



ARBITRATION
MEDIATION

The Hon James Allsop AC

Call: 1981 | Senior Counsel: 1994 (New South Wales) | Queen's Counsel: 1998 (Western Australia)

PRACTICE

The Hon James Allsop AC was Chief Justice of the Federal Court of Australia from 1 March 2013 to 6 April 2023.

He is now available as an arbitrator, mediator, chair of inquiries and legal expert.

James' expertise includes company law and business and partnership disputes - taxation, restrictive trade practices (anti-trust), patents and intellectual property with specialties in insurance, intellectual property, maritime law, and insolvency - and public and constitutional law, equity, and common law, in particular professional negligence of auditors, solicitors and insurance brokers.

As a barrister from 1981, and as Senior Counsel (in New South Wales) from 1994 and as Queen's Counsel (in Western Australia) from 1998, James practised in a wide variety of areas in commercial law.

James was made a Companion of the Order of Australia (AC) in 2023 for eminent service to the judiciary and to the law, to organisational and technological reform, to legal education, and to insolvency law. He was appointed an Officer of the Order of Australia (AO) in 2013.

JUDICIAL CAREER

Chief Justice of the Federal Court of Australia	1 March 2013 to 6 April 2023
President of the New South Wales Court of Appeal	8 June 2008 to 28 February 2013
Judge of the Federal Court of Australia	7 May 2001 to 7 June 2008
An Additional Judge of the Supreme Court of the Australian Capital Territory	2003 to 2008

The Federal Court of Australia is the national superior court set up under legislation of the Commonwealth (that is the national) parliament and is of equivalent status to the Supreme Court and Courts of Appeal of the States and Territories of Australia. The jurisdiction of the court includes a wide commercial practice area: commercial contracts, banking, finance and insurance, corporations, insolvency (corporate as well as personal bankruptcy), trade practices or competition and market regulation, supervision of international commercial arbitration, intellectual property (patents, trademarks, designs and copyright), taxation, Admiralty and maritime law, public or administrative and constitutional law.

As a Judge of the Federal Court, he undertook a full range of the work of the Court, sitting as a trial judge and as an appellate judge, on cases involving the full range of the Court's jurisdiction.

While in the Federal Court up to 2008, he was the Convenor of the National Admiralty Committee of the Federal Court which committee advised the then Chief Justice on Admiralty matters and National Convening Judge and Sydney Registry Convening Judge in respect of the Admiralty and maritime work of the Federal Court. From 2013 to 2023 as Chief Justice he primarily sat on appeals, but from 2016 to 2023 he was in charge of the Insurance List of the Federal Court which involved case management, trial work and appellate work.

The Court of Appeal is the highest court in New South Wales. The President of the Court of Appeal is the second most senior judicial position in New South Wales.

Judicial work

In the Federal Court from 2001 to 2008 and from 2013 to 2023, he delivered or participated in the delivery of over 500 judgments sitting alone at first instance, and over 700 judgments in Full Courts on appeal or at first instance.

In the Supreme Court of New South Wales between 2008 and 2013, he delivered or participated in the delivery of 415 judgments in the Court of Appeal and 100 judgments in the Court of Criminal Appeal.

Some judgments in commercial law, shipping, insurance, intellectual property and insolvency have been:

- **ACCC v NSW Ports** [2023] FCAFC 16 [concerning the competition allegations in connection with the privatisation of ports in New South Wales]
- **Minister for the Environment v Sharma** [2021] FCAFC 35 [concerning duty of care said to be owed in relation to the risk of climate change]
- **Morton as Liquidator v Metal Manufacturer** [2021] FCAFC228 [concerning set off in insolvency of multiple preferences]
- **Liberty Mutual v Icon** [2021] FCAFC 126 [concerning construction of and rectification of insurance policies]
- **Kingdom of Spain v Infrastructure Services** [2021] FCAFC3 [concerning recognition and enforcement of ICSID awards]
- **Tech Swiss v Vero Insurance** [2021] FCA 95 [subrogation and recoupment in insurance]
- **Hancock Prospecting v Rinehart** [2017] FCAFC120 [concerning the construction of arbitration clauses and the stay of proceedings in favour of arbitration]
- **Lifepan Australia v Ancient Order of Foresters** [2017] FCAFC 74 [concerning causation in Equity]
- **Chevron Australia v Commissioner of Taxation** [2017] FCAFC 62 [concerning the construction and interpretation of transfer pricing provisions of Australian taxation legislation]
- **Todd v Alterra at Lloyds** [2016] FCAFC 15 [concerning the proper construction of insurance policies]
- **Ship “Sam Hawk” v Reiter Petroleum Ltd** [2016] FCAFC 26; 246 FCR 337; 335 ALR 578 [concerning the recognition of foreign maritime in Australian maritime law]
- **Paciocco v Australia and New Zealand Banking Group Ltd** [2015] FCAFC 50; 236 FCR 199; 321 ALR 584 [concerning the law of penalties, good faith and the meaning of statutory unconscionability]
 - Cited: *Makdessi v Cavendish Square Holdings BV ParkingEye Ltd v Beavis* [2016] AC 1172 at [129], [151] and [153]; *Sheikh Tahnoon Bin Saeed Bin Shakhboot Al Nehayan v Ioannis Kent* [2018] EWHC 333 (Comm) at [175].
- **United Group Rail Services Ltd v Rail Corp (NSW)** [2009] NSWCA 177; 74 NSWLR 618 [concerning good faith in the performance of contracts]
 - Cited: *Emirates Trading Agency LLC v Prime Mineral Exports Private Ltd* [2014] 2 Lloyd’s Rep 457 at [48]-[49]; *Emirates Trading Agency LLC v Sociedade de Fomento Industrial Private Ltd* [2015] EWHC 1452 (Comm) at [61]; *Unwin v Bond* [2020] EWHC 1768 (Comm) at [219]; *Compound Photonics Group Ltd, Re* [2022] EWCA Civ 1371 at [188]-[212].
- **McCarthy v St Paul International Insurance Co Ltd** [2007] FCAFC 28; 157 FCR 402; 239 ALR 527; 14 ANZ Ins Cas 61-725 [concerning professional negligence and causation]
 - Cited: *Financial Conduct Authority v Arch Insurance (UK) Ltd* [2021] UKSC 1 at [172] and [187].

- **Comandate Marine Corp v Pan Australia Shipping Pty Ltd** [2006] FCAFC 192; 157 FCR 45; 238 ALR 457 [concerning the proper character of the action in rem in Australia; and the proper approach to the constitution of arbitration clauses]
 - Cited: *Fiona Trust & Holding Corp v Privalov* [2007] UKHL 40 at [31].
 - **New England Biolabs Inc v F Hoffmann-La Roche AG** [2004] FCAFC 213; 141 FCR 1 [concerning the nature of an interlocutory appeal against the decision of the Commissioner of Patents]
 - **El Greco (Australia) Pty Ltd v Mediterranean Shipping Company Co SA ('The 'MSC Melbourne')** [2004] FCAFC 202; 140 FCR 296; 209 ALR 448; [2004] 2 Lloyd's Rep 537 [concerning the approach to Article 4 Rule 5(c) of the Hague-Visby Rules package limitation 'packages or units as packed']
 - Cited: *Jl MacWilliam Co Inc v Mediterranean Shipping Co SA* [2005] 2 AC 423 at [8]; *Vinnlustodin HF v Sea Tank Shipping AS* [2016] EWHC 2514 (Comm) at [22]-[29]; *Sea Tank Shipping AS (formerly known as Tank Invest AS) v Vinnlustodin HF* [2018] EWCA Civ 276 at [39]-[57]; *Kyokuyo Co Ltd v AP Moller-Maersk A/S (t/a Maersk Line)* [2017] EWHC 654 (Comm) at [77]-[82]; *AP Moller-Maersk A/S (t/a Maersk Line) v Kyokuyo Ltd* [2018] EWCA Civ 778 at [83]; *Trafigura Pte Ltd v TTK Shipping Pte Ltd* [2023] EWHC 26 (Comm) at [37].
 - **Tisand Pty Ltd v MV Cape Moreton** [2004] FCA 1191 [concerning Admiralty practice and the appropriate course to follow upon a challenge to jurisdiction and the provision of security and security for costs]
 - **Incitec Ltd v Alkimos Shipping Corporation** [2004] FCA 698; 138 FCR 496; 206 ALR558 [concerning principles of applying or not an exclusive jurisdiction clause]
 - **DSE (Holdings) Pty Ltd v Intertan Inc** [2004] FCA 1159 [concerning the interpretation and construction of commercial contracts; estoppel and rectification]
 - **DSE (Holdings) Pty Ltd v Intertan Inc** [2003] FCA 384; and [2003] FCA 1191 in 135 FCR 151 [concerning legal professional privilege, waiver and advice privilege in a commercial context]
 - **Anheuser-Busch, Inc v Budejovicky Budvar, Narodni Podnik** [2002] FCA 390; 56 IPR 182; (2002) AIPC 91-789 [concerning the Budweiser trade mark dispute]
 - **Branir Pty Ltd v Owston Nominees (No 2) Pty Ltd** [2001] FCA 1833; 117 FCR 424 [concerning the nature of appellate review on a rehearing; and the formation and construction of commercial contracts.]
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POSITIONS AND MEMBERSHIPS

Fellow of the Australian Academy of Law.

Member of the American Law Institute.

Titulary Member of the Comit  Maritime International on 20 October 2022.

Honorary Bencher of the Middle Temple, being elected in 2010 and Called on 22 March 2011.

President of the Francis Forbes Society for Australian Legal History.

2019 to 2023 Chair of the Judicial Liaison Committee of the Australian Centre for International Commercial Arbitration (ACICA).

Since 2019 Member of the board of governors of the Asian Business Institute (ABLI) representing the Australian judiciary. Through the ABLI he has been actively involved in the International Asian Principles of Business Reconstruction Project.

Since 2018 Inaugural Patron of the Australian Insurance Law Association (AILA).

Since 2016 Involved in the establishment, organisation and working of the Standing International forum of Commercial Courts (SIFoCC) and current member of its steering committee. Previously involved in the international Judicial Insolvency Network (JIN).

2015 to 2017 Chair of the expert group in the Hague Conference on Private Law (HCCH) on the Use of Video-link in the Taking of Evidence Abroad.

2005 to 2009 Member of the governing board of the World Maritime University in Malmö, Sweden.

2008 to 2011 Member of the board of the Australian Maritime College as part of the University of Tasmania in Launceston.

TEACHING

Over the years James has lectured and spoken at various academic and professional gatherings including the Maritime Law Association of Australia and New Zealand (MLAANZ), AILA, the Intellectual Property Association of Australia and New Zealand, the Institute of Patent Attorneys, the Australian National University, the Centre for Asian and Pacific Law in the University of Sydney, and the New South Wales Bar Association.

2015 to 2018 Taught part-time in maritime law on comparative Admiralty practice at the University of Queensland, and from 2016 to 2018 was an Adjunct Professor in the School of Law, the University of Queensland.

2005 to 2014 Co-ordinated, and delivered post-graduate courses at the University of Sydney entitled “Commercial Maritime Law” and “Comparative Admiralty and Maritime Practice”, and for some years of that time, was an Adjunct Professor of Law at the University of Sydney.

2000 to 2004 Lecturer in a Master of Laws Course at the University of Sydney entitled “Equity Financing”.

1985 to 1992 Lecturer in Bankruptcy and then Insolvency at the University of Sydney, being for a number of years the Challis Lecturer in Bankruptcy.

1981 to 1983 Tutor at the University of Sydney in Real Property and Equity.

PUBLICATIONS AND PAPERS

The Hon James Allsop AC was an Associate Editor of the Insurance Law Journal published by Butterworths from its inception in 1987 until 1998 and the author of two articles in this journal: “*Some Thoughts on the Notion of Life Insurance*” (1992) 5 ILJ 123; and “*Bryan v Maloney and Other Developments in Relation to the Duty of Care in Tort*” (1996) 7 ILJ 81.

Other papers and lectures include:

- “*Beneficial Ownership of Vessels – Navigating the Maze – Litigation Aspects*”. Paper delivered to Maritime Law Association of Australia and New Zealand (MLAANZ) conference in 2000.
- “*The Control of the Executive by the Courts*”. Paper delivered at the Australian National University on 01 November 2002.
- “*Federal Jurisdiction and the Jurisdiction of the Federal Court in 2002*” lecture to the NSW Bar Association and later published in the December 2002 part of the *Australian Bar Review*.
- “*Admiralty Jurisdiction & Marine Insurance. A lecture to the NSW Bar Association*” on 24 September 2003.
- “*Possible Issues in Admiralty Reform*”. Paper delivered to MLAANZ Conference 2 October 2003.
- “*Federal Jurisdiction II*”. Lecture to the NSW Bar Association on 27 November 2003.
- “*Appeals from IP Australia - Their Nature and Conduct*”. A lecture to the Intellectual Property Society of Australia and New Zealand on 12 September 2004.
- “*Discovery in Intellectual Property Litigation*”. Paper delivered at the Fédération Internationale Des Conseils en Propriété Industrielle (FICPI) Conference, Venice in October 2004.
- “*Statutes: Some Comments on Context and Meaning*”: Paper presented to the NSW Bar Association on 18 February 2005.
- “*Expert Material and Evidence in Patent and Trade Mark Matters in the Office and on “Appeal”*”. Address to the Institute of Patent and Trade Mark Attorneys of Australia 2005 Annual Conference Gold Coast on 1 April 2005.
- “*Maritime dispute resolution: some suggestions for development*”. University of Queensland and Blake Dawson Waldron – Brisbane – address on World Maritime Day on 30 September 2005.
- “*Principles of Transnational Civil Procedure*”. Paper presented at the Seminar on UNIDROIT Work on International Commercial Contracts, Finance and Arbitration and its Relevance for Indonesian Business – Jakarta on 28 November 2005.
- “*Australian Admiralty and Maritime Law – Sources and Future Direction*. Paper presented as the Annual Richard Cooper Memorial Lecture – Federal Court of Australia, Brisbane on 6 September 2006.

- “*International commercial law, maritime law and dispute resolution: the place of Australia, New Zealand the Asia Pacific Region in the coming years*”. FS Dethridge Memorial Address presented at the MLAANZ Conference – Sydney on 28 September 2006.
- “*Admiralty Jurisdiction: Some basic considerations and some recent Australian cases*. Paper presented the University of Newcastle Maritime Interest Group, MLAANZ (NSW & ACT Branches) and the University of Canberra” on 18 April 2007.
- “*International Maritime Arbitration: Legal and Policy Issues*”. Paper Presented to World Maritime University – Malmö on 14 May 2007, and on 4 December 2007 to the Australian Maritime Transport Arbitration Commission (AMTAC).
- “*English and Australian Maritime Law – A Past and Continuing Relationship*”. Paper Presented to the Anglo-Australasian Lawyers Society and the London Shipping Law Centre – London on 23 May 2007.
- “*An Introduction to the Jurisdiction of The Federal Court of Australia*” - Federal Civil Litigation Precedents (FCLP) Lexis Nexis publication.
- “*Farah Constructions v Say-Dee Pty Ltd – Some Reflections for Intermediate Courts of Appeal*” – Australian Institute of Judicial Administration Appellate Judges’ Conference, Melbourne, 7 November 2008.
- “*Maritime Law – the Nature and Importance of its International Character*” – Annual William Tetley Lecture at Tulane University, New Orleans, 15 April 2009. (Published in the Australian Law Journal [Vol 84 p 681] and the Tulane Journal of Maritime Law).
- *Professionalism and commercialism – conflict or harmony in modern legal practice?* Australian Academy of Law – Sydney Symposium, 5 May 2009 (Published in the Australian Law Journal [Vol 84 p 865]).
- “*Queensland’s Constitutional Inheritance from New South Wales*” – Brisbane, 29 May 2009 at a conference marking Queensland’s 150 years of responsible government. (Published by Supreme Court of Queensland Library).
- “*The Judicial Disposition of Competition Cases*” – Adelaide, 17 October 2009 at the 7th Annual University of South Australia Trade Practices Workshop (Published by LexisNexis Butterworths).
- “*Marine Insurance Act 1909: 100th Anniversary Sydney*” Sydney 11 November 2009 – Occasional Address to Maritime Law Association of Australia and New Zealand.
- “*Is there a place for regional dispute resolution structures? Maritime law as a case study*” 13 January 2010, paper delivered at a conference of Asia Pacific Commercial Judges in Hong Kong.
- “*Good Faith and Australian Contract Law – A Practical Issue and a Question of Theory and Principle*” Armidale, August 2010, the Annual Frank Kitto Memorial Lecture at the University of New England.

- “*Key Issues for International Commercial Arbitration in Australia*” Sydney, 15 October 2010, paper delivered at an arbitration conference organised by the Australian Financial Review.
- “*Causation in Commercial Law*” Sydney, 18 December 2010, delivered at the “Torts in Commercial Law Conference” jointly organised by University of New South Wales and Oxford University, published in S Degeling et al (Eds) *Torts in Commercial Law* (Law Book Co 2011).
- CIArb’s Asia Pacific Conference 2011, Investment & Innovation: “*International Dispute Resolution in the Asia Pacific International Arbitration and the Courts: the Australian Approach*”.
- Speech on the retirement of Spigelman CJ, 31 May 2011.
- “*Causation, Perils of the Seas and Inherent Vice in Marine Insurance*” Australian Insurance Law Association, 20 July 2011.
- “*The Influence of the United States on Admiralty Law in Australia*”, The Maritime Law Associations of the United States, Canada, Australia and New Zealand, Fall Meeting Continuing Legal Education in Hawaii December 2 – 7, 2011.
- “*Written submissions – what judges love (and hate)*”, Lincoln’s Inn January 2012.
- “*Legal theory and everyday judging*”, Presented to the Oxford Australian and New Zealand Society Magdalen College, Oxford 23 February 2012.
- “*A Life in the Law*” David Hargraves Hodgson, 10 August 1939 - 5 June 2012.
- LPAB Diploma in Law Awards Occasional Address, Great Hall, University of Sydney, 13 July 2012.
- “*The Nature of the Trustee’s Right of Indemnity and Its Implications for Equitable Principle*”, 18 July 2012.
- “*Some reflections on the nature of law and power*”, Supreme Court of Western Australia, Judges’ Conference, 18 August 2012.
- “*The Central Role of Insurance in Modern Society and in the Development of the Law*” AILA National Conference, Hobart, 1 November 2012.
- “*The Importance of the Relationship Between the Courts and the Profession*”, City of Sydney Law Society Annual Dinner, 14 November 2012.
- “*Incoherence in Australian Private International Laws*”, this article is based on a paper delivered at the Sydney Centre for International Law conference, ‘Facing Outwards: Australian Private International Law in the 21st Century’ (Sydney Law School, 10 April 2013).
- Recent Charterparty Decisions, Lunchtime Lecture for MLAANZ and University of Newcastle, 26 June 2013.
- “*Justice Joseph Story*” with A Foong published in J Gleeson et al (Eds) *Historical Foundations of Australian Law Vol 1* (Federation Press 2013) Ch 13.
- “*The History of Bankruptcy and Insolvency Law in England and Australia* with L Dargan published in J Gleeson et al (Eds) *Historical Foundations of Australian Law Vol 2* (Federation Press 2013) Ch 16.
- “*IP Remedies and their Leal and Equitable Origins*”, IPSANZ Conference Noosa, 22 September 2013 – Not for Citation or publication.

- “*The Role of Experts in the Whaling in the Antarctic Case*”, The Honourable James Allsop and Jasmine Still, 15 October 2013.
- “*The Authority of the Arbitrator*”, 2013 Clayton Utz Sydney University International Arbitration Lecture, 29 October 2013. Article adapted & published in *Arbitration International*, Volume 30, Issue No. 4 (2014) – The Journal of the London Court of International Arbitration.
- “*Accrued*” Federal Jurisdiction and the Family Court, 8 November 2013
- Conference, 5 December 2013, co-presented by International Bar Association Arbitration Committee, ACICA and the Business Law Section of the Law Council of Australia – Welcome address by Chief Justice Allsop.
- “*Civility, reason, fairness and justice, and the law*”, speech following the opening of the Law Term Service at the Great Synagogue, Sydney, 12 February 2014.
- “*Judicial Support of Arbitration*”, paper jointly presented at the APRAG Tenth Anniversary Conference, Melbourne, by the Hon Chief Justice James Allsop and the Hon Justice Clyde Croft, Supreme Court of Victoria, 28 March 2014.
- “*Judicial Case Management and the problem of costs*”, an invitation to speak at Lord Dyson lecture on The Jackson Reforms to Civil Justice in the UK hosted by University of NSW, Faculty of Law held at Herbert Smith Freehills, 9 September 2014. Published in *Australian Bar Review* (2015) 39 Aust Bar Rev 228. Also published in Law Society of Western Australia “Brief” Part 1 May 2015, “Brief” Part 2 June 2015.
- “*The United States and the Australian Constitution: The influence of US constitutional model on development and interpretation of the Australian Constitution*”, Forbes Society lecture, 10 September 2014. Joint paper with Kathleen Morris. Published in *Australian Law Journal* (2015) 89 ALJ 309.
- “*Unconscionability*”, 12th Annual Competition & Consumer Workshop, Adelaide, 10-11 October 2014.
- “*A Judicial perspective on current developments and challenges in conducting litigation in the Federal and Supreme Courts*”, Victorian Bar & Law Institute of Victoria Conference, 17 October 2014.
- “*International Commercial Arbitration – the Courts and the Rule of Law in the Asia Pacific Region*”, 2nd Annual Global Arbitration Review, Sydney, 11 November 2014. Published The CI Arb Australia News December 2014 (page 21); (2015) 81 Arbitration, Issue 2.
- “*Some Observations as to why Toongabbie Legal Centre is important*”, 7th Annual dinner of the Toongabbie Legal Centre, special guest speech, 28 November 2014.
- “*Australia – a vital commercial hub in the Asia Pacific region: the importance of and challenges for Australian commercial courts and arbitral institutions*”, National Commercial Law Seminar, Monash University Melbourne, 25 February 2015.
- “*The international maritime security regime – the general maritime law – reality, not theory*”, Keynote speech presented at MLAANZ NSW 2015 Biennial Mini Conference, Bowral, 27 February 2015.

- *“The role of the Model Law in promoting effective cross-border insolvencies”*, Judicial Colloquium on Insolvency at INSOL International Annual Regional Conference, San Francisco, 22 March 2015.
- *“Nationalism, never dies: universalism, treaties and comity”*, INSOL International Annual Regional Conference, San Francisco, 24 March 2015.
- *“Judging and Community Values”*, Judges and the Academy 2015 Seminar program, Monash University Law Chambers, Melbourne, joint paper with Justice Basten, 17 April 2015.
- *“International Maritime Arbitration”*, CIArb Diploma course in International Commercial Arbitration panel session, participated with Gregory Nell SC and Ron Salter, Commercial & Maritime Arbitrator, 25 April 2015.
- *“The Indemnity in Charterparties”*, International Congress of Maritime Arbitrators (ICMA) XIX Hong Kong Seminar, 11 May 2015.
- *“Role of the judge in international arbitration – from the perspective of the judge”*, International Council of Commercial Arbitration (ICCA) Judicial Forum, Hong Kong, 12 May 2015.
- *“Celebration of the Centenary of the Chartered Institute of Arbitrators”*, Address to the Queensland Chapter, at CIArb Centenary Event, Brisbane, 27 May 2015.
- UNCITRAL Delegates dinner speech, UNCITRAL Australia Seminar, Kurrajong Hotel, Canberra, 28 May 2015.
- *“Section 54 Resolved? And What has this got to do with Non-Disclosure and Policy Drafting”*, Australian Insurance Law Association Twilight Seminar Series, Minter Ellison Sydney, 24 June 2015.
- *“National Courts and Arbitration: Collaboration or Competition?”*, CIArb London Conference, 2 July 2015. Published by Chartered Institute of Arbitrators Journal *Arbitration* – (2015) 81 Arbitration, Issue 4, November 2015.
- Chapter 3: *Sources of Methods of Law* written by Chief Justice Allsop and Kathleen Morris: Henri Capitant book project with French Australian Lawyers Society.
- Chapter 11: *Restitution and Unjust Enrichment* written by Chief Justice Allsop and Justice Edelman: Henri Capitant book project with French Australian Lawyers Society.
- *“The Development and adoption of an Australian Commercial Law”*, Australian Dispute Centre and Melbourne Commercial Arbitration and Mediation Centre inaugural joint seminar in Sydney, 23 September 2015.
- *“Conscience, Fair-Dealing and Commerce – Parliaments and the Courts”*, Conference in honour of Professor Paul Finn, 25 September 2015. Published by Federation Press *“Finn’s Law – An Australian Justice”*. Also published in (2017) 91 Australian Law Journal 820.
- *“Values in Public Law”*, The James Spigelman Oration, 27 October 2015. Published in The Judicial Review, Selected Papers, Volume 13 – Number 1, September 2016. Also published in (2017) 91 Australian Law Journal 118.
- *“Restitution: Some Historical Remarks”*, Forbes Society Australian Lawyers Tutorial Lecture, 4 November 2015. Also published in (2017) 90 Australian Law Journal 561.

- “*Comity and Commerce*”, Session 6: Address to the 16th Conference of Chief Justices of Asia and the Pacific in Sydney, 8 November 2015.
- “*Asia as a law area – a case study in commercial law and arbitration*”, 28th LawAsia Conference: Plenary Session in Sydney, 9 November 2015.
- “*The role of the courts in Commercial Arbitration*”, Commercial CPD Seminar Series, Monash Law University Melbourne, Joint paper with Justice Croft, Supreme Court of Victoria, 11 November 2015.
- Remarks at *Equality in Briefing* CommBar launch, Federal Court Melbourne, 11 November 2015.
- “*Characterisation: Its place in Contractual Analysis and Related Enquiries*”, Contracts in Commercial Law Conference, Sydney, 19 December 2015. Published in 2016 “*Contracts in Commercial Law*”, Thomson Reuters. Also published in (2017) 91 Australian Law Journal 471.
- “*The Honourable Richard Edmonds: A personal reflection*”, Special Issue of the Australian Tax Review Journal, 4 March 2016 – published in (2016) 1 AT Rev 1.
- “*The Role of the Judiciary in Maintaining Business Confidence: Seminar on The Role of the Legal Sector in Improving the Ease of Doing Business in Indonesia*”, Seminar between the Federal Court of Australia and Supreme Court of Indonesia in Jakarta, 7 March 2016.
- “*Comity and Unity in Maritime Law*”, 13th Nicholas J Healy Lecture on Admiralty Law, New York University School of Law, 5 May 2016. Published in Journal of Maritime Law & Commerce, Volume 47 No. 3 July 2016.
- “*International Arbitration and Conformity with international standards of due process and the rule of law*”, ICCA Mauritius 2016 Plenary Session, 10 May 2016. To be published in 2017 ICCA Congress Book.
- “*Judicial Case Management – Is Case Docketing the Way to Go?*”, Pacific Judicial Conference, Port Moresby, 13 September 2016.
- “*Frameworks for Judicial Cooperation and Assistance: Memorandums of Understanding*”, Pacific Judicial Conference, Port Moresby, 15 September 2016.
- “*Class Actions*”, Keynote Address, Law Council Seminar at Jones Day Offices, 13 October 2016.
- “*Values in Law: How principles, norms and ideals influence and shape the rules and conduct of law*”, Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong, Hochelaga Lecture Series 2016, 20 October 2016. Published in Law Asia Journal 2016, [2016] LAWASIAJ.
- “*Brave new world. How innovation & technology are disrupting the traditional law model*”, Article in the Australian Legal Review Magazine, 4 November 2016.
- “*The impact of technology on the future of the Federal Court*”, Guest Speaker at Western Sydney University Open Forum at Parramatta, 16 November 2016.
- “*The Federal Court of Australia’s National Court Framework*” published in (2017) 91 Australian Law Journal 168.

- “Foreword” to Damian Grave and Helen Mould (eds), 25 Years of Class Actions in Australia: 1992-2017 (Ross Parsons Centre of Commercial, Corporate and Taxation Law, 2017).
- “Foreword” to Michael Mills, Commercial Dispute Resolution (Thomson Reuters, 2017).
- “Written submissions and their role in advocacy”, NSW Bar Association Sydney CPD Conference, 25 March 2017.
- “Federal Court of Australia”, Innovation and Excellence in Courts Conference, 27 March 2017.
- “Rules and values in law: Greek philosophy; the limits of text; restitution; and neuroscience – anything in common?”, Hellenic Australian Lawyers Association Queensland Chapter Seminar, 29 March 2017.
- “The role and future of the Federal Court within the Australian judicial system”, ANU 40th Anniversary of the Federal Court of Australia Conference, 8 September 2017. To be published in an edited collection in 2018.
- “Foreword” to Michael Legg and Ross McInnes, Annotated Class Actions Legislation (LexisNexis, 2nd ed, 2018).
- “The Doctrine of Penalties in Modern Contract Law”, Singapore Academy of Law Distinguished Speaker Lecture 2017, 2 October 2017. Published in (2018) 30 Singapore Academy of Law Journal 1.
- “Commercial and Investor-State Arbitration: The Importance of Recognising their Differences”, ICCA Congress 2018 Opening Keynote Address, Sydney, 16 April 2018.
- “Jurisdiction Shopping in Aviation Litigation”, Opening Address at the ALAANZ Conference 2018, Sydney, 3 May 2018.
- “Foreword” to GT Pagone QC, *Tax Litigation in Australia* (Federation Press, 2018).
- “The Place that Launched a Thousand Ships: Some Hellenic Influences on Maritime Law and Commerce”, Hellenic Australian Lawyers Association International Conference on Contemporary Legal Issues and the Influence of Hellenism, Rhodes, 12 July 2018.
- 2018 Australian Insurance Law Association Geoff Masel Lecture by Richard Douglas QC, Introduction by Chief Justice Allsop, Sydney, 31 July 2018.
- 2018 Biennial Conference of the International Law Association, Welcome by Chief Justice Allsop, Sydney, 20 August 2018.
- “Uncertainty as Part of Certainty: Appreciating the limits of definitional clarity and embracing the uncertainty inherent in any matter of complexity”, Australian Academy of Science and Australian Academy of Law Joint Symposium on the topic “Are you sure?”, Sydney, 23 August 2018 (in press).
- “The Judicialisation of Values”, Law Council of Australia and Federal Court of Australia Joint Competition Law Conference, Sydney, 30 August 2018.
- “Case Management”, The Standing International Forum of Commercial Courts Second Meeting, New York, 28 September 2018.
- “The Role of Law in International Commercial Arbitration”, CIArb Inaugural Annual Lecture, Melbourne, 15 October 2018 (published in the NSW Bar Association’s InBrief news bulletin).

- “*The New York Convention 1958 – Reflections and Predictions*”, United Nations Day Lecture: 60th Anniversary of the New York Convention 1958-2018, UNCITRAL National Coordination Committee of Australia, Melbourne, 24 October 2018.
- Australian Insurance Law Association National Conference 2018, Opening by Chief Justice Allsop, Perth, 1 November 2018.
- “*The Rule of Law is not a law of rules*”, Annual Quayside Oration, Perth, 1 November 2018.
- “*Courts as (Living) Institutions and Workplaces*”, 2019 Joint Federal & Supreme Court Conference, Hobart, 23 January 2019 (published in volume 93(5) of the *Australian Law Journal*).
- “*Technology and the Future of the Courts*”, Special Lecture Series on Technology and the Future of the Legal Profession, TC Beirne School of Law, University of Queensland, Brisbane, 26 March 2019 (published in volume 38(1) of the *Queensland Law Journal*).
- “*The Foundations of Administrative Law*”, 12th Annual Whitmore Lecture, Council of Australasian Tribunals (NSW Chapter), 4 April 2019.
- “*Speech on a matter of maritime law – Volcafe Ltd v Compania Sud Americana De Vapores SA*”, MLAANZ Victorian Branch Seminar, 30 April 2019.
- “*Constitutional Framework for the Establishment of an Australian International Commercial Tribunal*”, Seminar in Honour of Professor Leslie Zines: Key Issues in Australian Federal Constitutional Law, 7 September 2019 (to be published).
- “*The Intersection of Companies and Trusts*”, Harold Ford Memorial Lecture, 26 September 2019.
- Opening Address, Australian Insurance Law Association National Conference, 31 October 2019.
- “*The contribution of the State courts to the development of administrative law in Australia*”, at the AIAL dinner in honour of Governor Beazley, 7 November 2019.
- “*Statute and Equity: A discussion of their relationship*”, Kenneth Sutton Lecture, 12 November 2019.
- “*The changing manifestations of risk: comments on innovation, unconscionability and the duty of utmost good faith*”, Geoff Masel Lecture, 10 June 2020.
- “*International commercial courts – the next frontier in international dispute resolution or the latest trend?*”, SICC Symposium, 10 March 2021.
- Spoke at the Resolution Institute Conference 2021, ‘*Resilience and Reinvention: Dispute resolution during a crisis and beyond*’, 16 July 2021.
- Opening Address, Law Council’s Chief Justices Past and Present Dispute Resolution Lecture Series Webinar, 3 August 2021.
- Foreword for the Australian Bar Review Special Issue on Indigenous Australians and the Law, Volume 50 Part 3, 2021.
- ‘*Law, Power and Government Responsibility*’, Australian Government Legal Service’s Conference, 14 October 2021.

- *'Understanding International Commercial Dispute Resolution as Comprising a System'* Judicial Roundtable on Commercial Law: Shanghai 2021 co-authored with Mr S Walpole
- *'Thinking about law: the importance of how we attend and of context'*, Australian Academy of Law's 10th Annual Patron's Address, 21 October 2021.
- *'The culture of the legal profession, lessons of the past and hope for the future'*, Queensland Law Society Symposium Keynote Address, 11 March 2022.
- *'The courtroom post covid-19'*, Australian Bar Associate National Conference 2022, 28 April 2022.
- *'Advocacy in Tax Cases: A view from the bench'*, Australian Bar Association National Conference 2022, 29 April 2022.
- *'Being a judge: judicial technique, independence and labels'*, Samuel Griffiths Society Lecture for Sir Harry Gibbs Memorial Oration, 30 April 2022.
- Speech at the Australian Academy of Law Book Launch event of Professor David Barker's *History of the Australian Academy of Law, A sense of common purpose*, 21 June 2022.
- Speech at the ACICA Book Launch event of Professor Doug Jones and Professor Janet Walker's *Commercial Arbitration in Australia*, 22 June 2022.
- *'The 'Wash-up' (hopefully) of Covid-19: Lessons and Effects'*, The Anglo-Australasian Lawyers Society, 11 July 2022.
- *'Thinking about law: the importance of how we attend to the matter at hand and of context'*, Middle Temple Lecture Series, 18 July 2022.
- *'Piercing the corporate veil: recent international developments'* Keynote address at the 38th Annual Conference of the Banking & Financial Services Law Association, 26 August 2022.
- Opening address at the Australian Insurance Law Association National Conference 2022, 11 August 2022.
- *'Independence and apparent bias: judicial and arbitral confidence: Halliburton v Chubb'* 2022 Goff Lecture, 3 November 2022
- *'Being a Judge'* Papua New Guinea Bench and Bar Address, 17 November 2022