



## QUEENSLAND COURTS

### OVERSEAS TRAVEL

#### **The Jurisprudential Allowance**

In 1988, the independent Salaries and Allowances Tribunal established by Parliament introduced an allowance, called the Jurisprudential Allowance, to enable judges “to familiarise themselves with current developments in jurisprudence and judicial practice in a rapidly changing world without the pressure of the normal workload”. The Tribunal considered that “some part of the expenses of such ongoing familiarisation program should be met by the State”.

With effect from 1993, the Tribunal viewed the allowance “as part of the total income of Queensland Judges”. Consequently, it reduced judicial salaries (compared to other jurisdictions) by the amount of the allowance and permitted judges to take the allowance as salary. As the allowance is in the nature of a salary sacrifice, it is not correct to view it as “taxpayers’ money”.

In the year 2007, the Tribunal ceased to exist, and the remuneration of Queensland judges was statutorily aligned with that paid to judges of the Federal Court of Australia, by the *Judicial Remuneration Act 2007*. That Act reflects the approach taken by the former Tribunal to the jurisprudential allowance: the amount of the salary paid to Federal Court judges is reduced by the amount of the jurisprudential allowance in order to calculate the salary paid to judges of the Supreme Court, Trial Division, with proportionate adjustments for other judges; and a Queensland judge has the option to have the amount of the jurisprudential allowance paid as salary.

#### **Funding overseas travel**

Overseas travel by judges is generally undertaken pursuant to the Jurisprudential Allowance. Judges may also fund it in certain circumstances from an Expense of Office Allowance originally granted by the Tribunal, and now provided for by the *Judicial Remuneration Act*, although this allowance is also used for such expenses as library books and the purchase, maintenance and insurance of judicial court-room attire.

The Chief Justice, the President of the Court of Appeal, and the original Judges of the Court of Appeal are also entitled to first-class travel overseas once per year, though not under allowances provided for by the *Judicial Remuneration Act*. (That expenditure is noted in the annual report of the Department of Justice and Attorney-General.)

The statutory allowances are only payable for expenses actually incurred for the purposes of the allowance. These expenses may include the travel costs of a judge’s spouse.

Drawings on allowances are administered by Court Administration.

### **The costs of travel in the past financial year**

The following table shows the amounts paid or reimbursed in respect of the now statutory allowances, to Supreme and District Court judges, between 1 July 2008 and 30 June 2009, even though the travel may have been undertaken earlier or later.

### **Current annual amount of the Jurisprudential Allowance**

The annual Jurisprudential Expense Allowance from 1 July 2008 was:

Chief Justice	\$29,310
President, Court of Appeal	\$28,393
Other Supreme Court Judges	\$24,958
Chief Judge	\$24,958
Other District Court Judges	\$22,462

## JUDICIAL OVERSEAS TRAVEL 2008-09

Name of Judge	Countries visited	Purpose of visit	Period of travel	Cost
The Honourable Justice Peter D T APPLGARTH	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$14,901.28
The Honourable Justice Roslyn G ATKINSON	Vanuatu	Australasian Law Reform Agencies Conference 2008, Port Vila	September-2008	\$1,677.48
The Honourable Justice Roslyn G ATKINSON	China	Visit to Beijing High People's Court and Shanghai Intermediate People's Court; Discussions with Judicial Officers and tours of courts and facilities	October-2008	\$3,717.94
The Honourable Justice Roslyn G ATKINSON	Greece, Spain, Morocco	7th Greek Conference "Facing Change in Law, Medicine & Science", Corfu; International Bar Association (IBA) conference, Madrid; 52nd International Association of Judges conference, Marrakesh	September - October 2009	\$19,492.58
His Honour Judge Hugh W H BOTTING	Various	Official Passports	Various	\$1,038.15
His Honour Judge Hugh W H BOTTING	United Kingdom, Croatia, Italy, China	Attend various conferences including the International Conference - Interdisciplinary Management Research, Porec; International Bar Association Conferences - 26th Annual Financial Law conference, Rome and 20th Annual Communications and Competition Law conference, Florence; participate in Study tour, Iona; visit Hong Kong courts and observe court proceedings.	April-May 2009	\$22,265.07
His Honour Judge Hugh W H BOTTING	United Kingdom, Italy	British Pacific Legal Conference, Stratford-upon-Avon; Australian Bar Association (ABA) conference, Strasbourg/London; Pan Europe Asia Legal Conference, Lipari	June-July 2009	\$34,604.59
His Honour Judge Charles J L BRABAZON Q.C.	China	16th Commonwealth Law conference 2009, Hong Kong	April-2009	\$9,795.14
Her Honour Judge Sarah BRADLEY	Philippines	Asia-Pacific Regional Conference of International Association of Women Judges, Manila	February-March 2009	\$1,803.21
His Honour Judge Grant T BRITTON, S.C.	United Kingdom, Italy, Ireland, France	4th World Bar Conference, Dublin/Belfast; Europe Asia Legal Conference, Positano; meetings and discussions with Judicial Officers and observe court proceedings, Londonderry, Ireland; meeting and discussions with french legal practitioner on french criminal procedure	June-July 2008	\$5,985.93
His Honour Judge Grant T BRITTON, S.C.	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$25,321.92
His Honour Judge Grant T BRITTON, S.C.	New Zealand	Australasian Conference of Planning and Environment Courts and Tribunals conference, Christchurch	August-2009	\$2,508.46
The Honourable Justice John H BYRNE, RFD	United Kingdom, USA	Meetings at Civil Justice Council, London; University of Michigan Law School; Office of Court Administration, Unified Court System, New York State	September-October 2008	\$19,150.68
The Honourable Mr Justice Richard N CHESTERMAN, RFD	Ireland	World Conference of Advocates and Barristers, Dublin/Belfast	June-2008	\$20,000.37
The Honourable Mr Justice Richard N CHESTERMAN, RFD	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$6,600.00
The Honourable Justice Keiran A CULLINANE	Ireland	World Conference of Advocates and Barristers, Dublin/Belfast	June-2008	\$23,818.07

The Honourable Justice Keiran A CULLINANE	New Zealand	Visits to Wellington, Auckland and Christchurch Courts; meetings and discussions with Judicial Officers, Academics and tours of courts and facilities	March-2009	\$7,627.06
The Honourable Justice Martin A DAUBNEY	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$17,401.00
His Honour Judge Ian DEARDEN	USA	International Academy of Law and Mental Health Conference, New York	June-July 2009	\$7,372.89
The Honourable Chief Justice Paul de JERSEY, AC	Various	Official Passports	Various	\$832.00
The Honourable Chief Justice Paul de JERSEY, AC	France, United Kingdom	Inspection of various Courthouses and other facilities (France, Belgium and UK) relevant to planning for the construction for the new Supreme and District Courthouse in Brisbane; meetings with Judicial Officers, observe court proceedings; Paris, Gent, Antwerp, Brussels, London	December2008- January 2009	\$34,006.47
The Honourable Chief Justice Paul de JERSEY, AC	China	Participation in delegation of judges visiting China at the invitation of the Chinese Government; meetings with members of the Chinese Judiciary, conferences, seminars, Beijing, Shanghai (spouses costs)	May-2009	\$2,428.99
Her Honour Judge Julie M DICK, SC	Tonga	Tonga Benchbook Pilot Programme - an Ausaid/Nzaid project, Tonga	June-2008	\$355.51
Her Honour Judge Julie M DICK, SC	Samoa	South Pacific Council of Youth and Children's Court meeting, Samoa	July-2008	\$651.89
Her Honour Judge Julie M DICK, SC	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$20,964.28
His Honour Judge Keith S DODDS	Argentina	International Bar Association (IBA) conference, Buenos Aires	October-2008	\$318.52
The Honourable Justice James S DOUGLAS	France/United Kingdom/Ireland	Australian Bar Association (ABA) conference, Strasbourg/London; jurisprudential inquiries Dublin and Edinburgh	June-July 2009	\$22,834.66
His Honour Judge Stuart G DURWARD S.C.	China	Sino-Australian Judicial Forum 2008, China	April-2008	\$1,726.62
His Honour Judge Stuart G DURWARD S.C.	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$17,909.18
The Honourable Justice Peter R DUTNEY	Nepal, Bangladesh	Intensive Trial Advocacy Workshops facilitated by Nepal, Bangladesh and Australian Bar Associations; meetings and discussions with Judicial Officers, practitioners and academics, Kathmandu, Dhaka	January-2009	\$4,950.04
The Honourable Justice Peter R DUTNEY	China	Participation in delegation of judges visiting China at the invitation of the Chinese Government; meetings with members of the Chinese Judiciary, conferences, seminars, Beijing, Shanghai, Zhejiang and Shaanxi	May-2009	\$11,866.00
The Honourable Justice Henry G FRYBERG	China	Participation in delegation of judges visiting China at the invitation of the Chinese Government; meetings with members of the Chinese Judiciary, conferences, seminars, Beijing, Shanghai, Zhejiang and Shaanxi	May-2009	\$7,924.07
The Honourable Justice Henry G FRYBERG	Morocco	52nd International Association of Judges conference, Marrakesh	October-2009	\$15,558.15
His Honour Judge Milton J GRIFFIN, SC	Italy	Conference, Rome	September-2008	\$16,384.16

His Honour Judge Milton J GRIFFIN, SC	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$18,859.64
The Honourable Justice Catherine E HOLMES	France, United Kingdom	Pan Europe Pacific Legal Conference, Paris; Australian Bar Association (ABA) conference, Strasbourg/London	April-July 2009	\$17,760.00
His Honour Judge Marshall P IRWIN	South Africa, Malaysia	Commonwealth Magistrates and Judges conference, Capetown; Law Asia conference, Kuala Lumpur	September-November 2008	\$20,083.39
The Honourable Justice Patrick A Keane	France, United Kingdom	Attendance at Australian Bar Association Conference in Strasbourg, and visit to Grand Chamber of Human Rights. Attendance at Australian Bar Association Conference in London to address session on Appellate Advocacy	June-July 2009	\$24,282.38
Her Honour Judge Fleur Y KINGHAM	Italy	Euro Pacific Legal conference, Cortina	January-2009	\$19,595.04
His Honour Judge Gregory J KOPPENOL	Italy, Ireland	Europe Asia Legal Conference, Positano and Dublin	June-July 2008	\$16,002.62
His Honour Judge Gregory J KOPPENOL	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London; Britain Pacific Legal Conference, Stratford-upon-Avon	June-July 2009	\$23,187.74
The Honourable Justice Glenn C Martin	Ireland	World Conference of Advocates and Barristers, Dublin/Belfast	June-2008	\$3,324.99
The Honourable Justice Glenn C Martin	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$16,858.84
His Honour Judge Terry D MARTIN S.C.	Various	Official Passports	Various	\$412.95
His Honour Judge Terry D MARTIN S.C.	Various	Annual Overseas and Domestic Travel Insurance Policy	Various	\$645.00
His Honour Judge Terry D MARTIN S.C.	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$27,946.80
The Honourable Mr Justice John D M MUIR	Thailand, Germany, France, Argentina	Visit to Courts in Thailand and meetings with Judicial Officers including President of the Supreme Court of Thailand, Bangkok; Presenting a paper on commercial litigation in the Nationale Ecole De La Magistrature, Paris; German Lawyers Association conference and conferring with German Judges and Lawyers, Efurt; International Bar Association (IBA) conference, Buenos Aires	September-October 2008	\$41,251.57
The Honourable Mr Justice John D M MUIR	China	Participation in delegation of judges visiting China at the invitation of the Chinese Government; meetings with members of the Chinese Judiciary, conferences, seminars, Beijing, Shanghai, Zhejiang and Shaanxi	May-2009	\$11,295.93
His Honour Judge John E NEWTON	Canada, Italy	5th World Congress on Family Law and Children's Rights, Halifax, Nova Scotia; Children and the Law International conference, Prato	August-September 2009	\$30,445.48
His Honour Judge Kerry J O'BRIEN	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$16,905.08
Her Honour Judge Helen O'SULLIVAN	France, United Kingdom, Ireland	Australian Bar Association (ABA) conference, Strasbourg/London. Visits to courts in London, visiting scholar Cambridge Law School. CPE Conference, Stratford Visits to Courts in Ireland.	June-July 2009	\$20,216.68
His Honour Judge Robert D PACK	Ireland	World Conference of Advocates and Barristers, Dublin/Belfast	June-2008	\$23,565.64

His Honour Judge Michael E RACKEMANN	New Zealand, USA	Visit to Denver and Auckland Courts, discussions with Judicial Officers, academics and tour of courts and facilities, delivered speech to academics and students at Sturm College of Law, University of Denver	January-2009	\$11,406.85
His Honour Judge Anthony RAFTER S.C.	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$14,593.40
His Honour Judge John M ROBERTSON	Canada, USA	Visited courts and conferred extensively with a range of judicial officers in the Toronto Specialist Youth Courts and the Manhattan Criminal Court and with the consent of the heads of jurisdiction sat with Judges in both courts to observe proceedings	April-2008	\$18,503.40
Her Honour Judge Julie A RYRIE	France (cancelled)	Cancellation of registration fee - Pan Europe Pacific Legal Conference, Paris	April-2009	\$100.00
Her Honour Judge Julie A RYRIE	Various	Annual Overseas and Domestic Travel Insurance Policy	Various	\$643.75
Her Honour Judge Julie A RYRIE	Canada	2nd National Pro Bono conference, Vancouver	August-September 2009	\$32,482.24
His Honour Judge Nicholas SAMIOS	United Kingdom	Australian Bar Association (ABA) conference, London	June-July 2009	\$17,149.64
His Honour Judge David G SEARLES	Ireland	World Conference of Advocates and Barristers, Dublin/Belfast	June-2008	\$2,850.72
His Honour Judge Michael J SHANAHAN	Ireland	World Conference of Advocates and Barristers, Dublin/Belfast	June-2008	\$3,436.35
His Honour Judge Michael J SHANAHAN	China	16th Commonwealth Law conference 2009, Hong Kong	April-2009	\$16,580.24
His Honour Senior Judge Nelson A SKOIEN	Italy	Europe Asia Legal Conference, Positano	June-July 2008	\$2,115.15
His Honour Senior Judge Gilbert TRAFFORD-WALKER	Various	Annual Overseas Travel Insurance Policy	Various	\$728.00
His Honour Senior Judge Gilbert TRAFFORD-WALKER	Canada, USA	5th World Congress on Family Law and Children's Rights, Halifax, Nova Scotia; visits to Juvenile Courts, Boston and Quebec	August-2009	\$15,133.47
His Honour Senior Judge Gilbert TRAFFORD-WALKER	Malaysia	21st LAWASIA conference, Kuala Lumpur	October-November 2008	\$12,597.43
His Honour Judge Clive F WALL, QC	China	Sino-Australian Judicial Forum 2008, China	April-2008	\$2,429.41
His Honour Judge Clive F WALL, QC	Italy, Greece, China	12th Greek/Australian International Legal and Medical Conference, Greece and other judicial education	May-June 2009	\$12,709.40
The Honourable Justice Margaret J WHITE	Canada, France, United Kingdom	Self-Represented Litigants Programme, Toronto Ontario; Australian Bar Association (ABA) conference, Strasbourg/London	June-July 2009	\$27,029.36
The Honourable Justice Margaret A WILSON	United Kingdom	Meetings with Judges and others and inspection of court facilities at Royal Courts of Justice and Old Bailey, London; Liverpool; Manchester Civil Justice Centre; Aylesbury; Oxford. Attendances at Asylum & Immigration Tribunal observing proceedings and meeting with members and interpreters. Attendance at Australian Bar Association (ABA) and ECEG (eJustice Stream) conferences in London.	June-July 2009	\$9,106.82
His Honour Judge Alan M WILSON S.C.	Papua New Guinea	Overseas Travel Insurance Policy relating to delivering papers at Papua New Guinea Judgment Writing Program	Nov-08	\$79.45

His Honour Judge Alan M WILSON S.C.	France, United Kingdom, USA	European and International Law Courts Executive Research Tour, France; meetings with judicial officers and architects and inspection of court buildings in Manchester, Edinburgh, Boston, Washington and San Francisco	March-May 2008	\$9,987.19
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***TOTAL JUDICIAL OVERSEAS TRAVEL  
2008-09***

**\$946,094.40**