



GAETANO (TONY) PAGONE QC

Bachelor of Arts - Monash University, 1976

Diploma of Education - Monash University, 1977

Bachelor of Laws - Monash University, 1979

Master of Laws - University of Cambridge (First Class Honours) 1983

Doctor of Laws - University of Melbourne, 2014

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Clerk of Chambers

Michael Wilcox

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Admitted to the legal profession

Victoria: 3 March 1980

Admitted as a barrister

High Court of Australia: 3 March 1980

Tasmania: 7 March 1989

New South Wales: 30 June 1989

ACT: 8 December 1989

Northern Territory: 3 March 1990

Western Australia: 11 July 1990

South Australia: 6 August 1990

Queensland: 8 October 1990

Republic of Ireland: July 1992

Appointed as Senior Counsel

Victoria: 26 November 1996

Tasmania: 21 April 1997

New South Wales: 7 November 1997

Western Australia: 4 April 2000

The Hon. Tony Pagone retired from the Federal Court of Australia where he had been the national co ordinating judge of the Taxation National Practice Area. Before his appointment to the Federal Court he was a judge of the trial division of the Supreme Court of Victoria and had been the judge in charge of the Commercial Court of that Court.

He graduated from Monash University in 1979 with a Bachelor of Laws and from Cambridge University with a Master of Laws in 1983. In 2014 he was awarded an LLD from the University of Melbourne for his research and published work on anti tax avoidance provisions. He was admitted in Victoria as a legal practitioner in 1980, signed the roll of counsel in 1985, and was appointed Queen's Counsel for Victoria in 1996. He practised widely in taxation law, commercial law, administrative law, constitution law, public and human rights law during his career at the Bar. He was also Special Counsel to the Australian Taxation Office between 2002 and 2004.

He is a professorial fellow of the Melbourne Law School and lectures in several post-graduate courses at the Melbourne Law School and from time to time in the Law Faculty at Monash University. He is the President of the International Association of Judges and had been on the board of the International Association of Tax Judges.

AWARDS OR PROFESSIONAL RECOGNITION

December 2009–February 2010, May-June 2012: Herbert Smith Distinguished Visiting Professor, Cambridge

2009: Carretto Siciliano, Famiglia Siciliana,

2008: Premio Italia Nel Mondo

2001: Monash Distinguished Alumni Award

1982-3: Monash Law School Tutor's Scholarship

1972: Commonwealth Student Scholarship

APPOINTMENTS

13 September 2019: Chair, Commissioner for the Royal Commission into Aged Care Quality and Safety

21 June 2013 to 31 March 2018: Justice of the Federal Court of Australia

2 October 2001 - 30 June 2002 and 16 May 2007 – 20 June 2013: Justice of the Supreme Court of Victoria

29 May 2015 to 31 March 2018: Presidential Member of the Administrative Appeals Tribunal

2002-2023: Professorial Fellow, Melbourne Law School, University of Melbourne

15 July 2002 to 31 December 2003: Special Counsel to the Australian Taxation Office (newly created position)

1993 and re-appointed in 1996: Part-time member of the Administrative Appeals Tribunal of Victoria and Equal Opportunity Board. Those appointments were converted from 1 July 1998 to an appointment to the Victorian Civil and Administrative Tribunal, assigned to the Taxation List, the General List and Anti-Discrimination List. Term expired in 2000.

1992 – 1996 and 1998 – 2001: Member of Ethics Committee of the Victorian Bar:

PROFESSIONAL BODY MEMBERSHIPS

Commonwealth Magistrates' and Judges' Association

- Member since March 2017.

International Association of Judges (President)

- Australian co-ordinator since 2009 of Australian Judges belonging to the International Association of Judges. In 2011 was appointed by the IAJ secretariat as one of two rapporteurs to review and report upon the application by the Mongolian Association of Judges for admission to ordinary membership. In 2010 was appointed to the working party to review the criteria for membership to the IAJ.
- Elected President of the Asian, North American and Oceania regional group (ANAO) of the IAJ in November 2014 to October 2018.
- Elected Vice President of the IAJ in November 2014 and first Vice President in 2016 to October 2018.
- Elected President of the IAJ in October 2018.

International Association of Tax Judges

- Member since 2011, elected to Board of Directors in 2013 to 2016.

Taxation Institute of Australia

- Elected to the State Council in 1991 and re-elected each year until retirement from council in 2000.
- Appointed chair of the Education and Convention Planning Committee in Victoria in 1992 and continued in that role until 1994 and again from October 1997 to 1998. That committee was responsible for all Taxation Institute education conferences, seminars, lectures, workshops and other activities involving education in taxation throughout Victoria. Chairmanship of the Victorian committee also involved attending National Education Committee meetings as the person in Victoria responsible for education in taxation for the Taxation Institute in Victoria.

Law Council of Australia

- Chairman of the Business Law Section Executive 1999 - 2001.

- Elected (bi-annually) member to the Executive of the Business Law Section from 1995.
- Invited and appointed to the Taxation Committee of the Business Law Section of the Law Council of Australia from 1992.

Victorian Bar

- Elected to the Bar Council in 1990, 1992, 1998, 1999, 2000, 2001 (but resigned in October 2001 upon appointment to the Supreme Court) and 2006.
- Elected Treasurer of the Bar Council in 2001 (but resigned upon appointment to the Supreme Court).
- Served on numerous committees of the Bar Council from time to time, including:
 - Joint Standing Committee with the Law Institute of Legal Professional Privilege
 - Law Reform Committee
 - Fees Committee
 - Equality Before the Law
 - Ethics Committee
 - Continuing Legal Education Committee
- Bar representative on Federal Court Users' Committee, 1992 - 2001.

Tax Bar Association

- President 2006 - 2007 (until appointed to Supreme Court of Victoria).

Other

- Legal Ombudsman's Ethics Advisory Group 1997.
- Member of committee on a proposal for a Business Division of the County Court of Victoria. Report submitted to the Premier of Victoria in June 1984.

OTHER PROFESSIONAL APPOINTMENTS / EMPLOYMENT

Tertiary teaching positions

- Lecturer 2020, Bocconi University.
- External Lecturer (2001 - 2020) in various post graduate courses at the Melbourne Law School and the Law Faculty at Monash University.
- Senior Lecturer in law (part time), Law Faculty at Monash University: 1989 - 1992.
- Lecturer in law, Law Faculty at Monash University: 1984 - 1987 and part-time 1987 - 1989.
- Tutor and Senior Tutor, Law Faculty at Monash University: 1981 - 1983.
- Senior Tutor, Legal Studies Department at Melbourne State College: May - December 1980.

Articles of Clerkship

Articled to David Owen of Frederick Owen & Associates, 1979 - 1980; employed as solicitor until taking up position at Melbourne State College in May 1980; remained as part time solicitor until leaving for Cambridge to undertake LLM in October 1982.

Secondary school teaching positions

Part time teacher in the Humanities Department at Lilydale Technical School from August 1976 until February 1978 before resuming full time studies to complete Law degree at Monash University.

Editorships

- Editor-in-Chief of Curtin Law and Taxation Review from 2017
- Australian regional correspondent for Butterworths Human Rights Cases from 1997 – present.
- Editorial committee, Webbers (Literary magazine) 1989 - 1990.
- Associate Editor, Australian Tax Review 1993 – 1999. General Editor from 2000 to 2001
- Editor, Civil Liberty (Newsletter/Review of the Victorian Council for Civil Liberties) 1982 - 1986.
- Book Review Editor (formerly), Company and Securities Law Journal Book Review Book Review Editor (formerly), Australian Business Law Review.
- Executive Editor, Contemporary Legal Issues Monography Series 1983 - 1986.
- Editor (formerly), Victorian Bar News.

PUBLICATIONS

Tax Disputes, 2018 Federation Press.

Tax Effective Writing, 2013 Federation Press.

Tax Avoidance in Australia, 2010 Federation Press.

Civil Rights in Australia, 1989 Federation Press, co-editor.

Introducing the Law, 1982 CCH Sydney, joint authorship with Easton et al. 2nd ed 1984, 3rd ed 1989, 4th ed 1993, 5th ed 2003. A legal studies book used widely in high schools and some tertiary institutions.

AULSA Directory of Members, 1982, joint editor with M Barbayannis.

PRINCIPAL AREAS OF PRACTICE

COMMERCIAL LAW

Administrative Law	Conflict of Laws	Product liability
Alternative Dispute Resolution	Corporations and Securities	Professional liability
Appellate	Cross-border Insolvency	Real Property
Arbitration	Insurance and Reinsurance	Restraint of trade
Banking and Financial Services	Intellectual Property	Shareholder class actions
Bankruptcy and Insolvency	International law	Trade Practices
Class Actions	Mining resources and energy	Sports law
Competition and Consumer	Partnership disputes	Superannuation

COMMON LAW

Alternative Dispute Resolution	Class Actions	Professional indemnity
Appellate	Insurance and Reinsurance	

Professional liability

Sports law

EQUITY

Alternative Dispute Resolution

Property

Wills and Estates

Appellate

Trusts

CRIMINAL

Appellate

INDUSTRIAL / EMPLOYMENT

Civil and Human Rights

Disciplinary proceedings

Government inquiries

INQUESTS AND INQUIRIES

Commissions of Inquiry

TAXATION AND REVENUE

Alternative Dispute Resolution

Goods and Services tax

Land tax

Appellate

Income tax

Payroll tax

Capital Gains tax

International tax

Stamp duty and other state taxes

PUBLIC AND ADMINISTRATIVE LAW

Alternative Dispute Resolution

Disciplinary proceedings

Proceeds of crime

Appellate

Judicial review and administrative law

Public law

Constitutional law

Merits review

SECTORS

Government

PUBLISHED ARTICLES, SPEECHES AND CONFERENCE PAPERS

* indicates refereed journal

- “How to Become a Judge in Australia”; Justice-Justiz-Giustizia 2019/2
- “Precedents in tax”, Guiding Light or Straightjacket, (2019) 73 Bulletin for International Taxation 379 (Ed with Wim Wijnen), Introduction (with Wim Wijnen). Special Issue August 2019, International Association of Judges.
- “Life on the Bench”, Melbourne University Law Students’ Society; Careers Guide.
- “Unconscious Biases and Their Impact on Decisions”, Judicial Officers’ Bulletin, June 2018.
- “Pre-Trial Proceedings and Expert Evidence in Tax Litigation” Bulletin for International Taxation 133-137.
- “Taxation in the Federal Court of Australia” (2016) 70 Bulletin for International Taxation, 7.
- “The Management of Expert Evidence for Use by Courts and Tribunals: Concurrent Expert Evidence”, Justice – Justiz – Giustizia 2015/4, www.richterzeitung.ch, <http://richterzeitung.westlaw.ch> (Paper originally prepared for presentation to International Association of Judges Study Commission 2 annual conference, Barcelona, 6 October 2015).
- “What is Tax Avoidance?” (2014) 1 Curtin Law and Taxation Review 13.
- “Sham trusts revisited” (2014) 20 Trusts & Trustees 1081-1090 (based on paper presented at the STEP Asia Conference, Hong Kong, 9 October 2014).
- “Tax Avoidance: different perspectives” (2012) 10 Trust Quarterly Review (UK) 4.
- *Sham Trusts” (2012) 41 Australian Tax Review 117.
- “The Sicilian Vespers” (2012) xxxiii Arba Sicula 78-87 ARBA.
- *Taxation by Discretion” (2011) 22 Public Law Review 298.
- *Aspects of Tax Avoidance: Trans-Tasman Observations” (2011) 40 Australian Tax Review 145.
- *Tax Uncertainty” (2009) 33 Melbourne University Law Review 886 (reprinted by request in Dal Diritto Finanziario al Diritto Tributario, Studi in onore di Andrea Amatucci (Temis, 2011) Vol 1, 137).
- *Centipedes, Liars and Unconscious Bias” (2009) 83 Australian Law Journal 255 (reprinted by request in (2010) 9 TJR 433).
- *Lost in Translation: The judge from provider to consumer of legal services” (2008) 12 Southern Cross University Law Review 157.
- “The advocate’s duty to the Court in adversarial proceedings” (2008) 144 Victorian Bar News, 45.
- “Dante Society: 2008 University Student Prizes” June 2008 Dante Oggi.
- “Justice Hill Memorial Lecture: Income and Capital Distinction” (2008) 42 Taxation in Australia 576.
- “The Italian Historical Society, CO.AS.IT. Melbourne (Australia)” (a paper prepared with members of the Italian Historical Society), 2008 Museo Nazionale Delle Migrazioni; L’Italia nel Mondo. Il Mondo in Italia 83.
- “Vale Elda Vaccari: Eulogy read at the Memorial service for Elda Vaccari” (2007) 15 Italian Historical Society Journal 4.
- *Part IVA, The Voyage Continues” (2006) 10 The Tax Specialist 37.
- *The Divine Comedy: Consolidations and Part IVA of the Income Tax Assessment Act 1936 (Cth)” (2004) 32 Australian Business Law Review 35.
- *Part IVA: The General Anti-Avoidance Provisions in Australian Taxation Law” (2003) 27 Melbourne University Law Review 770.
- *The unusual circumstances of Mr Eaton” (2003) 32 Australian Tax Review 122.

- “The legal nature of a conclusion: finding of fact v's decision of law: some comments on Mochkin” (2003) 37 *Taxation in Australia* 478.
- *Taxation update: anti-avoidance provisions” (2002) 31 *Australian Tax Review* 241.
- *Anti-avoidance provisions and tax reforms” (2001) 30 *Australian Tax Review* 80 (substantially republished in (2000) 35 *Taxation in Australia* 568).
- “Australia: employment practices and awareness of diversity” (1997) 22 *International Legal Practitioner* 95.
- “Private rulings: live issues, dead certainties” (1994) 29 *Taxation in Australia* 68-71, 133-136.
- “The dispute process - preparing for and conduct of litigation” *State Convention Papers*, Taxation Institute of Australia (October 1991).
- “Hate speech and free speech” Vol 11, No 1 (1995) *Liberty* 10.
- “Vilification laws - why not?” No 33, December 1992 *The Australian Rationalist* 30; Vol 8 No 4 (1992) *Civil Liberty* 8.
- “Child abuse: treatment, punishment and other diversions” (with Prof CAJ Coady and MM Coady) (1989) 63 *Law Institute Journal* 388.
- “The place of the Privy Council in the Australian court hierarchy: who, what, where?” (1985) 58 *Law Institute Journal* 959.
- “Blow to Freedoms in Liberty Parade” (1985) 1 *Civil Liberty (NS)* February, 8.
- *Estoppel in public law: theory, fact and fiction” (1984) 7 *University of New South Wales Law Journal* 267.
- *Legal Professional Privilege in the European communities: the AM & S Case and Australian law” (1984) 33 *International and Comparative Law Quarterly* 663.
- “Legal Professional Privilege after Baker v Campbell” (1984) 58 *Law Institute Journal* 124.
- “Foreseeable risk, standard practice and professional negligence” (1984) *Law Institute Journal* 847.
- “Freedom of Speech and Freedom from Hate” (1984) 1 *Civil Liberty (NS)* 9.
- *The lawyer's hunt for Snarks Religions and Races” (1984) 43 *Cambridge Law Journal* 218 - 222.
- *Access to information: guerrilla warfare under the Trade Practices Act” (1982) 5 *University of New South Wales Law Journal* 192 (a shorter modified version was published in the April edition of *Australian Business Law Review* in 1983).
- “Public Authorities' Liability for Negligent Mis-statements” (1982) 56 *Law Institute Journal* 211. (Casenote reproduced by request of editors of *Western Australian Law Society Journal*; and *COMPAK* (1983)).
- “Legal Professional Privilege and the Commissioner of Taxation's right to information” (1981) 16 *Taxation in Australia* 340.
- “Restrictive Trade Practices and solicitors' investment companies” (1981) *Law Institute Journal* 440.
- *The Market Court Act” (1979) 6 *Monash University Law Review* 76 (with T Cunningham).

Speeches, Lectures and Conference Papers

- “Treaty Abuse”, Guest Lecturer, International Tax Masters Program, Bocconi University, Italy, 4 April 2020 (via zoom).
- “Decisions in Business and Laws: Heuristics and Unconscious Bias”, “The Rule of Law and the State: The role of an independent judiciary”, Visiting Professor, Bocconi University, Italy, 7 April 2020 (via zoom).

- “The Duty of the Advisor to the proper administration of the law”, “Legality and Substance: International Fiscal Measures Case Study”, Visiting Professor, Bocconi University, Italy, 9 April 2020 and 17 April 2020 (via zoom).
- “International Tax Avoidance and Transfer Pricing Legislation”, Advanced International Taxation Law, University of Padua, 14 May 2020 (via zoom).
- “Step into the Aged Care Royal Commission with Royal Commissioner the Honourable Tony Pagone QC”, Step Victoria, 16 December 2019.
- “Australian responses to international tax avoidance”, CAANZ, Auckland, New Zealand, 22 November 2019.
- Panellist on “Transfer Pricing Reimagined”, PcW, Melbourne, 20 November 2019.
- Panellist with Peter Walmsley and Greg Davis QC on “The Tax Institute - Part IVA”, Victorian Tax Forum, Melbourne, 18 October 2019.
- “Powers of the state of the Rule of Law”, Loseby Lecture, Vietnam, 2 October 2019 (Saigon) and 4 October 2019 (Hanoi).
- “Recent developments in Australian international tax law”, Calabrian Conference (Cosenza, Italy), 21 September 2019.
- “Helping Judges Decide for You”, Tax Institute, Melbourne, 15 August 2019.
- “Case Preparation”, KPMG Team Retreat, Werribee, 5 August 2019.
- “International Trade Law”, Thai Judiciary Workshop, Melbourne Law School, Melbourne 2 August 2019.
- “Expert Evidence”, Tax Disputes Conference, Tax Institute of Australia, Sydney, 31 July 2019.
- “General Anti-Abuse Rules”, United Nations Training Workshop, Nairobi, 11 June 2019.
- “International Association of Judges”; Australian Italian Lawyers Association; 28 May 2019.
- “Australian judges in an international community”, Young Diplomats Society, Melbourne; 22 May 2019.
- “Legal Insights on the international transfer pricing Landscape”; TP Minds Conference, Sydney, 22 May 2019.
- TedX; Fast change in the context of the judiciary, Florim Gallery Fiorana, Modena; 18 May 2019.
- “Recent Developments in Australian International Tax Law”; Florim Gallery Fiorana Modena, 17 May 2019.
- “Current trends in International Tax Law”; Universita Degli Studi Di Padova, Padua; 16 May 2019.
- Multi-national tax avoidance; Bocconi University, Milan 14 May 2019.
- “Taxation and the Barrister; Bar Reader’s Course; 1 April 2019.
- “Unconscious Judicial Bias”; National Judicial Orientation Program; 2 April 2019.
- “Possible Role of the International Association of Judges”; Contemporary Challenges Conference, Long Island, NY 11 February 2019.
- “Taxation Innovation and Education: Tax in a changing world”, Asian Australian Lawyers Association, 17 January 2019.
- “Dispute Resolution – ADR Options: Which to Choose”; Leo Cussen Centre for Law, 6 December 2018.
- “Written Advocacy”, Asian Australian Lawyers Association, 28 November 2018.
- Guest Lecturer (in course taught by Professor Garbarino), “Tax Treaty Interpretation”, Melbourne Law School, 13 November 2018.
- Panellist on “Balancing Tax Integrity Measures”, Law Council of Australia Taxation Workshop, Kingscliff, 10 November 2018.

- Panellist on “Judges Panel”, Taxsutra Conclave, New Delhi, India, 12 October 2018.
- Panellist on “Transparency of Court Proceedings”, International Association of Tax Judges, 9th Assembly, Ottawa, Canada, 29 September 2018.
- “View from the Bench: How do the Australian courts approach transfer pricing cases? How do the Courts approach tax cases generally?”, TP Minds Australia, Sydney, 30 May 2018.
- “Brambles, Hedgehogs and Foxes”, Australian Taxation Teachers Association, Melbourne, 18 January 2018.
- Regular lecturer at the Victorian Bar Readers’ Course to new barristers on the taxation issues relevant to barristers as taxpayers and potential advisers, including on 1 April 2019, 13 April 2018, 25 October 2017, 7 April 2017, 21 September 2016, 13 April 2016, 19 October 2015, 16 April 2015 and 15 October 2014.
- Workshop presenter and co-ordinator on “Objection Reports” to the State Revenue Office on, 3-4 November 2017, taught jointly with Dr Jeff Mann AM and Robert Olding.
- Panellist on “Part IVA Open discussion”, Law Council of Australia, BLS Taxation Workshop, Sunshine Coast, 27-28 October 2017.
- “Protecting the Revenue – Some Common International Issues”, University of Padua, Padova, 27 September 2017.
- “Deciding Tax Cases”, New Zealand Law Society Tax Conference, Auckland, New Zealand, 21 September 2017.
- “Recent Tax Cases”, The Tax Institute, 50th Western Australia State Convention, Western Australia, 18 August 2017.
- “Australian Tax Avoidance Cases – A Comparative Approach”, University of Munich, Munich, 27 June 2017; University of Passau, Bavaria, 29 June 2017.
- “Trustees, the Commissioner and the younger generation”, Society of Trust and Estate Practitioners, Adelaide, 10 March 2017.
- Current Trends in Tax Disputes, The Tax Institute, 49th Western Australia State Convention, Western Australia, 12 August 2016.
- Tax Disputes in the Federal Court of Australia, International Fiscal Association Australian Branch, 24 May 2016.
- “Resolving BEPS – A view from the Bench”, The Tax Institute, International Masterclass 2015, 18 November 2015.
- “The Consideration for Dutiable Transactions”, State Revenue Office, 25 August 2015.
- “Discussion Paper on the Management of Expert Evidence for Use by Courts and Tribunals: Concurrent Expert Evidence”, International Association of Judges Annual Conference, Barcelona, 6 October 2015.
- “Professional Practices and Part IVA”, Third Annual Trusts and Companies Taxation Symposium, Melbourne, 7 August 2015, Television Education Network.
- “Transfer Pricing Disputes and Litigation” International Fiscal Association Seminar, Melbourne, 23 July 2015.
- “International Law and the Court of Arbitration for Sport”, CommBar CPD Seminar, 24 June 2015.
- “Resettlement of Trusts in 2015”, Society of Trust and Estate Practitioners, 4 May 2015.
- “Ethical Duties in Tax Avoidance”, Australian Italian Lawyers Association and Victoria University, 26 March 2015.
- “Abuse and Avoidance”, The Tax Institute: 2nd Annual Tax Forum, Closing Speech, Melbourne, 10 October 2014.

- “Sham Trusts Revisited”, Society of Trust and Estate Practitioners Asia Conference, Hong Kong, 9 October 2014 (subsequently published in (2014) 20 Trusts & Trustees 1081).
- “Legal Perspectives”, commentating on draft academic papers prepared, respectively, by Professor Kristin E Hickman on “Administering Complexity” and Professor Phillip Baker QC on “Causes of complexity in the UK tax system”, Prato, Italy, 29 September 2014.
- PwC Tax Controversy Practice 10th Anniversary Event, toast, 31 July 2014.
- “Sham Trusts Revisited”, Society of Trust and Estate Practitioners Australasian Conference, Sydney, 29 May 2014.
- “Judges and politics: A comparative perspective”, conversation with Professor Javier Couso, Professor of Law, Chile, first in “Judges in Conversation” series, Federal Court of Australia, 5 March 2014.
- Class Actions: Some comparisons between Italian and Australian Law, paper presented in the Court of Appeal, Turin, Italy, 17 September 2013.
- “Evidence Gathering”. Keynote address, ATO Information Gathering Advisers Regional Workshop, ATO Docklands, 12 August, 2013.
- “Tax Avoidance: Different Perspectives”, Society of Trust and Estate Practitioners, Victoria, 25 February 2013 (a paper previously presented at the Society of Trust and Estate Practitioners Asia Conference, Hong Kong, 17 October 2012).
- “The Australian GAAR Panel”, GAAR Conference, London United Kingdom, 10 February 2012.
- “Commercial Court Update”, Commercial Court Seminar, Monash Law Chambers, Melbourne, 22 February 2012.
- “Division 165: A Sleeping Beauty?”, TEN First Annual GST Conference, Gold Coast, 2 March 2012.
- “Sham Trusts”, Trusts Symposium, Society of Trust and Estate Practitioners, Adelaide, 9 March 2012 (subsequently published in (2012) 41 Australian Tax Review 117).
- “Sham Trusts”, Tax Institute of Australia, Trusts & Estates Club, Melbourne, 21 March 2012 (a paper previously presented at the Society of Trust and Estate Practitioners, Trusts Symposium, Adelaide 9 March 2012).
- “General Anti-Tax Avoidance Provisions in Australia and New Zealand”, Society of Trust and Estate Practitioners, New Zealand Trust Conference, Auckland New Zealand, 30 March 2012 (based upon “Avoidance Law Developments” presented to the New Zealand Institute of Chartered Accountants”, November 2011 and “The Australian GAAR Panel”, GAAR Panel Conference, London, 10 February 2012).
- “Sham Trusts”, Australian Italian Lawyers Association, Melbourne, 27 September 2012 (a paper previously presented at the Society of Trust and Estate Practitioners, Trusts Symposium, Adelaide 9 March 2012).
- “Tax Avoidance: Different Perspectives”, Society of Trust and Estate Practitioners Asia Conference, Hong Kong, 17 October 2012.
- “Parallel Tax Avoidance Provisions: Australia and New Zealand”, 2012 Tax Conference, New Zealand Institute of Chartered Accountants, Wellington, New Zealand, 27 October 2012.
- After Dinner Speech, Australasian Tax Teachers Association Conference, Melbourne, 18 January 2011.
- Introduction to Justice Scalia (US Supreme Court), Advocacy Conference, Adelaide, 4 February 2011.
- “Part IVA: Where Are We and Where Are We Going? The Big Picture”, Tax Institute of Australia, Melbourne, 1 March 2011.

- “Aspects of Tax Avoidance: Trans-Tasman Observations”, International Fiscal Association Conference, Wellington New Zealand, 12 March 2011. (Now published in the Australian Tax Review, (2011) 40 AT Rev 145).
- “Advocacy: Persuasion, Trust and Reputation”, Melbourne University Law School Guest Lecture Series, Melbourne, 24 March 2011.
- “Occasional Address”, Monash Law School Prize Ceremony, Melbourne, 14 April 2011.
- “Illuminating Tax Avoidance”, Tax Institute of Australia, South Australian Convention, 16 April 2011.
- “The Riddle of the Sphinx”, Corporate Tax Association Convention, Melbourne, 7 June 2011.
- “Taxation by Discretion”, Australian Association of Constitutional Law, Sydney, 9 June 2011 (subsequently published in (2011) 22 Public Law Review 298).
- “Muffled Echoes of Old Arguments and Part IVA”, Taxation Institute of Australia, 44th Western Australian State Convention, Bunker Bay, 12 August 2011.
- “Avoidance Law Developments”, New Zealand Institute of Chartered Accountants 2011 Tax Conference, Auckland New Zealand, 12 November 2011.
- “General Anti Avoidance Provisions in Australia”, University of Cambridge, Centre for Tax Law, Workshop, 22 January 2010.
- “The New Commercial Court in Victoria: A Year in Review”, Legalwise Commercial Litigation Seminar, Melbourne, 11 March 2010.
- “What to Prosecute: Allocation and Administration of Scarce Resources”, CORO Conference, Melbourne, 26 August 2010.
- “Privilege for Tax Advice in Australia”, Seminar B, International Fiscal Association Congress, Rome, 29-30 August 2010.
- “Blatant Artificial and Contrived Insights into Australia’s ‘Schemes Era’”, Taxation Institute of Australia, Continuing Professional Development Seminar, Melbourne, 13 October 2010.
- “Case Management Strategies: The Start of a Discussion – One Position”, Judicial College of Victoria, Civil Procedure Workshop for Judges, Melbourne, 19 November 2010, joint paper with Justice Judd.
- “Some Problems in Legislating for Economic Concepts – a Judicial Perspective”, Department of Treasury, Canberra, 2 December 2010.
- “Oromo Community Festival”, Australian Oromo Community Cultural Exhibition, Melbourne, 19 December 2010.
- “New Commercial Court: Continuing Legal Education Talk at the Victorian Bar”, Victorian Bar CLE Seminar, 19 March 2009.
- “Centipedes, Liars and Unconscious Bias”, Melbourne University Law School JD Guest Lecture Series, 7 April 2009, published (2009) 83 Australian Law Journal 255.
- “Income and Capital Distinction”, Tax Institute of Australia, South Australian Convention, 9 May 2009.
- “Tax Uncertainty”, Melbourne Law School, 2009 Annual Tax Lecture, 20 August 2009.
- “Past, Present, Future, the Sicilian Language”, Famiglia Siciliana Workshop, 30 August 2009.
- “The Role of the Modern Commercial Court”, Supreme Court Commercial Law Conference, 12 November 2009.
- “Divided Loyalties: The Lawyer’s Simultaneous Duty to Client and the Courts”, Monash University Guest Lecture in Ethics, 20 November 2009.

- “Dante Society: 2008 University Student Prizes”: Prizes to students from Melbourne University, Monash University and LaTrobe University, St Mary's College, 3 March 2008 (subsequently published in Dante Oggi, June 2008).
- Graham Hill Memorial Lecture, “Income and Capital Distinction”, Taxation Institute of Australia, 23rd National Convention, Saturday 15 March 2008, Adelaide. Re-presented for the Taxation Institute of Australia, Corporate Tax Club seminar, 16 April 2008, RACV Club, Melbourne; published in (2008) 42 Taxation in Australia 576.
- “A new approach to justice in the Building Cases List”, Master Builders Association of Victoria, 16 April 2008.
- “Litigation and ADR”, Construction Law Conference, 22 May 2008.
- “Court approval for settlement of class actions”, Palazzo di Giustizia (Court of Appeal), Milan, Italy, 2 July 2008.
- “The advocate’s duty to the Court in adversarial proceedings”, Victorian Bar Ethics Seminar, 23 July 2008; published (2008) 144 Victorian Bar News, 45.
- “The Model Litigant and Law Clarification”, ATP Leadership Workshop, 17 September 2008.
- “Professional Obligations when Advising on Tax Avoidance”, Taxation Institute of Australia, 47th Victorian State Convention, 11 October 2008.
- Launch of Professor Ivo Vellar’s “Adventures in Two Worlds: My Battles with the D Word”, Co.As.It, 20 November 2008.
- “Where Are We With Part IVA? Current Issues Involving Part IVA”, paper requested to be given at Federal Court Judges’ Workshop, 30-31 March 2007.
- “Transition from Bar to Bench”, talk to Mt. Waverley branch of ALP, 27 August 2007.
- “Vale Elda Vaccari: Eulogy at the Memorial service for Mrs Elda Vaccari”, St. Anthony’s Church, 16 September 2007.
- “New Graduates in a Changing Society”, Occasional Address to the Law and Science Graduation Ceremony at Monash University, 18 October 2007.
- “The Italian Historical Society, CO.AS.IT. Melbourne”, Speech at the Migration Museum Conference in Rome, Italy, 26 October 2007 from a paper largely prepared by members of the Italian Historical Society; published in 2008 Museo Nazionale Delle Migrazioni; L’Italia nel Mondo. Il Mondo in Italia 83.
- “Where Are We With Part IVA? Current Issues Involving Part IVA”, Advising on Part IVA: Hot Topics, Taxation Institute of Australia, 4 December 2007.
- “Part IVA, The Voyage Continues”, AGS/ATO Tax Technical Forum, 2 June 2006; published in (2006) 10 The Tax Specialist, 37.
- “25th Anniversary of Part IVA”, PricewaterhouseCoopers Briefing, 20 July 2006.
- “Special leave applications to the High Court”, Government Law Group Seminar, 10 August 2006.
- “Tax Schemes and Solicitors’ Liability for their Promotion”, The Law Society of Tasmania and The Law Council of Australia, Commercial Law Seminar, 03 November 2006.
- “Part IVA and business restructuring”. Taxation Institute of Australia 44th Victorian State Convention. Lorne. 8 October 2005.
- “Going to Court with the ATO”. Taxation Institute of Australia, 38th South Australian State Convention. Sunset Cove. 11 March 2004.
- “Litigation: some insights”. ATO TCN conference paper on 4 July 2003.
- “Consolidations and Part IVA: the Empire Strikes Back”. Plenary session of Taxation Institute of Australia, Victorian Division, Consolidation Intensive 18-19 July 2003. Sebel Lodge, Yarra

Valley. Revised and presented to NSW Division, Tax Consolidation & Part IVA Menzies Hotel, Sydney, 19 August 2003.

- “Legal Professional Privilege Update”. Plenary session. Taxation Institute of Australia, Victorian State Convention Cumberland Lorne, 11-13 September 2003.
- “A knock on the door in the middle of the night. Is it ASIC, ACCC or the ATO?” Law Institute of Victoria Commercial Law Conference, Melbourne Convention Centre, 10 October 2003.
- “GST Litigation”. Taxation Institute of Australia, 2003 National GST Intensive. Manly Pacific, Sydney. 10-11 October.
- “Part IVA: Progress Report”. Taxation Institute of Australia, Tasmanian State Convention 2003. Eastcoaster Resort. Oxford Tasmania. 17-18 October 2003.
- “Italian Advantage Program: The Law and Politics”. Paper given to program of giovaniz000 organised in conjunction with the Australian Italian Lawyers Association on 11 November 2003.
- “Protecting Human Rights: Parliament v. The Courts”. Castan Centre Public Debate on 12 November 2003.
- “General anti-avoidance provisions in Australia”. Paper for World Tax Conference, London 23-24 May 2002. (Published online at www.tax.org.uk/ciot_media/wtc2002/).
- “Part IVA - a new weapon?”. Paper for the 41st Annual Victorian State Convention of the Taxation Institute of Australia, 12 September 2002.
- “Taxation Update: anti-avoidance provisions”, Law Council of Australia, BLS Seminar, Hobart 4 October 2002. (Published in (2002) 31 A.T.Rev. 241).
- “Anti-Avoidance and Tax Reform”. Paper for the 15th National Convention, Taxation Institute of Australia, 24 March 2001.
- “Part IVA after the CPH Case”. Paper for the 40th Annual Victorian State Convention of the Taxation Institute of Australia, 30 August 2001.
- “Tax Planning or Tax Avoidance” - Canadian Tax Foundation. First World Tax conference: taxes without borders. 1 March 2000 (Published in Report of Proceedings of the First World Tax Conference: Taxes Without Borders (Canadian Tax Foundation, 2000), 26.1-36.27).
- Speech, Dante Aligheri Society, 14 March 1999.
- “Anti-Avoidance provisions in the U.K., U.S., Canada and Australia”. Law Council of Australia, Taxation Workshop, February 1998.
- “The Australian Experience - Peabody, Spotless, and Beyond”. Conference of the Canadian Tax Foundation held in Vancouver, Canada 23 - 26 November 1997.
- “Anti-Avoidance provisions in the U.K., U.S.A., Canada and Australia”, Law Council of Australia, BLS Workshop, 15 February 1998.
- “Interest Deductibility” - 1998 Tax Institute of Australia, South Australian State Convention, 2 May 1998.
- “Interest Deductions: Update including Steele’s Case”. CTA Convention, 4 May 1998.
- “Tax Deductibility of Interest”: 32nd Annual State Convention, Taxation Institute of Australia. Western Australia, 21 August 1998.
- “Part IVA”: 37th Annual State Convention, Taxation Institute of Australia, Victoria, 10 September 1998.
- “Does the Legal System Deliver Justice?” Legal ethics panel: Fourth National Conference of the Australian Association of Professional and Applied Ethics on 30 September 1997.
- “Incurrence of expenses” Paper for Taxation Institute, 5th National Retreat, 7-9 August 1997.
- “Albert Langer, the vote and free speech” Humanist Society of Victoria Lecture, 25 July 1996.

- “Tax Treatment of Distributions to Overseas Beneficiaries”. Paper presented to the Australian Italian Lawyers Association, 30 August 1996.
- “Employment Practices and Awareness of Diversity”. Paper presented at International Bar Association Conference, Berlin, 23 October 1996.
- “Recent Judicial Decisions”. Paper presented at Taxation Institute of Australia Tax Retreat, Cape Schanck, 15 November 1996.
- “Evidence in Tax Appeals”. Paper presented at Australian Government Solicitor Revenue Practice Group Forum, 26 November 1996.
- “Tax Design”. Speech to State Revenue Office, 29 November 1996.
- “Objections and private rulings - issues and strategies for all taxpayers” Plenary session lecture, 33rd Victorian Tax Convention, Taxation Institute of Australia, 3 June 1994 (subsequently published in State Convention Papers, Taxation Institute of Australia, 1994 and in two parts as “Private rulings: live issues, dead certainties” (1994) 29 Taxation in Australia 68-71, 133-136).
- “Part IVA - the implications of the High Court's decision in Peabody's case” Australian Club seminar, 26 October 1994.
- “Work related expenses” 'A' level seminar, Taxation Institute of Australia, 2 November 1994.
- “Peabody's case” Continuing legal education seminar, Leo Cussen Institute, 24 November 1994.
- “The relevance of European legal developments to Australia” Centre of European Studies seminar series, Monash University, 17 May 1993.
- “Interest deductions after TR 93/D38: quo vadis” Taxation Institute of Australia seminar, September 1993.
- “Part IV of the Income Tax Assessment Act 1936” Keynote speaker at a plenary session of the annual convention of the Victorian Division of the Taxation Institute of Australia, September 1995.
- “The new legal order: European communities” Centre for European studies seminar series, Monash University, 9 March 1992.
- “Vilification laws - why not?” Rationalist Society, 21 October 1992 (subsequently published in No 33, December 1992 The Australian Rationalist (1992) 30 Vol 8 No 4 Civil Liberty 8).
- “Taxation appeals” 31st Victorian Convention, Taxation Institute of Australia, 31 October 1992.
- “The dispute process - preparing for conduct and litigation” 12th Victorian Tax Convention, Taxation Institute of Australia, 25 October 1991 (subsequently published in State Convention Papers, Taxation Institute of Australia, October 1991).
- “Potential tax liability as part of the claim for damages” Twilight Seminar, Taxation Institute of Australia, 26 February 1991.
- “1989 in perspective: attitudes in the courts and trends in decision” Taxation Institute of Australia, April 1990.
- “The Tolpuddle Martyrs” Tolpuddle Martyr Public Conference, University of Melbourne, 15 September 1990.
- “Decline of civil liberties in the 1990's” University of the Third Age, 24 November 1990.
- “Planning a successful appeal” Taxation Institute of Australia seminar, June 1990.
- “Planning an effective appeal strategy: the issue which need to be addressed” BLEC seminar, September 1989.
- “Drafting objections” BLEC seminar, September 1989.
- “Tax auditors and evidence” Australian Taxation Office Lecture, December 1989.
- “Capital gains tax and partnerships” Intensive Seminar on Capital Gains Tax, Taxation Institute of Australia, November 1987 (subsequently published in (1988) 17 Australian Tax Review 76). The

article has been the subject of professional comment and discussion, including in standard tax text books such as in G Lehman and C Coleman *Taxation Law in Australia* (Butterworths, 1989) at pp 290 - 293.

- “EEC corporate and trade regulation” 1992 Australia, Europe and the single market, BLEC workshop in Sydney, 19 October 1989.
- “Partnerships, capital gains tax and ruling IT 2540” 1989.
- “Taxation of partnerships” Basic Income Tax Series, Taxation Institute of Australia, 1987 and 1988.
- “Legal Professional Privilege: the implications of *Baker v Campbell*”, Monash Law Faculty Staff Seminar, August 1984.