

## Academic Qualifications and Professional Appointments

- 1971                      Awarded Cooper Classical Scholarship by the University of Sydney for top place in NSW Higher School Certificate in Classics
- 1971                      Awarded National Undergraduate Scholarship for BA/LLB studies, Australian National University
- 1975                      Bachelor of Arts with Honours in Classical Greek, Australian National University
- 1978                      Bachelor of Laws with Honours, Australian National University
- 1978                      Federation of University Women (Queensland) Scholarship awarded for LLB degree at Churchill College, Cambridge University
- 1980                      Commonwealth Travel Grant awarded
- 1980                      Bachelor of Laws (degree now designated LLM), Cambridge University
- 1981                      Tutor in Torts and Contract, Faculty of Law, University of NSW
- 1982 – 1991              Tenured Lecturer and Senior Lecturer in Faculty of Law, University of Sydney teaching courses in Principles of Equity and Trusts; Intellectual Property; Contracts and Restitution.
- Jan-June 1987            Visiting Fellow, Corpus Christi College, Oxford University
- 1989 -1991              Consultant to the Intellectual Property Section, Blake Dawson Waldron, Solicitors, Sydney. Also conducted the firm's Continuing Legal Education programme
- 1991                      Admitted to NSW Bar and commenced full-time practice reading on Eleventh Floor Selborne Chambers
- 1991 – 1995              Lecturer in charge of NSW Barristers and Solicitors' Admission Board courses in Equity and Succession
- 1991                      Admitted to practice as barrister in ACT
- 1993 -5                    Appointed member of Legal Profession Steering Committee of the Gender Bias and the Law Program conducted by the NSW Department of Women.
- 1999                      Admitted to practice as barrister in Queensland

	Appointed to Native Title Practitioners' Panel by Commonwealth Attorney-General.
Feb 2000	Appointed part-time Member of National Native Title Tribunal for 3 years
2001	Completed LEADR Mediation Workshop in Adelaide 23-26 May
2002-4	Appointed mediator/arbitrator in Local Court(Civil Claims) and arbitrator in District Court of New South Wales
	Appointed mediator and evaluator in the Supreme Court of New South Wales
Feb 2003	Appointed part-time Member of the National Native Title Tribunal for a further term
	Elected as an Academician of the International Academy of Estate and Trust Law.
2003-7	Appointed to Panel of Legal Advisors, Legislation Review Committee, Parliament of New South Wales for the term of the 54 <sup>th</sup> Parliament
2004	Appointed Revising Examiner in Succession, Legal Practitioners Admission Board of NSW
2004	Appointed to Advisory Board, Faculty of Law, Sydney University representing the NSW Bar
March 2004	Resigned from National Native Title Tribunal
2008	Appointed Member of Executive Council of the International Academy of Estate and Trust Law.
Feb-June 2008	Visiting Lecturer, University of Sydney Law School, teaching LLM course "Fundamentals of the Law of Trusts."
1 July 2008	Appointed Associate Professor, School of Law, Singapore Management University
2009-2011	Appointed to Intellectual Property Advisory Board to the Information Retrieval Facility Symposium Committee, Information Retrieval Facility, Vienna.
2012	Appointed Member of Asia/Pacific Regional Committee of the International Academy of Estate and Trust law.
2014	Appointed Member of the International Trust Litigation Committee of the International Academy of Estate and Trust Law

May 2017

Appointed Vice-President (Western Pacific) of the International Academy of Estate and Trust Law

### **Professional Bodies**

1. Practising Member, NSW Bar Association 1991-2009; Overseas member 2010-2011; Interstate member 2011-3; Practising member, 2013-
2. Committee Member, Intellectual Property Committee, Law Council of Australia 1988-1996
3. Committee Member, Australian Copyright Society 1990-1
4. Committee Member, Legal Profession Steering Committee of the Gender Bias and the Law Program conducted by the NSW Department of Women, 1993-5.
5. Committee Member, Bar Education Committee, NSW Bar Association 2000-2001
6. Academician, The International Academy of Estate and Trust Law 2003; Member Executive Council, 2008-2012; Member Asia/Pacific Regional Committee from 2012; Member International Trust Litigation Committee 2014-; Vice President ( Western Pacific), May 2017 -
7. Member, Sydney University Law School Advisory Board 2004-2008
8. Member, IP Advisory Board to the Information Retrieval Facility Symposium Committee, Information Retrieval Facility, Vienna. 2009-2011
9. Practising Certificate issued by Queensland Bar Association 29 August 2011.
10. Member, Queensland Bar Association 7 September 2011-July 2013
11. Member, A.C.T Bar Association, 2011-4

## Publications

- Co-author of Woodman & Nettle's "The Torrens System in NSW" (Thomson Lawbook Co.)
- Contributing NSW Section Editor of the Property Law Review (Thomson Lawbook Co.)

## Chapters in Books:

- "Freedom of Speech and Publication in the Public Interest", Chapter 8 in "Confidentiality and the Law", ed. Clarke, Lloyds of London Press, 1990.
- "Damages for Breaches of Purely Equitable Rights: the Breach of Confidence Example", Chapter 4 in "Essays in Damages", ed. Finn, Law Book Co, 1992
- "Intellectual Property", Chapter 19 in "Business Law in Australia", ed. Vermeesch and Lindgren, Butterworths, 1995
- "Non-Commercial Succession to Property: Executors and Trustees", Chapter 31 in "Business Law in Australia", ed. Vermeesch and Lindgren, Butterworths, 1995
- "Declarations", Chapter 24 in "Principles of Equity", ed. Parkinson, LBC Information Services, 1996
- "Breach of Confidence", Chapter 12 with co-author Megan Richardson in "Principles of Equity", ed. Parkinson, LBC Information Services, 1996
- "Declarations", Chapter 24 with co-author Fiona Burns in "Principles of Equity", ed. Parkinson (2<sup>nd</sup> edition), LBC Information Services, 2003

## Journal Articles:

1. "The Equitable Action for Breach of Confidence: Is Information ever Property?" (1980) 9 (No. 2) Sydney Law Review 402.
2. "The Liability of Innocent Third Parties Implicated in Another's Breach of Confidence" (1981) 4 (No. 2) University of New South Law Journal 73.
3. "Liability for Authorising Infringement of Copyright" (1984) 7 University of New South Wales Law Journal 78.
4. "Breach of Confidence and Trade Secrets" (1989) 25 Intellectual Property in Asia and the Pacific 27.
5. "Remedies for Misappropriation of Creative Ideas" (1989) 12 European Intellectual Property Review 333.

6. *"Parallel Importing – Proposed Reform of Copyright Restrictions"* (1989) 11 European Intellectual Property Review 20.
7. *"A Commentary on the Patent Amendment Act 1989"* (1989) 11 European Intellectual Property Review D-191.
8. *"Injunctions and Freedom Of Speech"*, (1989) (No. 6) Copyright Reporter 10.
9. *"The status of Market Survey Evidence in Intellectual Property cases"* (1989) (No. 3) Intellectual Property 27.
10. *"Wrong Way Go Back"* (June 1989) 68 Australian Bookseller and Publisher 30.
11. *"Parallel Importing – Proposed Reform of the Absolute Prohibition in the Copyright Act 1968"* (1990) 2 European Intellectual Property Review D-19-20.
12. *"The Copyright Amendment Act"* (1990) 3 European Intellectual Property Review D-39-40
13. *"Copyright, Publication and Unjustified Threats: Multicoin v. Avel"* (1991) 13 European Intellectual Property Review
14. *"The Forfeiture Rule"* (1993) 67 Australian Law Journal 923.
15. *"Wills and Trusts: Byrnes v Kendle in the High Court"*(2012) 86 ALJ 364
16. *"Removal of Easements and the Exception to Indefeasibility: Castle Constructions v. Sahab Holdings"* (2013) 87 ALJ 581.
17. *"Recent Developments in the Asia-Pacific Region"* (2014) 20 (1-2) Trusts & Trustees 130-136
18. *"The Native Title Right to Fish: Akiba v. the Commonwealth and Karpany v. Dietman"* (2014) 88 ALJ 227
19. *"Native Title and Priorities: Western Australia v. Brown"*(2014) 88 ALJ 452
20. *"The Problem of Successive Vexatious Caveats Revisited"*(forthcoming, Property Law Review)
21. *"The Assurance Fund Confirmed as The Fund of Last Resort"* (2014) 88 ALJ 694
22. *"Recent Developments in the Asia-Pacific Region: Accessorial Liability for Breach of Trust and Sham and Illusory Trusts"* (Trusts & Trustees 2014; doi: 10.1093/tandt/ttu205)
23. *"Forgery, Mortgages and Indefeasibility: Perpetual Trustees Victoria Ltd v Cox"* (2015) 4 Property Law Review 219

24. *"Fraud, Joint Tenancies and The Torrens System: Cassegrain v. Cassegrain"*(2015)89 ALJ 288
25. *"Environmental Protection & The Public Trust : Upper Mooki Landcare Inc. v Shenhua Watermark Coal Pty Ltd"* (2016) 6 Property Law Review 59
26. *"The Age of Entitlement: Family Provision Claims by Adult Children"* (2018) 92 (No.5) ALJ 328
27. *"Report from International Trust litigation Committee: Investec Trust (Guernsey) Ltd v. Glenella Properties Ltd [2018] UKPC 7 – trustees' liability to third parties"*, *Trusts & Trustees*, Vol. 25, Issue 1, 1.2.2019, Pages 156-159. Link to the article:  
<https://academic.oup.com/tandt/article/25/1/156/5320123?guestAccessKey=a49204b2-e477-4901-b7aa-3bcecb709897>

### Conference Papers:

1. *"Recent Developments in Breach of Confidence"*. This paper was presented on 13 November 1981 as part of the Trade Practices and Industrial and Intellectual Property Section of the University of New South Wales Law Faculty's Continuing Legal Education Programme and was published in the papers of the proceedings.
2. *"Unconscionability as a Restriction on the Exercise of Contractual Rights – A Commentary"*. This paper was presented on 16 October 1986 in the University of Sydney Faculty of Law Committee for Postgraduate Studies series of lectures and was published in the papers of the proceedings *"Rights and Remedies for Breach of Contract"* edited by Dr J.W. Carter.
3. *"The MI5 Spycatcher Case: Confidentiality and the 'Public Interest'"*. This paper was delivered to the Department of Law, **University of Hong Kong** on 27 February 1986.
4. *"The Protection of Computer Software in Australia: How effective will the 1984 Amendments to the Copyright Act 1968 (Cth) be to prevent the unfair copying of computer software?"* This paper was delivered to the Electronic Data Processing Auditors Association (NSW) Annual Conference on 29 October 1986.
5. *"How to Protect an Idea"*. This paper was delivered on 8 December 1986 to the Arts/Law Conference on *"Performers and the Law"* in Sydney and was published in the proceedings.
6. *"Copyright in Ideas"*. This paper was delivered on 6 November 1987 to the Third National Copyright Law and Practice Symposium of the Australian Copyright Council held in Sydney.

7. *“Breach of Confidence and Trade Secrets”* given at the World Intellectual Property Organisation Regional Seminar held in Sydney 19-22 July 1989.
8. *“The Action for Misappropriation – Is This Australia’s Equivalent to a Perpetual Copyright?”* This paper was given to the Copyright Society of Australia Seminar held in Sydney on 8 August 1989.
9. *“Recent Developments in Industrial Property in Australia”*. This paper was given to the Asia-Pacific Lawyers Association Conference in **Seoul, Korea**, 19-22 October 1989.
10. *“An Overview of Intellectual Property Rights”* and *“The Representational Rights – Protection of Business Reputation”*. These papers were given at the Technology Law Seminar held by the Illawarra Technology Centre, University of Wollongong on 20 March 1990.
11. *“Current Developments in Intellectual Property: Copyright Amendment Act 1989, Circuit Layouts Act 1989, the Proposed Parallel Importation Amendments and Character Merchandising Rights”*. This paper was given on 19 April 1990 to the Australian Institute of Patent Attorneys Annual Conference held at Alice Springs, Northern Territory.
12. *“Technology Transfer and the Licensing of Trade Secrets”*. This paper was given to the LLM Course on Technology Transfer at the University of New South Wales, Sydney on 20 March 1990.
13. *“Contract, Equity and Restitution”*. This course of 6 lectures was given with Dr JW Carter in April and May 1990 as part of the Continuing Legal Education Programme at Blake Dawson Waldron, solicitors, in Sydney.
14. *“The implications of the GATT/TRIPS proposals before the Uruguay Round for Australia”*. This lecture was given to the Copyright Society Lunchtime Seminar on 27 June 1990.
15. *“Information as Property and the Computer Software Debate”*. This paper was given on 22 July 1990 to the 4<sup>th</sup> National Conference of the Australian Industrial and Intellectual Property Society held in Canberra.
16. *“Knowhow Contracts and Technical Assistance Agreements”*. This paper was given to the United Nations and World Intellectual Property Organisation’s Asian Regional Seminar on the Use of Industrial Property and Technology Transfer Arrangements in the Agrochemical Industry held in Sydney on 5 September 1990.
17. *“An Overview of Intellectual Property Rights”*. This paper was given to the Intellectual Property Seminar given by the NSW College of Law in Sydney on 7 September 1990.

18. *“Intellectual Property and Restitution”*. This paper was given to the New Zealand Institute of Patent Attorneys’ Annual Conference held in Christchurch, **New Zealand** on 19-22 September 1990.
19. *“Trade Marks and Industrial Designs - Legislative Requirements and Judicial Interpretation in relation to Infringement and Counterfeiting”*. This paper was delivered to the Judicial Colloquium on the Judiciary and the Intellectual Property System in Africa which was organized by the World Intellectual Property Organisation and held in **Harare, Zimbabwe** on 19-22 November 1990.
20. *“The Implications of the High Court Decision in the Moo/Moove Case”*. This paper was delivered to the Australian Intellectual Property Society in Melbourne on 4 April 1991 and to the Australian Institute of Patent Attorneys Annual Conference in Melbourne on 12 April 1991.
21. *“Copyright, Publication and Unjustified Threats”*. This paper was delivered to the NSW College of Law Intellectual Property Seminar in Sydney on 8 May 1991.
22. *“Waiver, Election and Unconscionability”*. This paper was delivered as part of the Seminar on *“Conditions and Conditions Precedent”* presented by the Committee for Postgraduate Studies in the Faculty of Law, University of Sydney on 2 July 1991.
23. *“Intellectual Property and Emerging Technologies”* and *“Unfair Competition Law”*. These papers were given at the National Workshop on Intellectual Property Teaching organized by the World Intellectual Property Organisation and the Indian Government and held at the University of Delhi, **India** on 21-25 October 1991.
24. *“Current Proposals for Reform of the Trade Marks Act 1955 (Cth)”*. This paper was given at the Committee for Postgraduate Studies Seminar, *“Trade Marks: Property Rights or Badges of Origin?”* held at the Faculty of Law, University of Sydney in November 1991.
25. *“Recent Developments in Biotechnology – Regulatory and Proprietary Aspects”*. This paper was co-authored with Conita Leung and delivered by her to the Law Asia Conference held in **Colombo, Sri Lanka** in September 1993.
26. *“The Copyright Law Review Committee Report on Computer Software Protection”*. This paper was delivered to the NSW Society for Computers and the Law on 1 September 1993.
27. *“The Native Title Act 1993 in Operation”*. This paper was delivered to the NSW Bar Association Continuing Legal Education Seminar on 13 February 1995 and to the NSW Legal Aid Commission Continuing Legal Education Seminar in June 1995.



28. *“Injunctions and Interlocutory Actions”*. This seminar was held by Legal and Accounting Management Seminars (LAAMS) in Sydney on 18 August 1999 and was chaired by me.
29. *“Patenting Business Systems on the Internet: Welcome Real-Time SA v. Catuity Inc. [2001] FCA 445”*. This paper was given to the NSW Bar Association Continuing Legal Education Seminar on 13 August 2001.
30. *“Statutory Mediations”*. This paper, drawing upon my experience as a Member of the National Native Title Tribunal, was given to the Institute of Mediators and Arbitrators of Australia in Sydney on 1 February 2004 and to the NSW Bar Association Continuing Legal Education Seminar on 17 June 2004.
31. *“The Examined Life: Ethics, Theory and Practice.”* I chaired this seminar given by Dr Vera Ranki to the NSW Bar Association Continuing Legal Education Seminar on 27 September 2006.
32. *“Recent Developments in Succession and Trusts in the Asia/Pacific Region”*. This paper was delivered to the Annual Meeting of the International Academy of Estate and Trust Law held in **Boston, USA** on 21-25 May 2007.
33. *“Assignment of Contractual Rights”*. I chaired this Session in the *“Current Issues in Contract Law”* seminar held by the Commercial Law Association of Australia in conjunction with the Parsons Centre of the Faculty of Law, University of Sydney on 27 July, 2007.
34. *“Fundamentals of the Law of Trusts”*. In First Semester 2008 I designed taught and examined this course as part of the LLM programme at the University of Sydney Law School.
35. *“Contract or Trust? Powers conferred on non-trustees by the trust instrument and delegation of trust powers.”* This paper was delivered to the Commercial Law Association of Australia in Sydney on 23 May 2008.
36. *“Contract, Property or Trust? Powers conferred on Non-trustees by the Trust Instrument and Settlor’s Reserved Powers.”* This paper was delivered to the Australian Capital Territory Bar Association Continuing Legal Education Seminar in Canberra on 6 October 2009.
37. *“Comparative Estate Law”*. I was invited to act as Panel Co-Chair of this session by the New York Bar Association at its International Law and Practice Section 2009 Seasonal Meeting in **Singapore** on 27 October 2009. I also delivered the report on the Law of Trusts and Estates in Singapore.
38. *“Wills Construction: Recent Developments”* delivered to the Legalwise Seminar on Advanced Will Drafting and Estate Planning, 6 March 2012, Brisbane.
39. *“Contract or Trust? Recent international developments in relation to Protectors and Settlor’s Reserved Powers”* delivered to the monthly meeting of members of Society of Trusts & Estate Practitioners (Qld) in Brisbane on 5 June 2012.

40. *“Recent Developments in Succession & Trusts in the Asia-Pacific Region”*. This paper was delivered to the Annual Meeting of the International Academy of Estate and Trust Law held in **Shanghai, PRC** on 21-25 May, 2013.
41. *“Recent Developments in Trusts and Wills in the Asia-Pacific Region: Accessorial Liability for Breach of Trust and Sham and Illusory Trusts.”* This paper was delivered to the Annual Meeting of the International Academy of Estate and Trust Law held in **Montreal, Canada** on 19-23 May, 2014.
42. *“Amendment, Variation and Correcting ‘Mistakes’ in Trust Deeds: the Australian and English approaches compared.”* This paper was delivered to the Adriatic Legal Conference held in **Dubrovnik, Croatia** on 31 August- 7 September 2015.
43. *“The Age of Entitlement”*. This paper was delivered to the NSW Bar Association Continuing Professional Development Seminar in Orange on 18 March 2018 and to the City of Sydney Law Society on 14 June 2018.
44. *“Report from International Trust litigation Committee: Investec Trust (Guernsey) Ltd v. Glenella Properties Ltd [2018] UKPC 7 – trustees’ liability to third parties.”* This paper was given to the annual meeting of the International Academy of Estate and Trust Law in **Lisbon, Portugal** on 21 May 2018.