

## 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 2009 and 30 June 2010, even though the travel may have been undertaken earlier or later.<sup>1</sup>

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

The annual Jurisprudential Expense Allowance from 1 November 2009 was:

Chief Justice	\$30,642
President, Court of Appeal	\$29,683
Other Supreme Court Judges	\$26,092
Chief Judge	\$26,092
Other District Court Judges	\$23,483

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<sup>1</sup> Reimbursement to Chief Judge Wolfe of \$26,065.14 was paid in 2009/10 although travel did not occur as planned. This amount was refunded by the Chief Judge in 2010/2011 and will be shown in next financial years report as a refund.

### JUDICIAL OVERSEAS TRAVEL 2009-10

**This table summarises the reimbursement to judges of overseas travel expenses claimed in the period July 2009 to June 2010. In some cases the travel may have occurred outside of the period during which the claim for reimbursement was made.**

Name of Judge	Countries visited	Purpose of visit	Period of travel	Cost
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	\$15,738.71
The Honourable Justice Roslyn G ATKINSON	South Korea	10th Biennial Conference of the International Association of Women Judges, Seoul.	May-2010	\$5,717.12
The Honourable Justice Peter APPLEGARTH	France, United Kingdom, Germany	Australian Bar Association (ABA) conference, Strasbourg/London; Socio Legal Studies at Oxford and meetings with academics.	June-July 2009	\$8,194.70
His Honour Judge Hugh W H BOTTING	USA, United Kingdom, Russia	The 4th United States in America Pacific Medical & Legal Conference in New York; Obligations v Rights & Private Law course in Oxford; 5th East West Medical & Legal Conference in St. Petersburg.	June-July 2010	\$29,927.78
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	\$1,226.28
His Honour Judge Hugh W H BOTTING	France, United Kingdom, Italy	British Pacific Legal Conference, Stratford-upon-Avon; Australian Bar Association (ABA) conference, Strasbourg/London; Pan Europe Asia Legal Conference, Lipari.	June-August 2009	\$6,000.00
His Honour Judge Charles BRABAZON	Spain	International Bar Association (IBA) conference, Madrid 2009.	October-2009	\$18,346.79
Her Honour Judge Sarah BRADLEY	South Korea	10th Biennial Conference of the International Association of Women Judges, Seoul.	May-2010	\$5,940.11
His Honour Judge Grant T BRITTON, S.C.	France, United Kingdom, Netherlands	Australian Bar Association (ABA) conference, Strasbourg/London and discussions with Judicial Officers and legal practitioners in France and The Hague.	June-July 2009	\$2,718.15
His Honour Judge Grant T BRITTON, S.C.	New Zealand	Australasian Conference of Planning and Environment Courts and Tribunals (ACPECT) 2009, Christchurch.	August-2009	\$1,318.57
His Honour Judge Brendan BUTLER	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London.	June-July 2009	\$13,736.91
The Honourable Justice John H BYRNE, RFD	USA	88th Annual meeting of the American branch of the International Law Association.	October-November 2009	\$18,764.35
The Honourable Mr Justice Richard N CHESTERMAN, RFD	France, United Kingdom, Netherlands	Australian Bar Association (ABA) conference, Strasbourg/London; Meetings with Judicial officers, The Hague.	June-July 2009	\$22,577.03

The Honourable Justice Keiran A CULLINANE	France, United Kingdom, Italy	Australian Bar Association (ABA) conference, Strasbourg/London; Europe Asia conference and presentation of a paper, Lipari.	June-July 2009	\$26,297.48
The Honourable Justice Martin A DAUBNEY	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London; Court visits for meetings and discussions with Judicial Officers and observe court proceedings.	June-July 2009	\$3,813.49
His Honour Judge Ian DEARDEN	USA	The 31st Congress of the International Academy of Law and Mental Health, New York.	June-July 2009	\$3,925.69
The Honourable Chief Justice Paul de JERSEY, AC	Vietnam	The 13th Conference of Chief Justices of Asia and the Pacific 2009	November-2009	\$5,605.55
The Honourable Chief Justice Paul de JERSEY, AC	United Kingdom, Switzerland, Germany	Inspection of various Courthouses and other facilities, including drug management programmes; meetings with Judicial Officers and related agencies; observe court proceedings.	January-2010	\$24,725.77
The Honourable Chief Justice Paul de JERSEY, AC	Netherlands, France, United Kingdom	Visit the International Court of Justice, drug programmes in the Netherlands; Court related engagements in the United Kingdom.	January-2011	\$1,696.34
Her Honour Judge Julie M DICK, S.C.	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London; Visit to and attending trials in Glasgow and Inverness and meeting members of the Judiciary.	June-July 2009	\$7,095.81
Her Honour Judge Julie M DICK, S.C.	USA	United States of America Pacific Legal Conference, New York; Attending the Courts in New York and observing proceedings from the bench and meeting the Administering judge and other members of the judiciary; Attending Harvard Law School, meeting with Dean Martha Minow and touring the university.	June-July 2010	\$20,650.85
His Honour Judge Keith S DODDS	Greece	The 7th Greek Conference, Facing Change in Law, Medicine and Science, Corfu	September-October 2009	\$18,636.83
The Honourable Justice James S DOUGLAS	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London; Jurisprudential inquiries Dublin and Edinburgh.	June-July 2009	\$5,397.75
His Honour Judge Stuart G DURWARD S.C.	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London.	June-July 2009	\$3,919.10
His Honour Judge Stuart G DURWARD S.C.	New Zealand	Australasian Conference of Planning and Environment Courts and Tribunals (ACPECT) 2009.	August-2009	\$3,163.83
His Honour Judge Stuart G DURWARD S.C.	Italy, Russia	Europe Asia Legal Conference in Lake Como, Italy; East West Legal Conference, St Petersburg.	July-2010	\$23,901.28
The Honourable Justice Peter R DUTNEY	China	Participation in delegation of judges visiting China at the invitation of the Shanghai High Peoples Court; meetings with members of the Chinese Judiciary, conferences, seminars, Beijing, Shanghai, Zhejiang and Shaanxi.	May-2009	\$8,600.00
The Honourable Justice Hugh FRASER	Italy	The 13th Europe Pacific Legal Conference 2009, Pocol, Italy	January-2009	\$27,406.00
The Honourable Justice H G FRYBERG	China	Participation in delegation of judges visiting China at the invitation of the Shanghai High Peoples Court; meetings with members of the Chinese Judiciary, conferences, seminars, Beijing, Shanghai, Zhejiang and Shaanxi.	May-2009	\$4,689.32
The Honourable Justice H G FRYBERG	Morocco	Attended the 52nd Conference of International Association of Judges, Marrakesh.	October-2009	\$3,544.03

His Honour Judge Milton J GRIFFIN, S.C.	USA	United States of America Pacific Legal Conference, New York.	June-July 2010	\$19,943.64
The Honourable Justice Catherine E HOLMES	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London.	June-July 2009	\$13,228.41
The Honourable Justice Catherine E HOLMES	Italy	Delivery of paper at The Royal Australian & New Zealand College of Psychiatrists - Section of Forensic Psychiatry 2010 Conference, Prato, Italy.	October-2010	\$18,941.16
His Honour Judge Marshall P IRWIN	Vietnam	The 22nd Law Asia Conference, Ho Chi Minh City.	November-2009	\$12,947.57
The Honourable Justice Stanley G JONES	Jordan, Czech Republic, United Kingdom.	Yarmouk University Faculty of law's conference, "Professional liability". 2nd Global conference, Good sex, Bad sex: Sex Law - Crime and Ethics; Modern studies in Property law conference 2010. (Oxford University).	March-May 2010	\$26,676.64
The Honourable Justice Patrick A KEANE	France, United Kingdom	Attendance at Australian Bar Association (ABA) 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	\$323.64
The Honourable Justice Patrick A KEANE	New Zealand	Australian Institute of Judicial Administration (AIJA) Conference and Council Meeting.	February-2010	\$2,951.80
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	\$8,992.15
His Honour Judge Gregory J KOPPENOL	USA, Italy	United States of America Pacific Legal Conference, New York; 13th Europe Asia Legal Conference, Lake Como.	June-July 2010	\$22,115.37
The Honourable Justice Ann M LYONS	New Zealand	Australian Institute of Judicial Administration (AIJA) Conference, Auckland.	February-2010	\$4,457.75
The Honourable Justice Glenn C MARTIN	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London.	June-July 2009	\$3,161.31
His Honour Judge Terry D MARTIN S.C.	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London.	June-July 2009	\$1,689.75
The Honourable Justice Duncan McMEEKIN	Greece	The 7th Greek Conference, Facing Change in Law, Medicine and Science, Corfu.	September-October 2009	\$24,450.80
The Honourable Mr Justice John D M MUIR	China	Participation in delegation of judges visiting China at the invitation of the Shanghai High Peoples Court; meetings with members of the Chinese Judiciary, conferences, seminars, Beijing, Shanghai, Zhejiang and Shaanxi.	May-2009	\$9,866.26
The Honourable Mr Justice John D M MUIR	Vietnam, Thailand	Court visits and discussions with Judicial officers in the Court of Appeal and Intellectual Property and International Trade Court and visiting the Electoral Commission of Thailand - discussions with the Commission's secretary in relation to electoral legal challenges, Bangkok; attending and participating in the 13th Conference of Chief Justices of Asia and the Pacific as Conference secretary and presenter.	November-2009	\$18,608.49
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	\$4,223.00
His Honour Judge John E NEWTON	Italy	Europe Asia Legal Conference in Lake Como, Italy.	July-2010	\$33,502.00

His Honour Judge Kerry J O'BRIEN	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London.	June-July 2009	\$14,153.94
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	\$18,138.83
His Honour Judge Robert D PACK	Greece	The 7th Greek Conference, Facing Change in Law, Medicine and Science, Corfu.	September-October 2009	\$11,186.37
His Honour Judge Michael E RACKEMANN	New Zealand	Australasian Conference of Planning and Environment Courts and Tribunals (ACPECT) 2009.	August-2009	\$5,635.23
His Honour Judge Anthony RAFTER S.C.	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London.	June-July 2009	\$6,112.39
Her Honour Judge Deborah RICHARDS	New Zealand	New Zealand Law Society Seminar and Australian Institute of Judicial Administration (AIJA) Conference.	February-2010	\$6,634.37
Her Honour Judge Deborah RICHARDS	South Korea	10th Biennial Conference of the International Association of Women Judges, Seoul.	May-2010	\$7,785.25
His Honour Judge John M ROBERTSON	Switzerland	Attendance at the Head Office of the International Commission of Jurists Geneva Switzerland and conferring with officers of the Commission involved in terrorism, counter-terrorism and human rights; and formulation of international principles on the independence and accountability of Judges Lawyers and Prosecutors; and meeting with the Deputy Director of the Commission to discuss the Commissions activities in the Pacific region in particular Fiji.	July-2010	\$6,888.00
His Honour Judge Philip D ROBIN, Q.C.	United Kingdom	John Selden Conference.	June-2010	\$170.47
Her Honour Judge Julie A RYRIE	Canada	The August/September 2010 3rd National Pro Bono Conference, Alberta, Canada.	August-September 2010	\$20,633.83
Her Honour Judge Julie A RYRIE	Canada	The August/September 2008 2nd National Pro Bono Conference, Vancouver and court visit.	August-September 2008	\$916.92
Her Honour Judge Julie A RYRIE	Various	Annual travel insurance.	March-2010	\$987.77
His Honour Judge Nicholas SAMIOS	France, United Kingdom	Australian Bar Association (ABA) conference, Strasbourg/London.	June-July 2009	\$670.49
His Honour Judge David G SEARLES	Italy, France	Europe Asia Legal Conference in Lake Como, Italy; Visiting French Courts at Palais de Justice, meeting with French Judiciary, attending Court hearing, conferring with French Judge on the jurisdiction of French Trial and Appellate Courts and the system of Judicial appointments at all levels.	July-2010	\$27,479.46
His Honour Judge Michael J SHANAHAN	USA	United States of America Pacific Legal Conference, New York.	June-July 2010	\$17,050.14
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	\$9,157.64
His Honour Senior Judge Gilbert TRAFFORD-WALKER	Vietnam	The 22nd Law Asia Conference, Ho Chi Minh City.	November-2009	\$7,064.86

His Honour Judge Clive F WALL, Q.C.	Greece, Italy, Hong Kong	Greek/ Australian International Legal & Medical Conference 2009; Planning and environment education, Italy and Hong Kong and legal practitioner liaison.	May-June 2009	\$5,530.61
His Honour Judge Clive F WALL, Q.C.	New Zealand	Recent developments in Criminal Law Conference in Queenstown.	August-2010	\$5,809.65
His Honour Judge Clive F WALL, Q.C.	France, Spain	Planning and Environment education.	May-2010	\$12,493.54
His Honour Judge Clive F WALL, Q.C.	Hawaii	Judicial liaison and Planning and Environment education.	January-February 2010	\$9,403.73
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	\$7,243.34
The Honourable Justice Margaret A WILSON	Vietnam	The 22nd Law Asia Conference, Ho Chi Minh City.	November-2009	\$5,828.66
The Honourable Justice Margaret A WILSON	Various	Official Passport.	Various	\$208.00
The Honourable Justice Alan M WILSON	New Zealand	Australasian Conference of Planning and Environment Courts and Tribunals (ACPECT) 2009.	August-2009	\$5,650.53
Her Honour Chief Judge Patricia M WOLFE	France, United Kingdom, Spain (cancelled)	Neutrality and Theory of Law Conference, Girona; ICAM 15 Congress, Paris; Tenth Annual WTO Conference, London.  NOTE: This planned travel was subsequently cancelled and 100% of costs refunded after reporting period.	May-June 2010	\$26,065.14

**TOTAL JUDICIAL OVERSEAS TRAVEL 2009-10**

**\$808,254.52**