

Commonwealth Law Conference

22 – 23 February 2024 | Melbourne

Program



Law Council
OF AUSTRALIA

*Federal Dispute
Resolution Section*

Commonwealth Law Conference

Program



Time	Thursday, 22 February 2024		
6.30pm - 8.30pm	<p>Welcome drinks</p> <p>Danish House - Level 3, 428 Little Bourke Street, Melbourne</p> <p><u>Chair:</u> Ms Pip Mitchell, Executive Member, Federal Dispute Resolution Section</p> <p><u>Speaker:</u> Ms Georgina Schoff KC, President, Victorian Bar</p>		
Time	Friday, 23 February 2024 Bourke Room		
8.00am	<p>Registration</p> <p>Racv City Club, 501 Bourke Street, Melbourne</p>		
8.30am	<p>Conference commences</p>		
8.30am - 8.45am	<p>Acknowledgement of country and opening remarks</p> <p><u>Speaker:</u> Mr Greg McIntyre SC, President, Law Council of Australia</p>		
8.45am - 9.15am	<p>First address</p> <p><u>Speaker:</u> The Hon Chief Justice Debra Mortimer, Federal Court of Australia</p>		
Time	Room 1	Room 2	Room 3
9.30am - 10.30am	<p>AAT</p> <p><u>Chair:</u> Mr Peter Woulfe, Chair, Federal Dispute Resolution Section</p> <p><u>Speaker:</u> The Hon Justice Emilios Kyrou AO, President, Administrative Appeals Tribunal (AAT)</p>	<p>Class actions</p> <p><u>Chair:</u> Mr Ben Slade, Executive Member, Federal Dispute Resolution Section</p> <p><u>Speakers:</u> The Hon Justice John Dixon, Former Judge, Supreme Court of Victoria</p> <p>Ms Kate Morgan SC, Barrister, Tenth Floor Chambers</p>	<p>Running and defending appeals</p> <p><u>Chair:</u> Ms Georgina Costello KC, Executive Member, Federal Dispute Resolution Section</p> <p><u>Speakers:</u> Mr Jeremy Ruskin KC, Barrister, Victorian Bar</p> <p>Mr Neil Young KC, Barrister, Victorian Bar</p>
10.30am	<p>Morning Tea</p>		

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Time	Room 1	Room 2	Room 3
11.00am - 12.00pm	<p>Current controversies and recent developments in statutory interpretation</p> <p><u>Chair:</u> The Hon Justice Catherine Button, Federal Court of Australia</p> <p><u>Speaker:</u> Mr Perry Herzfeld SC, Barrister, Eleven Wentworth Chambers</p>	<p>Climate change litigation</p> <p><u>Chair:</u> Ms Bronwyn Lincoln, Executive Member, Federal Dispute Resolution Section</p> <p><u>Speakers:</u> Mr Emrys Nekvapil SC, Barrister, Victorian Bar</p> <p>Ms Marita Hogan, Australian Securities and Investments Commission (ASIC)</p>	<p>Legal tech/AI</p> <p><u>Chair:</u> Mrs Valerie Pereira, Executive Member, Federal Dispute Resolution Section</p> <p><u>Speakers:</u> Professor Julian Webb, Melbourne Law School, Melbourne University</p> <p>Ms Jennie Pakula, Victorian Legal Services Board + Commissioner</p>
12.00pm - 12.30pm	Drinks and awards		
12.30pm - 1.30pm	<p>Second address</p> <p><u>Chair:</u> Ms Kate Slack, Executive Member, Federal Dispute Resolution Section</p> <p><u>Speaker:</u> The Hon Paul Le Gay Brereton SC, Commissioner, National Anti-Corruption Commission (NACC)</p>		
1.30pm - 3.00pm	Lunch		
3.00pm	Conference concludes		

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The Hon Chief Justice Debra Mortimer, Federal Court of Australia

In April 2023, Debbie Mortimer was appointed as the Chief Justice of the Federal Court of Australia. Chief Justice Mortimer is the fifth Chief Justice and the

first female Chief Justice of the Federal Court. She was previously a judge of the Federal Court since 2013. During this time she was a National Co-ordinating Judge in the Court's Native Title National Practice Area. Until 2021, she was also a National Co-ordinating Judge in the Administrative and Constitutional Law and Human Rights Practice Area, and a Migration Liaison Judge.

Prior to her appointments, Chief Justice Mortimer was a member of the Victorian Bar and was appointed Senior Counsel in 2003. Her practice included public law, anti-discrimination law, extradition and environmental law, and in all areas she acted for both applicants and respondents, for and against government, in state and federal jurisdictions including in the High Court. She had a substantial public interest practice and was involved in many ground-breaking cases over her 24 years at the Bar.

Chief Justice Mortimer remains a Senior Fellow at Melbourne Law School, a member of the Advisory Board of the Centre for Comparative Constitutional Studies at Melbourne Law School, and a member of Board of Advisers for the Public Law Review.



The Hon Justice Emilius Kyrou AO, President, Administrative Appeals Tribunal (AAT)

The Hon Justice Emilius Kyrou AO was a Judge of Appeal of the Victorian Court of Appeal from July 2014 until he was appointed

a Judge of the Federal Court of Australia. Between May 2008 and July 2014, Justice Kyrou was a Trial Judge of the Supreme Court of Victoria, where he was one of the judges in charge of the Supreme Court's Judicial Review and Appeals List.

From July 1990 until May 2008, Justice Kyrou was a senior litigation partner at the international legal firm that is now known as King & Wood Malletsons, where he specialised in administrative law and insurance law.

Justice Kyrou commenced his legal career in 1983 as an articled clerk at the firm that is now known as Corrs Chambers Westgarth and was a partner of that firm from July 1988 until July 1990. Justice Kyrou was born in Greece. His family migrated to Australia when he was eight years of age. Justice Kyrou was an inaugural member of the Judicial Council on Diversity and Inclusion. He is the patron of the Australian Greek Welfare Society ('Pronia') and the Victorian patron of the Hellenic Australian Lawyers Association.

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**The Hon Paul Le Gay Brereton SC,
Commissioner, National
Anti-Corruption
Commission (NACC)**

Paul Brereton SC was educated at Knox Grammar School and the University of Sydney, admitted as a solicitor in

New South Wales in 1982, called to the Bar in 1987 and appointed Senior Counsel in 1998. At the Bar, he had a diverse general practice. In 2005, he was appointed a Judge of the Supreme Court of New South Wales, where he was assigned primarily to the Equity Division, and was the Corporations List Judge and Adoptions List Judge. He was also the judge supervising the Costs Assessment Scheme on behalf of the Chief Justice. From 2013, he was also a member of the Defence Force Discipline Appeal Tribunal and from 2019 Deputy President of the Tribunal.

On 23 August 2018, he was appointed a Judge of Appeal. He retired from his judicial appointments on 31 May 2023, in order to assume the appointment of inaugural Commissioner of the new National Anti-Corruption Commission from 1 July 2023. He remains Deputy Chairperson of the NSW Law Reform Commission, to which he was appointed in 2016. He is one of the four authors of the current (tenth, 2019) edition of Nygh's Conflict of Laws in Australia. He enlisted in the Army Reserve in Sydney University Regiment in 1975, and was commissioned in the Royal Australian Infantry in 1979.

He has served as Second-in-command Sydney University Regiment (1994-6), Commanding Officer 4th/3rd Battalion, the Royal New South Wales Regiment (1997-99), Chief of Staff 5th Brigade (2004-5), Assistant Chief of Staff Land Headquarters (2006-7), and Commander 5th Brigade (2008-10). He was promoted Major General in December 2010 on appointment as Head of Reserves & Cadets (2011-2013).

In 2016-2020, as an Assistant Inspector-General of the Australian Defence Force he led the IGADF Afghanistan Inquiry into alleged war crimes in Afghanistan. He currently holds honorary appointments as Colonel Commandant of the Royal New South Wales Regiment and the University of New South Wales Regiment. He was appointed a Member of the Order of Australia in the Military Division in 2010 for exceptional service as Chief of Staff 5th Brigade, Assistant Chief of Staff Land Headquarters and Commander 5th Brigade.



**The Hon Justice John Dixon,
Former Judge,
Supreme Court of
Victoria**

Justice Dixon was appointed to the Supreme Court in September 2010 serving as a judge in the Trial Division for 13 years. His

Honour was the judge in charge of the Major Torts list in the Common Law Division which included defamation and media law cases and presided over several class actions from Black Saturday.

His Honour was appointed Principal Judge of the Common Law Division in 2018, a role he held until August of this year. Following the creation of a joint Group Proceedings List for both Commercial and Common Law Division matters, his Honour was appointed as a judge in charge of this list.

Justice Dixon has been appointed as a reserve judge of the Supreme Court. His Honour was admitted to practice in 1977, signed the Victorian Bar roll in 1981 and took silk in 2007.

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**The Hon Justice Catherine Button
Federal Court of Australia**

Justice Button was appointed to the Federal Court on 16 January 2023, having been a judge of the Supreme Court of Victoria since

2021. Her Honour graduated with a Bachelor of Arts and a Bachelor of Laws in 1997 from the University of Melbourne, and also studied as a Rhodes Scholar from 2000 to 2003, graduating from the University of Oxford with a Bachelor of Civil Law in 2000, a Master of Philosophy in Law in 2001 and a Doctor of Philosophy in 2003.

Justice Button was admitted as a barrister and solicitor in the Supreme Court of Victoria in 2000. Prior to going to the Bar in 2007, Justice Button was a senior associate with Minter Ellison in the commercial disputes division and also spent some time working in the United Kingdom at the Law Commission.



**Mr Greg McIntyre SC
President, Law Council of Australia**

Greg McIntyre commenced practice with the Aboriginal Legal Service of Western Australia in 1976 in Kalgoorlie, having completed his

Articles of Clerkship with the Crown Solicitor of Western Australia. The bulk of the first six years of his practice was in criminal law with the ALSWA in Kalgoorlie and Perth and in Cairns with the Aboriginal and Torres Strait Islander Legal Service of Queensland and the Njiku Jowan Legal Service.



**Ms Georgina Costello
KC, Barrister, Victorian Bar**

Georgina Costello KC is a barrister working in the areas of public law, property law, contract cases and tort litigation. She is Treasurer of the LCA's Federal Dispute

Resolution Section and Chair of the Migration Bar Association of the Victorian Bar.



**Mr Perry Herzfeld SC,
Eleven Wentworth Chambers**

Perry has a wide ranging commercial and public law practice, including: Administrative and public law; appellate practice; class action; commercial law;

constitutional law; insurance law; professional liability; and public & private international law.

He has appeared in the High Court, and in intermediate appellate courts and at the trial level in various jurisdictions. Perry was an associate to the Hon Justice Susan Crennan of the High Court of Australia in 2008-2009. Before his Associateship, Perry was a lawyer in the litigation department at Allens Arthur Robinson. In addition to general commercial litigation, his work included insurance litigation as well as insurance advice. While at Allens, Perry also spent time in mergers and acquisitions, where he worked on various takeover bids and schemes of arrangement.

Perry has a First Class Honours law degree and a Master of Laws from the University of Melbourne, and was awarded the Spero Wilson Memorial Scholarship for the student placed second on the Final Law Honours List. He is an author of the text *Interpretation* (2nd ed, 2020), which covers statutory interpretation, constitutional

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interpretation, the interpretation of private legal documents, interpretation of court orders and the rules of precedent. He has been published in national and international law journals, including in the areas of insurance, arbitration, private international law and constitutional law. He is a fellow of the Australian Academy of Law. Perry is the editor of the New South Wales Law Reports.

Ms Marita Hogan, Senior Executive Leader, Enforcement and Compliance, Portfolio Executive, Australian Securities and Investments Commission (ASIC)

Marita is ASIC's national portfolio lead for enforcement and compliance for the Superannuation, Life Insurance, Investment Management and Financial Advice sectors. She also leads delivery of a range of ASIC enforcement priorities including ESG and greenwashing enforcement action. Marita heads up a group of Senior Specialists and is responsible for the Enforcement and Compliance group's national Business Management Unit.

Previously, Marita was ASIC's Senior Executive Leader, Financial Services Enforcement, leading the Wealth Management Enforcement team. In this role, she oversaw ASIC's enforcement work in the superannuation and investment management sectors and built ASIC's enforcement pipeline for the superannuation sector following the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry.

Marita has previously held senior roles in a number of ASIC teams, including Financial Services Enforcement, the Wealth Management project team, Corporate Governance and Financial Advisers. Most recently, Marita has been leading ASIC's ESG greenwashing enforcement actions as well as ASIC's enforcement pipeline for design and distribution obligations. Before joining ASIC, Marita was a Senior Associate at major national law firm. She has more than 20 years' experience in regulation, enforcement and the law, and holds a Bachelor of Laws (Hons) and Bachelor of Arts (Hons).



Ms Bronwyn Lincoln Partner, Thompson Geer

Bronwyn is a Partner in the Disputes team with extensive experience in commercial litigation and international arbitration. She also regularly advises on conflicts of laws,

international treaty rights and obligations (including the CISG) and on the enforcement of foreign judgments and foreign arbitral awards in the Australian courts. Bronwyn's practice covers a range of industry sectors, including international trade, insurance, building and construction, energy and resources, pharmaceuticals, technology and renewables. She has a particular interest in the resolution of joint venture and shareholder disputes and a specialist practice in cross border and multi-jurisdictional matters.



Ms Pip Mitchell, Partner, Clayton Utz

Whether acting in disputes involving public law or general commercial disputes, Pip Mitchell combines a focus on the technical legal issues

with a strategic appreciation of the reputational and commercial issues at stake. Her technical expertise in public and administrative law, statutory interpretation and compliance, and freedom of information has come from considerable experience advising, acting (and appearing) in judicial review proceedings in State and Federal courts and tribunals. Although she acts for both public and private sector clients, Pip is sensitive of the unique needs of government, particularly the importance of acting and being seen to act as a model litigant.

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**Ms Kate Morgan SC,
Tenth Floor Chambers**

Kate Morgan has a broad national practice and appears throughout numerous jurisdictions (civil and criminal) with a focus on regulatory matters including cartels, corporations, consumer

protection, money laundering and foreign bribery. Her practice includes regulatory investigations and litigation, corporate and commercial litigation, class actions and general appellate matters. Kate was Associate to the Hon Michael Hudson McHugh AC QC in 1994. She attended Yale Law School in 1995/1996 and was admitted to practice in New York State in 1996 and practised as an attorney at Sullivan & Cromwell until 1998. Kate practised as a solicitor at Mallesons Stephen Jacques and then at the Commonwealth Director of Public Prosecutions before coming to the Bar.

Notable recent cases include acting for:

- Defendants in criminal cartel prosecutions in Victoria and New South Wales
- Manufacturers in product liability class actions
- Various defendants/appellants in civil penalty proceedings brought by ASIC and the ACCC in the Federal Court.

Education:

B.Ec. LLB (Hons) (Syd); LLM (Yale)

Ms Morgan is recognised in Chambers & Partners Asia Pacific Guide 2023 for Dispute Resolution: The Bar. She is listed in Doyle's Guide 2023 as Recommended Competition Law Senior Counsel in New South Wales, as well as Leading Commercial Litigation & Dispute Resolution Senior Counsel, New South Wales, 2022. She is also recognised in Best Lawyers Australia 2024 for her work in both Regulatory Practice and Class Action Litigation. In the Legal 500 guide 2023 she is classified as a Leading silk Band 1 in the area of Crime and Regulatory (including White-collar Crime) and Leading silk Band 2 in the area of Commercial Disputes.



**Mr Emrys Nekvapil SC
Victorian Bar**

Emrys practices in all jurisdictions, at trial and appellate level, and throughout Australia. He is a member of Koiki Mabo Chambers in Melbourne, 8 Petrie Terrace in Brisbane, and

William Forster Chambers in Darwin. Relevantly to his topic for this Conference, Emrys has appeared in significant climate change litigation, including:

- Judicial review of Commonwealth Environment Minister decision to approve Carmichael Coal Mine: first instance, *ACF v Minister for the Environment* (2016) 251 FCR 308; and on appeal, (2017) 251 FCR 359;
- Judicial review of Queensland Land Court decision to recommend approval of Alpha Coal Mine, special leave application: *CCAQ v Smith* [2017] HCATrans 74;
- Judicial review of Victorian Planning Minister decision to permit Golden Plains Wind Farm, first instance and appeal: first instance, *Cumming v Minister for Planning* [2019] VSC 811; and on appeal, (2020) 245 LGERA 164;
- Objection to Galilee Coal Project, including on grounds under the *Human Rights Act 2019* (Qld): strike-out application re human rights grounds, *Waratah Coal Pty Ltd v Youth Verdict Ltd* [2020] QLC 33; substantive recommendation, [2022] QLC 21;
- Negligence claim concerning apprehended Commonwealth Environment Minister decision to approve Vickery Extension Project: first instance, *Sharma v Minister for the Environment* (2021) 391 ALR 1; and on appeal, (2022) 291 FCR 311;
- Judicial review of Commonwealth Environment Minister decision to not reconsider controlled action decisions about proposed Mount Pleasant Optimisation Project and Narrabri Underground Mine Stage 3 Extension Project: first instance, *Environment Council of Central Queensland Inc v Minister*

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for the Environment and Water (No 2) [2023] FCA 1208; appeal filed November 2023;

- Judicial review of NT Environment Minister decision to approve Environment Management Plan for Amungee NW Delineation Program Exploration Permit 98: separate questions heard before Grant CJ, NTSC, 7 and 8 November 2023, judgment reserved.



Ms Jennie Pakula
Lawyer Regulation
Expert, Innovation
Enabler

Jennie worked in legal services regulation from 1994-2023. She has been an ethics adviser and complaint handler with the Law

Society of NSW, and in Victoria, she has conducted investigations and prosecutions. From 2010-2018, she managed the team that dealt with the bulk of complaints and enquiries. In that role, she read and allocated about 14,000 client complaints, pioneered the innovative Rapid Resolution approach to complaint handling, instigated a number of policy initiatives and designed the first iteration of the VLSB+C's compliance auditing program.

Jennie's last role at the VLSB+C was as Manager, Innovation & Consumer Engagement. In that role, she gained a deeper understanding of the consumer experience of legal services and worked closely with our expert Consumer Panel. Jennie conceived and executed many initiatives designed to overcome barriers to innovation, including devising and running the 'Innovation In-box', where legal services innovators receive regulatory guidance on new ways of working.

She was responsible for a series of practical regulatory guidance pieces, the most recent relating to lawyers' use of generative AI. Throughout her career, Jennie has seen and deeply understood systemic problems and common issues and has converted these insights into practical guidance

for consumers and the profession. She particularly loves encouraging and helping lawyers who want to do things differently.



Ms Valerie Pereira,
Accredited Specialist in
Immigration Law

Valerie is the immediate past Chair of the LCA's Migration Committee. Since joining the LCA Migration Committee, Valerie have been

an active participant and been instrumental in organising the Migration Law Conferences in 2015, 2016, 2017, 2018, 2019 and 2020, 2021 and 2022. Valerie also has a boutique law firm in Melbourne with a particular speciality in work and talent visas for Silicon Valley clients who wish to migrate to Australia. Valerie is registered as a foreign legal consultant with the State Bar of California.



Mr Jeremy Ruskin KC,
Victorian Bar

Jeremy Ruskin KC is a member of the Victorian Bar. After admission to practice, he worked for six years at the Melbourne firm of Galbally & O'Bryan

whose principal was Frank Galbally, then one of the pre-eminent criminal advocates in Australia. Mr Ruskin came to the Victorian Bar in 1979 and took Silk in 1996.

Mr Ruskin's areas of speciality embrace the civil law, in particular torts generally, medical malpractice law, insurance law and media law. His special interest in the law of tort relates to the issue of duty of care. He has an expertise in defamation law, suppression and contempt proceedings, having appeared in many trials before judges alone and juries. He has worked extensively in the appellate level of the Victorian Court of Appeal in a range of civil matters, particularly in relation to personal

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injury, defamation and judicial review. In 2012, he appeared for Google in the Victorian Supreme Court trial which for the first time raised for determination by a jury in a defamation trial, the question whether Google, through its search engine, is a publisher.

Mr Ruskin has appeared on a number of occasions in the High Court of Australia. He appeared for Victoria Police in the case of *Stuart v Kirkland-Veenstra*, which determined that police do not owe a duty of care to prevent suicide, and for the hotel interests in CAL No. 14 Pty Ltd t/as "Tandara Motor Inn" & *Anor v Scott & Anor* which determined that a hotel owes no duty of care to a drunken patron who insists upon the return of his keys so as to drive home (which journey ultimately led to the death of the patron). Both these cases originated from the courts of Tasmania.

Mr Ruskin appeared in the High Court in the case of *Badenach v Calvert*, (a case which again originated in Tasmania) successfully arguing that a solicitor has a limited duty of care both to testator and potential beneficiary in relation to advising with respect to a Will, that duty not extending to advice in relation to how to avoid the reach of testator family maintenance legislation.

Mr Ruskin has arbitrated disputes between insurance interests, eg. VWA and Occupiers, and regularly appears for medical and legal practitioners in the Victorian Civil and Administrative Tribunal.



Ms Kate Slack
Barrister, Higgins
Chambers

Kate regularly appears, both led and unled, in federal and state jurisdictions at trial and appellate level. She practises

nationally in the Federal Court of Australia and the Administrative Appeals Tribunal and travels regularly for appearances. Kate appeared for the plaintiffs in the two most recent High Court cases

on the operation and application of the power in s 51(xix) of the Constitution: the ground-breaking case of *Love v Commonwealth of Australia* [2020] HCA 3; (2020) 270 CLR 152 (where she was led by Stephen Keim SC) and, *Chetcuti v Commonwealth of Australia* [2021] HCA 25; 95 ALJR 1 (where she was led by Georgina Schoff KC and Georgina Costello KC). Kate is frequently briefed in complex judicial review proceedings (see, for example, *Norouzi v The Director of the Professional Services Review Agency* [2020] FCA 1524; *Byron Aged Care Limited v Aged Care Quality and Safety Commissioner* [2022] FFCA 1060 (unled against Silk)).



Mr Ben Slade
Barrister, William
Forster Chambers (NT)

After almost 10 years at Sydney's Redfern Legal Centre working on human rights and consumer law, Ben was appointed the Manager, General Law, Legal Aid

Commission of NSW where he oversaw a practice of over 100 lawyers and others working on civil law matters. In 2000, he joined Maurice Blackburn's Class Action department before becoming the Managing Principal, NSW, Maurice Blackburn in 2006. He left Maurice Blackburn in January 2022 to join the Bar in Darwin.

Class actions that Ben has conducted and supervised have recovered over \$1 billion for investors, consumers and victims of human rights abuses.

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Mr Julian Webb
Melbourne Law School,
Melbourne University

Julian Webb joined Melbourne Law School in 2014 from the University of Warwick in the UK. He holds a concurrent appointment as an Honorary

Professor of Law at the University of Exeter, and has previously held visiting appointments at University College, London, the Institute of Advanced Legal Studies, University of London, and Cleveland-Marshall College of Law in the USA. He is a member of the Singapore Academy of Law's Legal Industry Framework for Training and Education (LIFTED) global faculty, a Fellow of the Royal Society of Arts, and an academic Bencher of the Honourable Society of the Inner Temple, one of the four ancient Inns of Court that govern the English Bar.

Julian's research focuses on the ethics and professional regulation of lawyers; developments in the market for legal services; law and technology, and legal education policy and practice. He has published widely across these fields, including *Professional Legal Ethics: Critical Interrogations* (Oxford UP, 2000, with Donald Nicolson), *Lawyering Skills and the Legal Process* (Cambridge UP, 2005, with Caroline Maughan) and the edited collection, *Leading Works in Legal Ethics* (Routledge, forthcoming). In 2016, he was identified in a study by the International Bar Association as one of the world's fifteen most cross-cited scholars on innovation and disruption in legal services.



Mr Peter Woulfe,
Barrister, Blackburn
Chambers

Peter Woulfe has been recognised as one of Canberra's leading commercial and dispute resolution barristers: *Doyle's Guide*, 2020 & 2021. Peter has a

civil practice in a range of practice areas, with a particular focus on government and administrative law. Peter has also been regarded as one of Australia's foremost Commonwealth compensation barristers, having worked on various matters of importance to the application of the *Safety, Rehabilitation and Compensation Act 1988* (Cth).



Mr Neil Young KC,
Victorian Bar

Neil has an extensive commercial law practice, with substantial experience in corporations law, banking and finance, competition, taxation,

mining and energy law and intellectual property. Neil practises in all jurisdictions, appearing regularly in the High Court, the Full Federal Court and State Courts of Appeal, in particular in New South Wales, Victoria (where he maintains chambers at Ninian Stephen Chambers) and Western Australia.

Neil was Chairman of the Victorian Bar in 1997 and 1998, and President of the Australian Bar Association in 1999. In 2005, Neil was appointed as a judge of the Federal Court of Australia, resigning in 2007 to return to private practice