



Law Council
OF AUSTRALIA

Commonwealth Law Conference – Opening Remarks

Speech delivered by Law Council of Australia President, Tania
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Good morning.

We meet today on the lands of the Gadigal people of the Eora Nation. I acknowledge their continuing connection to land, waters and community, and I pay my respects to Elders past and present, and I extend that respect to any Aboriginal or Torres Strait Islander people with us today.

This year's Commonwealth Law Conference brings together leaders from across our profession, academia and the courts to mark 50 years of the Federal Court of Australia — noting that the Court formally commenced in 1977, making this an early but fitting opportunity to reflect on its contribution.

This milestone invites reflection — not only on history, but on the shared endeavour that unites the profession and the courts. It invites us to consider the relationship the Law Council of Australia has forged with the Federal Court over the past five decades — a relationship grounded in mutual respect and a shared commitment to the continual improvement of our justice system.

In 1958, the Law Council's Vice-President was Nigel Bowen QC. He would later serve as Attorney-General and, in 1976, become the inaugural Chief Justice of the Federal Court of Australia.

We are honoured to have with us today the current Chief Justice of the Federal Court of Australia, Debra Mortimer. Chief Justice, we thank you for being with us and look forward to your keynote address.

The courts lie at the heart of our legal system. They give practical effect to the rule of law — ensuring that power is exercised according to law, that rights are protected, and that disputes are resolved impartially.

It is therefore no surprise that the Law Council has long taken a close interest in, and maintained a strong working relationship with, the courts.

The written history of the Law Council, authored by our esteemed colleague Dr Gordon Hughes, paints a picture of how intertwined our organisation and the Federal Court have been since its inception.

He records that the idea of a Federal Court of Australia was first raised by Attorney-General Sir Garfield Barwick — a former Law Council President — at the 13th Annual Australian Legal Convention.

A majority of delegates favoured the creation of the Court, and it was resolved that the Law Council should appoint a committee to consider and report on the proposal.

The committee, chaired by Murray V. McInerney QC, produced a report in August 1963 recommending the establishment of a Federal Court comprising a General Division, a Matrimonial Causes Division, an Industrial Division and, potentially, a Bankruptcy Division.

Ten years after the Federal Court began operations, the Law Council's Federal Practice and Litigation Section was established. Today, that section has evolved into the Federal Dispute Resolution Section — the convenors and hosts of this conference.

I sincerely thank the Section Executive and Committee Members, and in particular, Chair Peter Woulfe and Simon Fitzpatrick for their hard work in making today possible.

For forty years, the FDRS has guided the Law Council's advocacy on legal and procedural matters, our liaison with federal courts and tribunals, and the delivery of exceptional education and professional development to the profession.

I would like to specifically acknowledge the Federal Dispute Resolution Section of the of the Law Council of Australia. Its members contribute their expertise generously and voluntarily – to policy development, education and the sharing of practical experience that strengthens dispute resolution practice. Their work not only supports the profession but enhances access to justice for the communities we serve.

This enduring collaboration between the courts and the profession reflects a shared understanding: that the strength of our justice system depends not only on the independence of institutions, but on the confidence they inspire.

Last month, I travelled to Singapore for the Opening of the Legal Year. Both Chief Justice Sundaresh Menon and the President of the Law Society of Singapore, Professor Tan Chenghan SC, identified technology — particularly generative AI — as one of the greatest challenges and opportunities facing the practice of law.

Their remarks underscored that moments of rapid technological change do more than alter how we practise law. They test the resilience of our institutions — and the public's confidence in them.

Generative AI is now part of our everyday landscape. It offers significant potential benefits — improving efficiency, expanding access to legal

information, and supporting decision-making — but it also carries risks that must be carefully managed.

We value the leadership of the Court, and of the Chief Justice, on the use of artificial intelligence, and commend the broad consultation undertaken as these issues are considered. The Federal Dispute Resolution Section has played an integral role in ensuring the profession's experience helps shape the path forward.

In times of change, public confidence in legal institutions becomes both more fragile and more important.

Courts are not merely forums for dispute resolution. They are pillars of a democratic society: places where power is checked, rights are protected, and decisions are made according to law rather than influence. Yet we cannot assume that this role is fully understood beyond our profession.

Strengthening that confidence must therefore remain a shared priority. Confidence is built not only through fair outcomes, but through transparency, accessibility, accountability, and public understanding.

Building and sustaining that confidence requires sustained commitment. Governments must ensure that our courts and tribunals are adequately resourced to perform their essential functions. Without sufficient resources, delay grows, access diminishes, and public confidence is eroded. Investment must therefore extend to modern technology and digital infrastructure, which can expand access to justice, reduce inefficiency, and help ensure that the rule of law remains real and practical for all.

The Law Council also continues to advocate for the establishment of a Federal Judicial Commission. An appropriately constituted and properly resourced body would enhance accountability, support judicial independence, and reinforce public confidence in the integrity of the federal judiciary — confidence that is essential to the legitimacy of our legal system.

Civics education is equally vital. The rule of law cannot endure if it is not understood and valued. A community that understands its institutions is better equipped to participate in democratic life, to resist misinformation, and to recognise the value of an independent judiciary. Yet civics understanding in Australia remains worryingly low. Renewed commitment in this area is not optional; it is foundational.

These priorities — resourcing, transparency, and education — are not abstract policy goals. They are practical measures that sustain trust in legal

institutions and ensure that the rule of law is not merely an ideal, but a lived reality.

Anniversaries such as this invite reflection, but they also compel us to look forward. They prompt us to ask not only what our justice system has been, but what it must become to retain the confidence of those it serves.

It is through conversations like those we will share today — through the exchange of perspectives, expertise and ideas from across our profession and across jurisdictions — that we continue the work of strengthening the administration of justice and renewing public trust in the institutions that uphold it.

Thank you all for being here.

I also acknowledge our conference sponsors — Lawcover, Clio, ACAMS and Real AML — for their generous support. I am told our lucky door prize, kindly donated by Clio, will allow one attendee to celebrate the Federal Court's 50th anniversary in appropriate style.

We have an excellent program ahead. I hope you find the day engaging, thought-provoking and very enjoyable.

Thank you.