



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 2006 and 30 June 2007, 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 2006 was:

Chief Justice	\$26,950
President, Court of Appeal	\$26,120
Other Supreme Court Judges	\$22,950
Chief Judge	\$22,950
Other District Court Judges	\$20,650

JUDICIAL OVERSEAS TRAVEL 2006-2007

Name of Judge	Countries Visited	Purpose of Visit	Period of Travel	Cost
His Honour Judge Hugh W H BOTTING	Russia, USA, United Kingdom	East West Medical & Legal Conference St Petersburg, British Legal History Conference, Oxford, Washington National Bar Association 82nd Annual Convention, Washington, International Society for Individual Liberty World Conference, Virginia	July - August 2007	\$31,121.93
His Honour Judge Grant T BRITTON, SC	United Kingdom, Scotland, Europe and China	Long leave to travel through UK, Scotland, Europe and China for meetings and court visits and to attend Europe Pacific Legal conference, Cortina; Europe Asia Legal conference, Sicily; World Bar conference, Hong Kong; meetings and discussions with Judicial officer and court officials, visit to High Court, Hong Kong	December 2005-April 2006	\$6,522.86
His Honour Judge Grant T BRITTON, SC	USA, Canada	Australian Bar Association conference, Chicago; court visits, meetings and discussions with Judges in Victoria BC, Wyoming, Colorado	June-July 2007	\$21,278.95
Her Honour Judge Sarah BRADLEY	United Kingdom	Summer School on International Human Rights Law, Oxford	July-2006	\$1,363.47
The Honourable Justice John H BYRNE, RFD	India	LAWASIA International Conference, Goa, India	September-October 2006	\$7,971.18
The Honourable Mr Justice Richard N CHESTERMAN, RFD	USA	Meetings and discussions with Judges of the commercial division of the Supreme Court of New York; observe commercial and criminal trial.	July-2006	\$5,421.93
The Honourable Mr Justice Richard N CHESTERMAN, RFD	Canada, USA	Commonwealth Magistrates and Judges conference, Toronto, Canada; International Bar Association (IBA) conference, Chicago and court visits in New York	September-2006	\$30,083.64
The Honourable Mr Justice Richard N CHESTERMAN, RFD	Italy, Russia	Europe Asia Legal conference, Lake Como; East West Legal conference, St Petersburg	July-2007	\$19,237.42
The Honourable Justice Keiran A CULLINANE	Italy	Attending Palazzo di Guistzia, Tribunale San Martino, Tribunale San Firenze, European University Institute seminar, Europe Pacific Legal Conference, Italy	January-2007	\$24,390.48
His Honour Judge Ian DEARDEN	Italy	Legal conference, Prato	June-July 2006	\$2,073.70
The Honourable Chief Justice Paul de JERSEY, AC	Italy, United Kingdom	Series of meetings in London with Judges, Court Administrators, Bar representatives, etc; review of citizens' advice bureau; inspect under-construction Manchester Civil Justice Centre; meeting with Acting Chief Justice of Italy and other Judges at Supreme Court, Rome.	December 2006 - January 2007	\$25,187.12

The Honourable Chief Justice Paul de JERSEY, AC	France, United Kingdom	Inspection of various courthouses and other facilities (France and UK) relevant to planning for the construction for the new Supreme and District Courthouse in Brisbane	December 2007 - January 2008	\$1,633.38
Her Honour Judge Julie M DICK, SC	Greece, Italy	5th Greek Conference "Challenges in Law, Medicine and Science", Kos; "What works with women offenders" conference, Prato	September-2007	\$5,770.00
The Honourable Justice James S DOUGLAS	Netherlands/France	International Academy of Comparative Law Conference, Utrecht; comparative law research, Paris	July-2006	\$22,586.01
The Honourable Justice James S DOUGLAS	USA	Annual Meeting of the American Law Institute	May-2007	\$2,755.41
The Honourable Justice Peter R DUTNEY	USA	Australian Bar Association (ABA) conference, Chicago	June-July 2007	\$8,751.68
His Honour Judge Garry S FORNO QC	China	Inter-Pacific Bar Association Conference, Beijing	April-2007	\$22,048.55
The Honourable Justice Henry G FRYBERG	China	World Bar conference, Hong Kong / Shanghai; Judicial Seminar High Peoples Court of Guangdong Province; Judicial Seminar High Peoples Court of Shanghai; Visit to Hong Kong High Court; Visit to Hong Kong Court of Final Appeal and meeting with Chief Justice and Judicial Seminar High Peoples Court of Anhui Province	April-2006	\$432.80
The Honourable Justice Henry G FRYBERG	Greece	5th Greek Conference "Challenges in Law, Medicine and Science", Kos	September-2007	\$7,240.00
His Honour Judge Milton J GRIFFIN, SC	Italy	Euro Asia Legal Conference, Lake Como	July-2007	\$4,444.17
His Honour Judge Brian C HOATH	China	Sino-Australia Law Forum 2006, China	March-April 2006	\$148.80
The Honourable Justice Catherine E HOLMES	USA,Canada	Australian Bar Association conference, Chicago; USA Pacific Legal conference, New York; International Society for the reform of Criminal Law conference, Vancouver	July-2007	\$3,990.91
The Honourable Justice Stanley G JONES, AO	France, Vienna	European Jurists Forum, Vienna - International Bar Association Conference, Paris - Visit to European Court of Human Rights, Strasbourg for discussions with its Judges and attendance at Grand Chamber Hearing with Justice Sikuta - visit to International Tribunals and Agencies at The Hague (ICTY, HIIL and Conference on Private International Law)	May-2007	\$18,869.06
The Honourable Justice Patrick KEANE	USA	U.S. Courts Tour	Jan-07	\$3,580.00
The Honourable Justice Patrick KEANE	USA	Annual Meeting of the American Law Institute	May-2007	\$27,594.36

The Honourable Justice Phillip D McMURDO	United Kingdom	Access to Justice Workshop	July-2007	\$218.66
The Honourable Mr Justice John D M MUIR	United Kingdom, Thailand, Germany, Spain, France	Attending 16th World Congress of Medical Law, Toulouse; Conference of German Lawyers (Deutscher Juristentag) Stuttgart; and other jurisprudential activities including, meetings with judges and lawyers in London, Madrid, Germany, Paris and Bangkok attending and inspecting courts, attending Ecole Nationale de la Magistrature meeting with President of the Supreme Court of Thailand, President and Judges of the Court of Appeal.	July-September 2006	\$36,989.92
The Honourable Mr Justice John D M MUIR	Austria, Germany, China and Eire	4th European Jurist Forum, Vienna; 20th Biennial Law Asia Conference, secretary designate to the Conference of Chief Justices of Asia and the Pacific, Hong Kong; and jurisprudential activities in Dublin, Munich and Shanghai including conferring with Chief Judge Civil Division, Shanghai High Peoples' Court.	May-June 2007	\$15,060.98
His Honour Judge John E NEWTON	USA, Italy	Attend Australian Bar Association Conference, Chicago; 3rd USA - Pacific Legal Conference, New York, 6th Europe-Asia Legal Conference, Lake Como	June-July 2007	\$26,543.00
His Honour Judge Kerry J O'BRIEN	USA	Attend Australian Bar Association Conference, Chicago, 3rd USA-Pacific Legal Conference, New York	June-July 2007	\$10,939.68
His Honour Judge Kerry J O'BRIEN	New Zealand	South Pacific Council of Youth and Children's Court meeting, Wellington	March-2007	\$830.00
Her Honour Judge Helen O'SULLIVAN	United Kingdom	18th British Legal History Conference, Oxford; visit various courts within the United Kingdom, visiting fellow at Law School University of Cambridge	June-July 2007	\$26,587.80
His Honour Judge Robert D PACK	Italy, Russia	Attend Europe-Asia Legal Conference, Lipari; East West Medical Legal Conference, St Petersburg	June-July 2006	\$28,254.60
His Honour Judge Robert D PACK	Greece	5th Greek Conference "Challenges in Law, Medicine and Science", Kos	September-2007	\$10,116.26
Her Honour Judge Deborah RICHARDS	Italy	Europe Asia Legal conference, Lipari, Sicily	June-July 2006	\$10,370.78
Her Honour Judge Deborah RICHARDS	France, United Kingdom	International Bar Association (IBA) conference, Paris; Causation conference, Birmingham	April-May 2007	\$10,453.00
His Honour Judge John M ROBERTSON	Italy / Russia	Legal conference, Prato, Sicily; Europe Asia Legal conference, Lipari, Sicily; Europe Asia Legal conference, St Petersburg	June-July 2006	\$755.87
His Honour Judge Philip D ROBIN, QC	United Kingdom, Ireland	18th British Legal History conference, Oxford; British International Studies Association conference, Cork	July-2007	\$21,613.90
Her Honour Judge Julie A RYRIE	USA (cancelled)	Australian Bar Association conference, Chicago	June-July 2007	\$2,044.00
His Honour Judge Nicholas SAMIOS	Greece (cancelled)	11th Greek/Australian International Legal & Medical conference, Crete	June-2007	\$5,150.00

His Honour Judge Michael J SHANAHAN	Italy	11th Annual Europe Pacific Legal Conference, Cortina	January-2007	\$19,476.23
His Honour Senior Judge Nelson A SKOIEN	France, Spain, United Kingdom, Brazil	Meeting with Judges and court attendance and visits; attend Conference of the Union Internationale des Avocats, Salvador	July - September 2005	\$29,303.00
His Honour Senior Judge Gilbert TRAFFORD-WALKER	China	Sino-Australia Law Forum 2006, China	March-April 2006	-\$298.94
His Honour Senior Judge Gilbert TRAFFORD-WALKER	United Kingdom	Legal Conference, Cambridge University	September-2007	\$13,436.11
His Honour Judge Clive F WALL, QC	New Zealand	Judicial Liaison and Planning and Environment Education Visit	May-2007	\$3,542.83
His Honour Judge Peter J WHITE	Italy	Legal conference, Prato	June-July 2006	\$572.65
His Honour Judge Peter J WHITE	Canada	Legal conference, Ontario	May-2007	\$17,455.60
The Honourable Justice Glenn N WILLIAMS, AO	UK, USA	International Bar Association Conference, Chicago; Rule of Law Conference, Chicago; various meetings and discussions with Judges and practitioners in UK and USA.	August - September 2006	\$40,607.00
The Honourable Justice Margaret A WILSON	Japan	Judicial exchange with Supreme Court of Japan	July-2006	\$444.35
The Honourable Justice Margaret A WILSON	China	20th Biennial LAWASIA Conference, Hong Kong	June-2007	\$3,535.90
His Honour Judge Ian M WYLIE QC	Greece	Greek/Australian International Legal & Medical conference, Mykonos	May-June 2005	\$22,489.60
His Honour Judge Ian M WYLIE QC	Italy	Europe Asia Legal conference, Lipari, Sicily	June-July 2006	\$23,741.78

**TOTAL JUDICIAL OVERSEAS
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\$684,732.37