



HIGH COURT OF AUSTRALIA

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Details of Filing

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Important Information

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IN THE HIGH COURT OF AUSTRALIA
BRISBANE REGISTRY

BETWEEN:

PETER VINCENT RIDD

Appellant

and

JAMES COOK UNIVERSITY

Respondent

APPELLANT'S CHRONOLOGY

Part I:

This chronology is in a form suitable for publication on the internet.

Part II:

Date	Event	Reference
16 December 2015	Dr Ridd sent an email to a journalist, suggesting that scientific research promoted by JCU stakeholder institutions, the Great Barrier Reef Marine Park Authority and Australian Research Council Centre of Excellence for Coral Reef Studies (ARC Centre), was unreliable.	LJ ¹ [30] (CAB 18), [55] (CAB 21-27); FCAFC ² [4] (CAB 141)
17 December 2015	The journalist forwarded the email from Dr Ridd to Professor Terry Hughes, the head of the ARC Centre. Professor Hughes then forwarded the email he received to JCU's Senior Deputy Vice Chancellor Professor Chris Cocklin.	LJ [27]-[28] (CAB 18), [56]-[57] (CAB 27-28)

¹ Primary judgment on liability: *Ridd v James Cook University* (2019) 286 IR 389; [2019] FCCA 997.

² *James Cook University v Ridd* (2020) 382 ALR 8; [2020] FCAFC 123.

Date	Event	Reference
29 April 2016	JCU issued Dr Ridd with a formal censure (the First Censure), finding he had breached the Code of Conduct and engaged in misconduct (the First Finding). The First Censure included that Dr Ridd had failed to act in a “ <i>collegial way</i> ” and failed to “ <i>uphold the integrity and good reputation of the University</i> ”. JCU directed Dr Ridd to make public comment only “ <i>in a collegial manner than upholds the University and individuals [sic] respect</i> ” (the First Speech Direction).	LJ [58] (CAB 28-29), [68], [71]-[72] (CAB 31), [75], [79] (CAB 32); FCAFC [3]-[4] (CAB 140-141); (AFM 179-181)
1 August 2017	Dr Ridd was interviewed on Sky News. In the interview, he said, among other things, that “ <i>I think that most of the scientists who are pushing out this stuff, they genuinely believe that there are problems with the reef. I just don’t think that they are very objective about the science they do. I think they’re emotionally attached to their subject</i> ”, and “ <i>you can no longer trust this stuff</i> ”.	LJ [36] (CAB 19), [81] (CAB 32-39); FCAFC [5] (CAB 141)
24 August 2017	JCU wrote to Dr Ridd, alleging that it considered the Sky News interview to constitute a prima facie case of serious misconduct. JCU directed Ridd to maintain confidentiality in respect of the disciplinary process against him (the First Confidentiality Direction).	LJ [38] (CAB 19), [95] (CAB 42); FCAFC [6] (CAB 141)
27 August 2017	After Dr Ridd sought clarification about the First Confidentiality Direction (including in relation to whether he could speak to his wife), JCU wrote to Dr Ridd and said he “ <i>should not discuss any aspect of the serious misconduct process whilst it is ongoing-except with an appropriate representation</i> ” and “ <i>you are expected to maintain</i>	LJ [109]-[114] (CAB 45-46); FCAFC [7] (CAB 141-142)

Date	Event <i>your confidentiality obligations to the University”</i> (the Second Confidentiality Direction).	Reference
August-September 2017	Dr Ridd corresponded with various students and colleagues in relation to the action JCU had taken against him.	LJ [118]-[120] (CAB 46-47) , [135]-[138] (CAB 50-55) , [142]-[143] (CAB 52-53) , [149]-[152] (CAB 54-55) (see also FCAFC [11] (CAB 143))
19 September 2017	JCU wrote to Dr Ridd explaining that JCU was of the view that there was a prima facie case of misconduct in relation to the Sky News Interview. It also made further directions for him to keep the matters confidential (but now saying he could discuss the matters with his family and certain others) (the Third Confidentiality Direction).	LJ [159]-[160] (CAB 56) ; FCAFC [8] (CAB 142)
23 October 2017	JCU wrote to Ridd alleging that he had denigrated his colleagues and failed to maintain confidentiality in a number of emails he had written to various people.	LJ [42] (CAB 19) ; FCAFC [9] (CAB 142)
20 November 2017	Dr Ridd launched proceedings against JCU, alleging that JCU contravened the enterprise agreement that covered his employment, and thereby contravened s 50 of the <i>Fair Work Act 2009</i> (Cth).	LJ [4] (CAB 8) , [43] (CAB 19) ; FCAFC [10] (CAB 142)
21 November 2017	JCU issued Dr Ridd with the Final Censure . It made seven findings that he had breached the Code of Conduct (the Second to Eighth Findings) . These findings included that his	LJ [44]-[45] (CAB 19-20) , [82] (CAB 40) , [161] (CAB 56) , [165]-

Date	Event	Reference
	<p>statements in the Sky News constituted a breach of the Code of Conduct (the Second Finding). Various of the breaches related to correspondence Dr Ridd had with his colleagues and students (the Third to Eighth Findings).</p> <p>JCU also directed Dr Ridd to refrain from criticism that was not “<i>collegial</i>” or in the “<i>academic spirit of the search for knowledge, understanding and truth</i>” (the Second Speech Direction), to keep matters relating to the disciplinary process and censure confidential (the Fourth Confidentiality Direction), and not to “<i>make any comment or engage in any conduct that directly or indirectly trivialises, satirises or parodies the University taking disciplinary action against you</i>” (the No Satire Direction).</p>	<p>[168] (CAB 57-58); FCAFC [11]-[13] (CAB 143); (AFM 182-189)</p>
<p>22 November 2017</p>	<p>An article was published in The Australian newspaper detailing the application that Dr Ridd had filed in the Federal Circuit Court. Dr Ridd subsequently published documents relating to the disciplinary processes on a WordPress website, and he also set up a Go Fund Me website.</p>	<p>LJ [47]-[48] (CAB 20); FCAFC [14] (CAB 144)</p>
<p>23 November 2017</p>	<p>Dr Ridd sent a copy of The Australian article of 22 November 2017 to a student with the subject line “<i>for your amusement</i>”.</p>	<p>LJ [209]-[211] (CAB 64) FCAFC [14] (CAB 144)</p>
<p>28 November 2017</p>	<p>Dr Ridd corresponded with the Dean, Professor Marcus Lane, including in relation to Dr Ridd’s compliance with the Code of Conduct.</p>	<p>LJ [226]-[228] (CAB 66-68); FCAFC [19] (CAB 145)</p>
<p>8 February 2018</p>	<p>JCU wrote to Dr Ridd claiming that it had concerns about breaches of the confidentiality directions. It gave further directions to maintain</p>	<p>LJ [169]-[172] (CAB 58-59);</p>

Date	Event	Reference
	confidentiality (the Fifth Confidentiality Direction).	FCAFC [15] (CAB 144)
13 April 2018	JCU determined that nine further allegations of breaching confidentiality directions, breaching directions and breaching the Code of Conduct had been substantiated. It found that he breached the Code in relation to comments online; disclosure of documents; correspondence with a student; his email to Professor Lane; and preferring the interests of the IPA over JCU's (the Ninth to Seventeenth Findings). It found that he had engaged in serious misconduct.	LJ [49] (CAB 20), [173]-[239] (CAB 59-69), FCAFC [14], [16]-[21] (CAB 144-145); (AFM 190-209)
2 May 2018	JCU's Vice-Chancellor terminated Dr Ridd's employment.	LJ [50] (CAB 20); FCAFC [3] (CAB 140); (AFM 210-224)
16 April 2019	The Federal Circuit Court found that JCU's 17 findings against Dr Ridd, two Speech Directions, five Confidentiality Directions, No Satire Direction, First and Final Censure, and the termination of his employment, were all unlawful.	CAB 83
6 September 2019	The Federal Circuit Court made declarations that JCU breach s 50 of the <i>Fair Work Act 2009</i> (Cth) and ordered JCU to pay Dr Ridd \$1,094,214.47 as compensation and \$125,000 by way of pecuniary penalty.	CAB 123-125
13 September 2019	JCU filed a notice of appeal (which was subsequently amended, and further amended).	
11 October 2019	JCU filed an amended notice of appeal (which was subsequently amended on 28 July 2020).	
22 July 2020	The Full Court of the Federal Court of Australia allowed JCU's appeal, set aside the orders of the	CAB 216-217

Date	Event	Reference
	Federal Circuit Court dated 6 September 2019 and dismissed Dr Ridd's appeal.	
28 July 2020	JCU filed is further amended notice of appeal.	CAB 126-133
31 July 2020	The Full Court of the Federal Court granted JCU leave to rely on the further amended notice of appeal dated 28 July 2020 and set aside the orders of the Federal Circuit Court of Australia dated 16 April 2019.	CAB 222
18 August 2020	Dr Ridd filed an application for special leave to appeal from part of the judgment of the Full Court of the Federal Court in the High Court of Australia.	
11 February 2021	The High Court (Gageler, Gordon and Edelman JJ) granted special leave to appeal.	CAB 242
23 February 2021	Dr Ridd filed notice of appeal in the High Court.	CAB 244-245

Dated: 15 April 2021



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