



The Commercial Law Association of Australia Ltd  
ACN 001 290 115

## 60th Anniversary Annual Report 2025

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Building a bridge between commerce and law



# The Commercial Law Association of Australia Ltd

[www.cla.org.au](http://www.cla.org.au)

GPO Box 5186, Sydney, NSW 2001

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## Board of Directors as at 31 December, 2025

Sarah Hill, President

Professor Gerard Ryan

James Biady, Vice-President

Sally Moten

Norman Donato, Treasurer

Christine Lithgow

Stephen McMahon

Alison Haly

## Registered Office

Level 2, Suite 212, 350 George Street, Sydney, NSW 2000

## Chief Executive Officer

Max Wilson BA, Grad Cert Management Communication, AFIMA. Email: [maxwilson@cla.org.au](mailto:maxwilson@cla.org.au)

## Member Services

Elizabeth Wilson. Email: [memberservices@cla.org.au](mailto:memberservices@cla.org.au)

## Commercial Law Quarterly Editors

Dr Gregory Tolhurst LLM (Syd)

Hon Justice Elisabeth Peden, BA Hons, LLB Hons (Syd), PHD (Cantab)

Thank you to all those who have supported us throughout the year



**LANDER  
& ROGERS**



# President and Directors' Report

## 2025: the year in review

What an extraordinary 60th Anniversary year we had. I think I can safely say that it more than exceeded our expectations.

All along there was one very firm idea behind our 60th Anniversary celebrations. It was to pull out all the stops when it came to the quality of our seminars in 2025. We were very fortunate that so many distinguished people agreed to speak at our seminars this year.

In the end that turned out to be ten Judges, ten Distinguished People and Professors, eight Barristers (in which I'm including SCs and KCs), at least four Partners, and four Managing Directors and CEOs. We also introduced eight new speakers. We are enormously grateful to everyone who made time to speak at our seminars throughout the year — some of them more than once.

This is also the moment to thank the people who have kept the CLA going over the years — which for quite a few of them means decades. Kevin Tang and Carol Chen who brought the CLA into the 21st century when they designed our website and have given us tech support ever since. Filmographers Josh and Karly Marks without whom streaming our seminars online and recorded CPD content would be impossible. Emma Heuston who keeps our name alive on social media. Emeritus Professor John Carter, Jeffrey Goldberger and Professor Gerard Ryan who speak for us every year. The Hon Justice Elisabeth Peden and Professor Greg Tolhurst who not only search out the papers for the Commercial Law Quarterly but contribute as well.

Then there are the companies, institutions and firms we rely on. The NSW State Library who has always found a room for us. Laissez Faire Catering who have never failed to provide us with sandwiches, scones with jam and cream, and an anniversary cake when needed (we're looking forward to this year's). Spicers Retreats who generously provide our membership prizes. Lander & Rogers who have given us boardroom space when we needed it.

And then there's you. Our members and audience. It would all be for nothing if you didn't come along to our seminars, forums and conferences not only in person but online across Australia. Happily, you do. Some of you have been coming for decades too. Thank you very, very much.

It all came to an end at our 60th Anniversary Dinner in late October at the NSW State Library and what a warm and happy occasion it was. Ian Neil SC was a wonderful MC. We were very honoured that Her Excellency the Hon Margaret Beazley AC KC, Governor of NSW, was kind enough to send us a videoed message of congratulation. Not forgetting the Hon Justice Elisabeth Peden's toast to our past and future.

A very important part of the dinner was the 20-minute video created by Josh and Karly Marks from DocoTV who film all our seminars. The documentary wandered through and reminisced on not all but a lot of our 60-year history. If nothing else it proved absolutely that those who share their enthusiasm, warmth and generosity will create something truly lasting and worthwhile. Thank you to all who were a part of it. The video is on our website if you'd like to take a look.

A sad note was the announcement that Max and Liz Wilson are retiring after 25 years at the helm of the CLA. Max and Liz have been the heart and soul of the CLA and we will be forever grateful for their dedication to the association. We will miss their presence but wish them all the best in the next chapter of their lives.

During the year Edmund Finnane and Ben Whitten resigned from the CLA's Board after many years of support and service. We will certainly miss them. We also welcomed another long-time supporter of the CLA to our Board — Christine Lithgow.

## Seminars

If there has been one thing that has distinguished our 60th anniversary year it is that it has not just been a celebration of past triumphs, but a starting point for the CLA's future.

Our seminars this year have of course featured all our tried and trusted speakers. Where would we be without them? As usual they have all attracted enthusiastic audiences. However, this year we have also featured the largest number of new speakers in quite some time. They include Penny Thew, Dawid Naude, Juliette Kaado, Jerry Leung, Jasmine Robertson and Alexander Humphreys. Notably, the June Judges series was almost entirely made up of new speakers — the Hon Justices Pike, Nixon and Needham. I'm glad to say that they also attracted enthusiastic audiences to what turned out to be a wide range of topics.

We are also very fortunate that a lot of people who attended those seminars found that they were a worthwhile way to spend their time. A great many people who were in the room took the time to tell us so. Still more took the time to fill in our event surveys. Thank you for all your kind words.

## Financial update

The CLA ended the year with a deficit of \$15,853.37. To view the audited 2025 financial reports, please visit our website.

We are grateful for the contribution of the above efforts and interest in everything the CLA does which has made for the continuing success of this association across 60 years. Nor do we forget that the CLA would not exist without the support of its members and seminar audiences. We look forward to seeing you at our functions in 2026.

Sarah Hill, President

# 2025 Social Media Report

The Commercial Law Association of Australia (CLA) recorded another year of steady and meaningful growth on social media in 2025, noting the focus was on LinkedIn as it was determined that Facebook had little engagement after a test on that platform.

Across the reporting periods available, the LinkedIn page (the page) grew from 1,844 followers to 2,154 followers, an increase of 310 followers or approximately 16.8% over the calendar year.

Growth was driven principally by consistent promotion of seminars, the June Judges Series, Board and committee announcements, the Class Actions seminar, the 60th anniversary campaign and *Commercial Law Quarterly* content.

## KEY HIGHLIGHTS

- Follower growth remained consistent across the year, with the strongest momentum occurring around seminar campaigns and major association announcements.
- The June Judges series was a particularly strong driver of growth in followers, page views, unique visitors and impressions.
- Board and committee announcements also performed well, especially where the post was re-shared or supported by the individual featured to amplify its reach to their followers and contacts. Christine Lithgow was the Board's star performer in this regard, sharing much of our content to her own audience and contacts.
- The Class Actions seminar contributed strongly to the August/September reporting period and assisted the page to move comfortably beyond the 2,000 follower mark.
- Promotion of the 60th anniversary event and related photographs helped sustain visibility and engagement in the final part of the year.
- *Commercial Law Quarterly* (CLQ) content continued to perform well, particularly where authors or contributors amplified the post through their own networks. This has been the biggest change this year — the CLQ posts performing better than they have historically.

## INSIGHTS

### Event-led content remains the best performance.

The best-performing periods were closely tied to live seminar promotion, speaker line-ups, event reminders and post-event content. This suggests that LinkedIn continues to be an effective channel for building visibility around CLA events and converting attention into page traffic.

### Recognised names improve reach.

Posts featuring judges, speakers, authors, Board members and committee members consistently outperformed general posts. Tagging contributors and encouraging them to re-share content materially assisted impressions and engagement.

### Video and photographs continue to add value.

Video previews and event photographs were effective in improving engagement rates and making the page feel active and current. Joshua was able to share some snippets with us to post on the page.

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## KEY METRICS

Metric	2025 outcome	Comment
Total followers	1,844 to 2,154	Net increase of 310 followers across the reporting periods provided.
New followers	Strongest sustained growth from March to October	New followers were 14 at the start of the year, then 35, 24, 42, 39, 44 and 19 in the later reported periods.
Page views	43 to peak of 106	Traffic rose strongly during major seminar promotion periods, particularly around the June Judges Series and subsequent events.
Unique visitors	14 to peak of 53	Visitor numbers strengthened during active campaign periods and remained solid into the anniversary campaign.
Impressions	3,372 to peak of 7,959	Visibility materially improved across the year, with multiple months recording strong reach.
Engagement	Strongest around events and contributor-led posts	High-performing content consistently featured recognised speakers, judges, authors, Board members and post-event photographs.

### Consistency matters.

Steady month-on-month posting, coupled with targeted promotion of seminars and CLQ content, supported reliable growth rather than one-off spikes. This is particularly important in the months where we do not host seminars such as April and December.

### RECOMMENDATIONS FOR 2026

- Continue prioritising seminar-led campaigns, including early speaker announcements, reminder posts and post-event follow-up content.
- Where possible, tag and brief presenters, authors and Board members so they can re-share posts to their own networks. Make sure ALL Board members share posts on their LinkedIn pages and other social media platforms. This is how content spreads further.
- Maintain a mix of formats including speaker graphics, short video previews, CLQ highlights, event photographs and short opinion or poll style content.
- Continue using major events and anniversary-style milestones as anchor points for broader campaigns that build page visibility and goodwill.
- Track any future paid promotion separately against registrations or other measurable outcomes so the Board can better assess return on investment. It is noted that in 2024 paid promotion was used with the Digital Picnic. The promotion in 2025 was purely organic (ie, unpaid). The growth in 2024 with paid promotion was 280 new followers, compared to the organic growth of 310 followers in 2025. The seminar attendance figures for both years are unavailable to me when preparing this report, however I suspect that is where the paid promotion pays off.

### CONCLUSION

Overall, 2025 was another strong year for the CLA's presence on LinkedIn.

The page achieved solid follower growth, improved visibility and consistently good engagement, particularly where content was linked to events, recognised contributors and *Commercial Law Quarterly* material. The results support continued investment in a disciplined LinkedIn strategy focused on seminar promotion, contributor amplification and timely, high-quality content.

Emma Heuston

# 2025 Seminar Program

## **Goldberger on contract master class**

7 February

Jeffrey Goldberger, Special Counsel, Norton Rose Fulbright; Hon Justice Fabian Gleeson, Supreme Court of NSW

## **Mandatory CPD halfday seminar**

21 February

Dawid Naude, CEO, Pathfinder.ai; Penny Thew, State Chambers; Professor Gerard Ryan, University of Notre Dame Australia

## **Recovering pure economic loss in tort after *Mallonland***

21 February

Professor Emeritus Barbara McDonald, University of Sydney

## **Restitution and contract**

3 March

Emeritus Professor John Carter, consultant, Herbert Smith Freehills; Founder, JW Carter Publishing

## **How to know when contractual terms are ‘unconscionable’ or ‘unjust’?**

14 March

Jasmine Robertson, Supreme Court of NSW; Alexander Humphreys, Herbert Smith Freehills

## **Equitable remedies: injunctions and declarations**

17 March

Hon Justice Elisabeth Peden, Supreme Court of NSW; Juliette Kaado, Herbert Smith Freehills

## **What ethical pitfalls are being seen by the Legal Services Commission?**

20 March QLD

David W Marks KC, Hemmant’s List; Rachel Hew, Lilley Chambers (Chair)

## **Equitable estoppel**

26 May

Hon Justice Elisabeth Peden, Supreme Court of NSW; Jerry Leung, Supreme Court of NSW

## **Fiduciary duties in a commercial context**

6 June

The Hon Fabian Gleeson SC, 9 Selborne Chambers; Sarah Hill, 4 Selborne Chambers (Chair)

## **Recent developments in commercial damages**

13 June

The Hon Justice Ian Pike, Supreme Court of NSW; Sarah Hill, 4 Selborne Chambers (Chair)

## **The undertaking as to damages**

20 June

The Hon Justice Scott Nixon, Supreme Court of NSW; Sarah Hill, 4 Selborne Chambers (Chair)

## **AI and the Courts in 2025**

27 June

The Hon Justice Jane Needham, Federal Court of Australia; Sarah Hill, 4 Selborne Chambers (Chair)

## **Systemic unconscionability and corporate intention**

8 August

The Hon Justice Kristina Stern, Supreme Court of NSW; Sarah Hill, 4 Selborne Chambers (Chair)

## **Essential skills for negotiation in mediations**

20 August QLD

Madelaine Luchich, Hemmant’s List, Qld; Alison Haly, Haly & Co (Chair)

## **The latest developments in class actions**

29 August

Hon Frances Williams, Supreme Court of Queensland; Hon Bernard Murphy, Federal Court of Australia; Hon Lisa Nichols, Supreme Court of Victoria; William Edwards KC, Owen Dixon Chambers West; Professor Vince Morabito, Monash University; Pip Murphy, CEO, Association of Litigation Funders of Australia; Philip Lomax, Managing Director, Liticia; Adam Hochroth, Banco Chambers; Peta Stevenson, Partner, King & Wood Mallesons; Vicky Antzoulatos, Joint Head of Class Actions, Shine Lawyers; Craig Allsopp, Joint Head of Class Actions, Shine Lawyers

## **Fiduciary obligations: origins and consequences**

19 September

Hon Reginald Barrett AO; Sarah Hill, 4 Selborne Chambers (Chair)

## **60th Anniversary Commercial Law Conference**

30 October

Hon Justice Peter Brereton, Supreme Court of NSW; Christine Lithgow, Director CLA; Principal, Christine Lithgow & Associates (Chair); Professor Gregory Tolhurst, Editor, *Commercial Law Quarterly*; University of Sydney Law School; Hon Keith Mason AC KC (Chair); Emeritus Professor John Carter, General Editor, *Contract and Commercial Law Review*; Consultant, Herbert Smith Freehills Kramer; Professor Gerard Ryan, Vice-president, CLA; University of Notre Dame Australia Law School (Chair); Hon Fabian Gleeson SC, 9 Selborne Chambers; Professor Gerard Ryan, Vice-president, CLA; University of Notre Dame Australia Law School (Chair); Hon Chief Justice Andrew Bell, Supreme Court of NSW; Sarah Hill, President CLA, 4 Selborne Chambers (Chair)

### **Captions for pages 8 to 10**

#### **60th Anniversary Conference**

1. *From the filmographer's viewpoint, Dr Greg Tolhurst at the lectern.*
2. *Sarah Hill, President, CLA.*
3. *From the back of the Michael Crouch Room, NSW State Library.*
4. *Hon Chief Justice Andrew Bell*
5. *Hon Justice Peter Brereton*
6. *Hon Fabian Gleeson SC*
7. *Hon Keith Mason AC KC*
8. *Emeritus Professor John Carter*
9. *Dr Greg Tolhurst, co-editor, Commercial Law Quarterly*
10. *Christine Lithgow, board member, CLA*
11. *Hon Dr Robert Austin AM*

#### **60th Anniversary Cocktails**

1. *(l-r) CLA board members: Professor Gerard Ryan, Norman Donato, Sarah Hill, Stephen McMahon, James Biady, Max Wilson*
2. *Dr Adam Waldman, Sarah Horton, Hon Justice Elisabeth Peden*
3. *(l-r) Liz Wilson, Max Wilson, Lyn Drake*
4. *(l-r) Stephen Lamy, Dr Greg Tolhurst*
5. *(l-r) Robert Gallimore, Emeritus Professor John Carter, Michela Gallimore*
6. *(l-r) Hon Keith Mason AC KC, Kevin Tang*

#### **60th Anniversary Dinner**

1. *From the back of the Friends' Room, NSW State Library*
2. *Ian Neil SC, MC for the evening*
3. *Hon Justice Elisabeth Peden, co-editor of the Commercial Law Quarterly, who gave the toast for the CLA*
4. *Professor Gerard Ryan, Vice-president, CLA*
5. *Max and Liz Wilson saying goodbye after 25 years at the helm of the CLA*

# Seen at the 60th Anniversary Conference



# Seen at the 60th Anniversary Cocktails



# Seen at the 60th Anniversary Dinner



See page 7 for captions

## Current Board of Directors



### **Sarah Hill BA/LLB (Hons) (USyd)**

Sarah Hill has practised as a barrister in NSW since 2004. She holds a BA/LLB (Hons) from the University of Sydney. She has a broad ranging equity and commercial practice covering such areas of the law as contracts, corporate law, insolvency, equity, property, trusts and wills and estates. Sarah has given presentations in many of these areas at industry conferences and to various legal bodies. She was admitted to the Supreme Court of NSW, the Federal Court of Australia and the High Court of Australia in 2003. Sarah was appointed to the Board of Directors of the CLA in 2018 and is currently serving as the President of the CLA.



### **Professor Gerard Ryan BEc (Hons) (USyd), LLB (Hons) (USyd), GradDipLP (UTS), LLM (Hons) (USyd), GCUT (UNDA), FHEA**

Gerard is a Professor of Law at the University of Notre Dame Australia (UNDA). He graduated from the University of Sydney with First Class Honours in Economics and Law. His Masters of Law included an Honours thesis in competition law. Gerard was admitted as a solicitor in 1991. He was a partner in a large city commercial law firm, specialising in commercial work in the energy sector (including electricity derivative transactions, large energy infrastructure projects and regulatory advice). From 2008 to 2012 he was Dean of the School of Law, Sydney at UNDA. His main areas of teaching are contracts, commercial practice, commercial drafting, ethics, corporations law and property. He has supervised research students in contracts, competition law and other areas. Gerard and his UNDA colleagues have conducted the CLA's annual CPD presentation on ethics, practice management and professional skills since March 2011. He joined the CLA Board of Directors in 2018 and was elected Vice-president in 2025.



### **Norman Donato BEc, LLB, LLM, FCLA**

Norman Donato, admitted as a solicitor in 1987, practises predominantly in corporate finance and corporate & commercial law. He has extensive corporate and finance experience acting for national and international clients including government bodies, major banks, public companies, SMEs and entrepreneurs. Norman is a Banking and Finance and Corporate Commercial partner at the national law firm Mills Oakley. He is associated with several industry bodies. Norman was appointed to the board of the CLA in 2008 and was elected President 2015. After serving seven years in that role, he step-aside and is now the Treasurer of the CLA. He holds a directorship with the Pain Foundation Limited, and sits on the investment committee of that charitable organisation.



### **Sally Moten LLB (Hons) (USyd), BCom (USyd)**

Sally Moten was admitted as a Solicitor in NSW in 2005. She has a Bachelor of Laws (First Class Hons), and Bachelor of Commerce, both from the University of Sydney. Sally is a partner at Lander & Rogers who specialises in all aspects of employment and safety law. Prior to this, Sally spent several years working in commercial law firms Blake Dawson (now Ashurst) and Henry Davis York (merged with Norton Rose Fulbright). She also spent time working in-house at a large NSW Government Agency. Sally provides advice on matters ranging from performance management and disciplinary matters to defending unfair dismissal and discrimination claims, managing industrial disputes, advising on restructuring of organisations, defending WHS prosecutions and providing WHS advice on compliance and safety legislation. Sally joined the CLA's Board of Directors in 2016.



### **Stephen McMahon BComm, FCA, F Fin, FCLA**

Stephen was a specialist forensic accountant. He has now retired from his successful practice. Stephen is a fellow of the Financial Services Institute of Australia (Finsia) and a fellow of the Institute of Chartered Accountants Australia and New Zealand (CAANZ). He was a founding principal of McMahon Worth Forensic Accountants. The firm specialised in forensic and investigative accounting, litigation support, financial evaluation of insurance claims, fraud and corruption investigations, business valuations, financial due diligence along with investigating and solving complex financial and business issues which require the application of a combination of accounting, auditing and detective skills. He was appointed as a Director to the CLA in 1998 and has served many years as the Membership and Marketing Chairman. Stephen was awarded Life Membership of the CLA in 2018.



### **Christine Lithgow LLM (USyd), LLB (Hons) (USyd), BA (Hons) (USyd), FCLA**

Christine is an experienced senior executive and legal adviser, with a keen interest in effective government service delivery. Most of her career has been in infrastructure and services delivery for public and private sector entities where she has specialised in end to end project legal services for major infrastructure, including regional and metro road, rail, water infrastructure. Christine supports projects from concept through to completion and operations, focusing on governance, structures, ethical procurement, contract design, efficient and effective contract management and services contracting for operations and maintenance. She acts for both government and private sector, largely within the civil engineering and infrastructure sectors where she has deep expertise. Christine has significant public sector experience, including during the last decade, leading a significant legal portfolio and team delivering a once-in-a-lifetime investment in road and rail infrastructure and implementing significant change for the State Government.



### **Alison Haly BA/LLB (UQld)**

Alison is an international and local mediator aiming to make a difference in the way we manage conflict and engage in dialogue. She was the first woman to establish a mediation practice in Australia in insurance, commercial and international law, is cited as a leading mediator in *Doyles International Guide* and has been honoured by her peers as a Lawyer of the Year on multiple occasions in the AFR Best Lawyers List. In her life prior to commencing her mediation practice, Alison had a long history of practice in commercial and insurance litigation when a partner at the world's largest commercial law firm DLA Piper, and prior to that, as a solicitor in commercial litigation at Feez Ruthning which became Allens.



### **James Biady BEc, LLB, Accredited Specialist Business Law, FCLA**

Jim Biady is an experienced commercial lawyer who commenced practice in 1983. He advises clients in a number of specialty areas including structuring of entities, employment law, commercial litigation, dispute resolution, sale & purchases of businesses, sale & purchases of property, wills and estates, as well as commercial leasing. He focuses on understanding each client's business and finding appropriate effective commercial solutions. Jim is a Business Law Specialist accredited by the Law Society of New South Wales. Jim was appointed to the Board in 2011 and was the Vice-President of the Commercial Law Association from 2016 to 2025.

# Standing Committees as at December 31, 2025

## MEMBERSHIP & MARKETING COMMITTEE

Stephen McMahon

Max Wilson

An important element of the Association's image is to ensure that marketing assists in attracting legal practitioners and those involved in commerce to our Association's activities. By promoting our seminar programs and other programs we aim to encourage people to join the Association. Listening to our members and reacting to their needs is also very important in maintaining membership.

## PUBLICATIONS COMMITTEE

Sarah Hill

Hon Justice Elisabeth Peden

Dr Gregory Tolhurst

Max Wilson

The *Commercial Law Quarterly* is the official publication of the Commercial Law Association. The journal has been published continuously for 30 years and is a highly respected reference material for those involved with the practice of law. All manuscripts submitted to the *Quarterly* are refereed prior to acceptance for publication. The journal contains articles and news about commercial law issues from around Australia and overseas. One of the main objectives of the Commercial Law Association is to make business people aware of the constant changes to the law and make law-makers aware of the constantly changing business environment. Through the publication of the *Commercial Law Quarterly*, the Association aims to:

- encourage members of the commercial and corporate community and the legal profession to examine and consider jointly commercial law usages and practices;

- disseminate information on concerning new legislation proposed or enacted by the Parliaments of Australia or overseas relating to commercial or corporate law usages and practices.

All copies of the *Commercial Law Quarterly* from 1986 to the present day are available online. There is also a number of copies of *The Bulletin* (CLQ's predecessor) in the library, but we are still seeking some issues. The library is available on our website.

The Editors welcome the submission of notes to cases and issues of law reform and longer articles.