

# THE HON. STEVEN RARES KC | ARBITRATOR AND MEDIATOR

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BA (1975), LLB (1978) (University of Sydney)  
Mediator, Harvard Law School (2022)  
Adjunct Professor, School of Law, Faculty of Law, University of New South Wales (2024)  
Judge of the Federal Court of Australia (2006-2023)  
Judge of the Supreme Court of the Australian Capital Territory (2007-2023)  
Judge of the Supreme Court of Norfolk Island (2018-2023)  
Appointed Senior Counsel in 1993 and Queen's Counsel in 1994

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## Speeches & Papers

### [Ceremonial sitting of the Full Court to farewell the Honourable Justice Rares](#)

Transcript of proceedings

*14 Nov 2023*

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### [The blurring of lines between shipping contracts](#)

Paper delivered at the International Congress of Maritime Arbitrators XXII, Dubai.

*09 Nov 2023*

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### [Full Court sitting to receive announcements of appointment of Senior Counsel for the State of New South Wales](#)

Address by Justice Rares

*12 Oct 2023*

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### [The significance of context in misleading and deceptive conduct cases](#)

Presented at the Commercial Law Association lunchtime Series by Justice Rares

*23 Jun 2023*

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### [17 Years in the Judicial Sea: A voyage through my experiences as an admiralty and maritime judge](#)

Address by Justice Rares at the MLAANZ NSW Branch 2023 Mini Conference

*28 Feb 2023*

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### [Introduction to the UNCCA UN day lecture 2022](#)

Presented at the UNCCA UN day lecture 2022, Sydney by Justice Rares

*26 Oct 2022*

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## [The prior use defence and exhaustion doctrine in intellectual property law](#)

Presented virtually at the launch event of issue 44(2) of the University of New South Wales Law Journal by Justice Rares.

*24 Sep 2021*

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## [Providing justice in a viral world: where to from here?](#)

AIJA online conference series - Opening remarks by Justice Rares.

*26 Aug 2020*

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## [Charting a new course - Promoting the development of an international convention on liability and compensation relating to transboundary damage from offshore oil and gas activities](#)

Presented at the CMI conference, Mexico, by Justice Rares

*30 Sep 2019*

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## [Speaking the right social media language](#)

Presented at the Council of Australian Tribunals National Conference, Melbourne, by Justice Rares

*06 Jun 2019*

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## [The rule of law and international trade](#)

Presented at the Australian Maritime and Transport Arbitration Commission's Annual Address by Justice Rares

*29 Aug 2018*

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## [Authorised law reporting: remarks to welcome to Australia the Incorporated Council for Law Reporting for England and Wales](#)

By Justice Rares as Chair of the Consultative Council for Australian Law Reporting.

*09 May 2018*

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## [Ship arrests, maritime liens and cross-border insolvency](#)

A paper presented at the BIT's 6th Annual World Congress of Ocean 2017 in Shenzhen, China by Justice Rares.

*03 Nov 2017*

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## [Social media - Challenges for lawyers and the courts](#)

Paper presented at the Australian Young Lawyers' Conference in Sydney, by Justice Rares.  
*20 Oct 2017*

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## [Speaking notes for the International Bar Association conference in Sydney](#)

Presented by Justice Rares  
*09 Oct 2017*

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## [Ships that changed the law - the Torrey Canyon disaster](#)

A paper presented at the Maritime Law Association of Australia and New Zealand 44th National Conference by Justice Rares  
*05 Oct 2017*

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## [Using the "hot tub" - How concurrent expert evidence aids understanding issues](#)

Presented to the CLE seminar, UNSW (an updated versions presented in 2009 and 2013).  
*23 Feb 2017*

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## [Commercial issues in private international law](#)

Introductory remarks presented at the University of Sydney Law School Conference by Justice Rares  
*16 Feb 2017*

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## [Declining jurisdiction following arrest](#)

Paper presented at the National University of Singapore Colloquium on the Arrest Conventions 1952 and 1999 by Justice Rares.  
*28 Nov 2016*

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## [Problems with the school of class actions: Balancing judicial resources, case management and the interests of justice](#)

Presented to the Class Actions, UNSW CLE Seminar, Sydney.  
*14 Mar 2016*

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## [Why Magna Carta still matters](#)

Presented to the Judicial Conference of Australia Colloquium in Adelaide by Justice Rares  
*09 Oct 2015*

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## [Consistency and conflict- cross-border insolvency](#)

A paper presented at the 32nd Annual Conference of the Banking & Financial Services Law Association in by Justice Rares

*04 Sep 2015*

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## [Is access to justice a right or a service?](#)

Presented at the Access to Justice-Taking the Next Steps Symposium, Monash University, by Justice Rares.

*26 Jun 2015*

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## [Introductory remarks to Session on The Way Ahead](#)

Presented to the Comité Maritime International 2015 Istanbul Colloquium.

*08 Jun 2015*

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## [The modern place of arbitration - Celebration of the Centenary of the Chartered Institute of Arbitrators](#)

Presented to the Chartered Institute of Arbitrators in celebration of its Centenary at Sydney, by Justice Rares.

*22 Apr 2015*

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## [Open and accessible courts: Community engagement, public education and awareness](#)

A revised version of a speech given at the AIJA Cultural Diversity and the Law conference in Sydney by Justice Rares.

*15 Mar 2015*

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## [Judicial review of administrative decisions - Should there be a 21st century rethink?](#)

Presented at the "Administrative Law Master-class" seminar for CLE, UNSW, Sydney.

*15 Oct 2014*

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## [Opening Remarks](#)

Presented to the Future of Law Reporting in Australia Forum 2014 and 2014 Annual Conference of the Consultative Council of Australian Law Reporting by Justice Rares

*30 May 2014*

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## [Competition, fairness and the courts](#)

Presented to the Competition Law Conference by Justice Rares

*24 May 2014*

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## [Judicial power and declarations of rights inconsistency](#)

This paper is an edited version of a commentary given on 6 February 2013 at an Australian Association of Constitutional Law seminar, in relation to a paper presented by Prof Helen Irving, "State Jurisdictional Residue: What remains to a State Court when its Chapter III functions are exhausted?".

*16 Oct 2013*

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## [Using the "hot tub" - how concurrent expert evidence aids understanding Issues](#)

This paper has been updated from the version presented most recently at an IPSANZ lunchtime seminar at Gilbert & Tobin on 2 August 2013 and at the Judicial Conference of Australia Colloquium on 12 October 2013, and is to appear substantially in this form in the December 2013 edition of the Intellectual Property Forum.

*12 Oct 2013*

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## [The far from Halcyon Isle: maritime liens, renvoi and conflicts of law](#)

Paper presented at the 40th Annual MLAANZ Conference at the Australian National Maritime Museum, Sydney on 19 September 2013 by Justice Rares.

*19 Sep 2013*

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## [From Genesis to Revelation: the origin and scope of the Admiralty and Maritime Jurisdiction in the constitutions of the United States and Australia](#)

Presented by Justice Rares at the International Commercial Law and Arbitration Conference, held at the Federal Court of Australia, Sydney.

*22 Aug 2013*

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## [Striking the modern balance between freedom of contract and consumer rights](#)

Presented by Justice Rares at the 14th International Association of Consumer Law Conference, held at the University of Sydney.

*02 Jul 2013*

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## [Legality, rights and statutory interpretation](#)

Presented by Justice Rares at the 2013 AGS Administrative Law Conference, Canberra.

*20 Jun 2013*

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## [Commentary on "state jurisdictional residue" by Professor Helen Irving](#)

Presented by Justice Rares to the Australian Association of Constitutional Law, Sydney  
*06 Feb 2013*

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## [An international convention on off-shore hydrocarbon leaks?](#)

Presented by Justice Rares at the MLAANZ lunch time lecture held at the Federal Court of Australia, Sydney.  
*14 Oct 2012*

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## [Some issues that arise in arrests of ships](#)

Presented by Justice Rares at the MLAANZ lunch time lecture held at the Federal Court of Australia, Sydney.  
*19 Sep 2012*

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## [The role of courts in arbitration](#)

Presented by Justice Rares at the '2012 ADR in Australia and Beyond', the New South Wales Bar Association and Australian Centre for International Commercial Arbitration seminar.  
*04 Aug 2012*

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## [The future of law reporting in Australia forum - introductory remarks by the Hon. Justice Steven Rares](#)

Speech delivered to 'The future of law reporting in Australia forum,' Brisbane.  
*02 Aug 2012*

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## [A Judge's viewpoint: the role of pleading](#)

The 2012 Judges' Series - Practical Litigation in the Supreme Court and the Federal Court.  
*16 Jun 2012*

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## [Introductory remarks for the 2012 Competition Law Conference](#)

Introduction to the 2nd session of 2012 Competition Law Conference.  
*05 May 2012*

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## [An international convention on off-shore hydrocarbon leaks?](#)

Presented at the International Conference on Liability and Compensation Regime for Transboundary Oil Damage resulting from Offshore Exploration and Exploitation Activities,

Bali.

*21 Sep 2011*

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## [The Federal Court of Australia's international arbitration list](#)

This is a revision of a paper presented at the Senior Counsel Arbitration Seminar of the New South Wales Bar Association on 14 September 2011.

*14 Sep 2011*

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## [Introductory remarks for the 2011 AMTAC Annual Address](#)

Opening remarks by Justice Steven Rares

*21 Jul 2011*

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## [Judicial intervention and caseload management](#)

Presented to the 2011 Access to Justice Conference

*07 Jul 2011*

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## [The need for an international convention to deal with off-shore hydrocarbon leaks](#)

A paper presented at the 2011 Biennial Mini Conference of the Maritime Law Association of Australia and New Zealand, Katoomba, NSW.

*11 Mar 2011*

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## [What is a quality judiciary?](#)

A revision of a paper presented at the 2010 Asia-Pacific Courts Conference, Singapore

*04 Oct 2010*

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## [Using the "hot tub" - how concurrent expert evidence aids understanding issues](#)

A paper presented at the New South Wales Bar Association Continuing Professional Development seminar: Views of the "Hot Tub" from the Bar and the Bench.

*23 Aug 2010*

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## [Rethinking the 1979 offshore constitutional settlement](#)

Address by Justice Rares at lunchtime session on Fisheries, Offshore Resources, and the Proposed Integrated Oceans Management Act.

*16 Jul 2010*

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## [The jury in defamation trials](#)

Presented at the 2010 Defamation & Media Law Conference, Singapore.

*25 Mar 2010*

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## [Expert evidence in copyright cases- concurrent expert evidence and the “hot tub”](#)

Presented to the 14th Biennial Copyright Law and Practice Symposium, Sydney.

*15 Oct 2009*

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## [International arbitration of admiralty and maritime disputes in Australia](#)

Paper presented to the 36th Annual Conference of the Maritime Law Association of Australia and New Zealand at Queenstown, New Zealand.

*04 Sep 2009*

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## [What do Alan Bond, wildly wealthy women and s 52 of the Trade Practices Act 1974 have in common?](#)

Presented at the University of New South Wales Continuing Legal Education Seminar: Defamation and Media Law Conference.

*17 Mar 2009*

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## [The role of the intermediate appellate court after Farah Constructions](#)

An edited version of a paper presented at the 4th Appellate Judges Conference of the Australasian Institute of Judicial Administration, Melbourne.

*07 Nov 2008*

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## [The significance of the commercial jurisdiction of the Federal Court of Australia](#)

Presented on 5 September 2008 for the Commercial Law Association's 2008 Leading Edge Seminar Series.

*05 Sep 2008*

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## [The onus of proof in a cargo claim- Articles III and IV of the Hague-Visby Rules and the UNCITRAL draft convention](#)

Paper presented to the MIG/MLAANZ lecture series

*23 Jul 2008*

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## [How the implied constitutional freedom of communication on government and political matter may require the development of the principles of open justice](#)



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Presented to the Judicial Conference of Australia Colloquium 2007, Sydney.  
*07 Oct 2007*

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## [Defamation and the Uniform Code](#)

Paper presented at the 2006 Media Law Conference, Sydney.  
*26 Sep 2006*

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## [Blind justice: the pitfalls for administrative decision-making](#)

Presented to the Council of Australasian Tribunals NSW Chapter Inc, 2006.  
*26 May 2006*

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## [Defamation: where the reforms have taken us uniform national laws and the Federal Court of Australia](#)

Presented at the College of Law City 2006 Autumn Intensive.  
*29 Mar 2006*

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## [Uniform national laws and the Federal Court of Australia](#)

Paper presented at the University of New South Wales law faculty "Defamation & Media Law Update 2006".  
*23 Mar 2006*

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