (Blue Mountains, NSW)

6 Nov 2018 Adelaide Succession Law Conference

26 Oct 2018 STEP WA Incapacity Conference

Speaking engagements:

| | |
|-------------|--|
| 27 Feb 2018 | UNSW Wills Estates Seminar, Keynote Speaker |
| 28 Feb 2018 | College of Law Seminar: Pleadings & Case Management |
| 01 Mar 2018 | Judicial Commission (Indigenous) Wills and Estates Seminar |
| 15 Jun 2018 | College of Law Seminar: Incapacity in a Family Context |
| 18 Jul 2018 | NSW STEP Seminar: Remuneration of a Fiduciary |
| 7 – 9 Sep | Blue Mountains Law Society: History of Succession Law |
| 11 Oct 2018 | UNSW Seminar: Grounds for Challenging a Will |
| 26 Oct 2018 | STEP WA Seminar: Struggle for Perfection in an Imperfect World |
| 16 Nov 2018 | Adelaide Succession Law Conference, Speaker |

Publications:

Editor, Australian Bar Review, LexisNexis

Co-Editor, NSW Civil Procedure Handbook, Thomson Reuters

Appointments to legal, cultural or benevolent organisations:

Senior Vice President, Francis Forbes Society for Australian Legal History

Member, Legal Profession Admission Board

Member, State Archives Authority

Member, Uniform Rules Committee

Member, Supreme Court Rules Committee

Member, College of Law Wills & Estates Advisory Committee

Delegations and International Assistance:

| | |
|------------|--|
| 2 Jul 2018 | Vietnamese Delegation regarding Aboriginal Policy, organised by the Judicial Commission of NSW |
|------------|--|

THE HONOURABLE JUSTICE HALLEN**Speaking engagements:**

| | |
|-------------|---|
| 07 Feb 2018 | College of Law, Wills & Estates, Keynote Address (Sydney) |
| 21 Mar 2018 | College of Law, Wills & Estates, Keynote Address (Sydney) |
| 28 Mar 2018 | UNSW, Wills & Estates Seminar, Keynote Address (Sydney) |
| 29 Aug 2018 | St George Law Society Judicial Night, Guest Speaker (Sydney) |
| 25 Oct 2018 | College of Law, Advances Wills & Estates Conference, Keynote Address (Sydney) |
| 21 Nov 2018 | STEP NSW Lecture, Speech, Implications for Capacity Assessment and establishing Knowledge and Approval (Sydney) |

Appointments to legal, cultural or benevolent organisations:

Committee Member – STEP Australia

Committee Member – ADR Steering Committee

Committee Member – Wills & Estates Advisory Committee

Committee Member – College of Law

Committee Member – Supreme Court Building Committee

THE HONOURABLE JUSTICE KUNC**Conferences:**

20 - 24 Jan 2018 Supreme & Federal Court Judges Conference (Sydney)

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

06 Sep 2018 Organising seminar on adoption law for Supreme, District and Local Court Judges (Sydney)

05 - 07 Oct 2018 Judicial Conference of Australia Colloquium (Melbourne, Vic)

Speaking engagements:

14 Mar 2018 Discussion with UNSW Law Students re legal ethics and admission procedures (Supreme Court, Sydney)

14 Mar 2018 College of Law speech – professional ethics, Court etiquette and witness preparation (Banco Court, Sydney)

15 Mar 2018 Talk to students from Wauchope High School organised by Rule of Law Institute (Sydney)

23 Mar 2018 Fish or fowl? Employees, subcontractors and payroll tax – Session One speaker, Toongabbie Legal Centre Inc, Tax & Equity: Current and Contentious Issues - Ashurst offices (Sydney)

12 Apr 2018 Keynote address at UNSW to the 2018 Annual Symposium of AUSIT on "Implementing the Recommended National Standards for Working with Interpreters in Courts and Tribunals"

14 May 2018 "Australia's New Recommended National Standards for Working with Interpreters in Courts and Tribunals". Address to the Civil Rights Section, US Department of Justice (Washington DC, USA)

18 Jun 2018 "An Australian Judge's Close Encounters with the American Judiciary". Address to the New York Chapter of the International Law Section of the Law Council of Australia, Offices of Stone, Bonner & Rocco LLP (New York, USA)

09 Jul 2018 Commentator at the UNSW Law workshop "Uncloaking the Judiciary: The judicial role, style and image workshop"

18 Oct 2018 Talk to students from McCarthy Catholic College organised by Rule of Law Institute (Sydney)

06 Dec 2018 Talk to students from Galston High School and Kincumber High School organised by Rule of Law Institute (Sydney)

Publications:

The Future of Australian Legal Education, Law Book Co 2018. Co-editor with the Hon K. Lindgren QC and Emeritus Professor Michael Coper

"The Case that Changed Me", Law Society Journal, Nov 2018, Issue 60, p 66

Appointments to legal, cultural or benevolent organisations:

"The Case that Changed Me", Law Society Journal, Nov 2018, Issue 60, p 66

Member Editorial Board, Journal of Equity

Chairperson, Layne Beachley Aim for the Stars Foundation

Director, Opera Australia Capital Fund

THE HONOURABLE JUSTICE ROBB**Speaking engagements:**

27 Jun 2018 Bar Association CPD Seminar "DO's and DONT's of running a case in Equity" (Sydney)

Appointments to legal, cultural or benevolent organisations:

Chairperson, Legal Qualifications Committee, Legal Profession Admission Board

THE HONOURABLE JUSTICE DARKE**Conferences:**

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Publications:

General Editor of the Butterworth Property Reports

Appointments to legal, cultural or benevolent organisations:

Member of the Legal Profession Admissions Board Examinations Committee

THE HONOURABLE JUSTICE WRIGHT**Conferences:**

24 - 26 May 2018 ALJA Conference - Forces of Change, Defining Future Justice (Brisbane, Qld)

07 - 08 Jun 2018 2018 COAT National Conference - Toward the Horizon, Tribunals of the Future (Canberra, ACT)

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

07 Sep 2018 2018 COAT NSW Conference - Efficient, Informal & Fair, Tribunals Delivering Under Pressure (Sydney)

Speaking engagements:

| | |
|-------------|--|
| 22 Mar 2018 | Chair session - Advocacy In Tribunals (12 Wentworth Chambers) Presenters: Philip Simons, Michael Loewenstein and Daniel Tynan |
| 04 Sep 2018 | Panel discussion session - Powers of Tribunals - Government Solicitors' Conference (Sydney) |

Appointments to legal, cultural or benevolent organisations:

AIJA Council

THE HONOURABLE JUSTICE HAMILL**Conferences:**

03 – 07 Oct 2018 International Criminal Law Congress (Byron Bay, NSW)

Speaking engagements:

| | |
|-------------|--|
| 23 Mar 2018 | Guest speaker – Australian Defence Lawyers Alliance Conference “Judicial Bullying” (Sydney) |
| 03 Apr 2018 | Guest speaker – District Court Judges Conference “Developments in the Criminal Law” (Leura, NSW) |
| 01 May 2018 | Guest speaker – University of New South Wales “Non-Publication and Take Down Orders” (Sydney) |
| 01 Aug 2018 | Guest speaker – Local Court Annual Conference “Criminal Law Update” (Sydney) |

Appointments to legal, cultural or benevolent organisations:

Chair of the Examinations Committee at Legal Profession Admission Board

THE HONOURABLE JUSTICE NATALIE ADAMS**Conferences:**

20 - 24 Jan 2018 Supreme & Federal Court Judges Conference (Sydney)

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Speaking engagements:

| | |
|------------------|---|
| 03 - 04 Mar 2018 | Conference on “Sentencing: New Challenges” organized by the National Judicial College of Australia and the Australian National University College of Law. Presentation - “One punch laws and Judicial Responses to Alcohol-Fuelled Public Violence” (Canberra, ACT) |
| 24 Mar 2018 | “Reasonable Cause CPD”. Presenter - “Advocacy Tips - What Does the Bench Really Want?” (Sydney) |
| 30 Oct 2018 | Chair - Supreme Court seminar titled “The New Community Corrections Reforms” (Sydney) |

Appointments to legal, cultural or benevolent organisations:

Committee Member - Legal Qualifications Committee, Legal Profession Admission Board

Committee Member – ADR Steering Committee

THE HONOURABLE JUSTICE LONERGAN

Conferences:

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

05 - 07 Oct 2018 JCA Colloquium (Melbourne, Vic)

20 Oct 2018 Ngura Yura Community Judicial visit to Redfern (Sydney)

Speaking engagements:

26 May 2018 Final Mock Trial – Bar Practice Court Lecture (Sydney)

29 Aug 2018 OLMC “Women in Leadership Forum (Parramatta, NSW)

THE HONOURABLE JUSTICE PARKER

Conferences:

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

THE HONOURABLE ASSOCIATE JUSTICE HARRISON

Conferences:

24 - 25 Aug 2018 Supreme Court of NSW Annual Conference (Bowral, NSW)

Supreme Court of New South Wales

Law Courts Building
Queens Square
184 Phillip Street
Sydney NSW 2000
Australia

GPO Box 3
Sydney NSW 2001
Australia

DX 829 Sydney

Email: sc.enquiries@justice.nsw.gov.au

Internet: www.supremecourt.justice.nsw.gov.au



*Printed on FSC certified mixed source paper.
(ecoDesign ecoPrint FSC Cert no. C092723)*