# APPENDIX 1: MEMBERS OF THE TRIBUNAL

#### Presidential members Tribunal members, 30 June 2009 Federal Court The Honourable Justice PRA Gray President The Honourable Justice GK Downes AM New South Wales Family Court The Honourable Justice N Mushin Presidential members **Deputy Presidents** Deputy President SA Forgie The Honourable Justice ACB Bennett AO Federal Court Deputy President GL McDonald The Honourable Justice RF Edmonds The Honourable Justice RJ Buchanan Non-presidential members Deputy Presidents Deputy President J Block Senior Member JR Handley (G,V,T) Senior Members Deputy President GDdeQ Walker Senior Member BH Pascoe (G,V,T) Deputy President BJM Tamberlin QC Senior Member GD Friedman (G,V,S) Non-presidential members Members Dr KJ Breen AM (G,V) Senior Members Senior Member MD Allen (G,V,T,S) Brigadier C Ermert (Rtd) (G,V) Mr E Fice (G,V,T) Senior Member G Ettinger (G,V,T,S) Senior Member NP Bell (G,V,S) Dr GL Hughes (G,V,T) Dr RJ McRae (G,V) Senior Member R Hunt (G,V,T,S) Senior Member JC Kelly (G,V) Ms RL Perton (G,V,S) Senior Member N Isenberg (G,V,S) Miss EA Shanahan (G,V) Senior Member PW Taylor SC (G,V,T) Queensland Members Dr IS Alexander (G,V) Presidential members Dr JD Campbell (G.V) Mr DM Connolly AM (G,V,S) Federal Court The Honourable Justice JEJ Spender Mr SE Frost (G,V,T) The Honourable Justice AP Greenwood Dr TJ Hawcroft (G,V) Family Court The Honourable Justice JPO Barry Mr TC Jenkins (G,V,T) Professor GAR Johnston (G,V) **Deputy President** Deputy President PE Hack SC Dr TM Schafer (G,V) Deputy President B McPherson CBE Professor TM Sourdin (G,V) Non-presidential members Dr SH Toh (G,V) Senior Members Senior Member BJ McCabe (G,V,T) Senior Member PM McDermott RFD (G,V,T) Senior Member MJ Carstairs (G,V,T) Senior Member KStC Levy RFD (G,V,T) Senior Member SA Karas AO (G,V,S) Note Members Dr ML Denovan (G,V) Presidential members and Senior Members are listed according to their date of appointment, while Members are listed alphabetically Mr SC Fisher (G,V,T)

Victoria

Mr RG Kenny (G,V,T)

Dr GJ Maynard, Brigadier (Rtd) (G,V)

Associate Professor JB Morley RFD (G,V)

Presidential members may exercise the powers of the Tribunal in all of the Tribunal's divisions. Senior Members and Members may exercise the powers of the Tribunal only in the divisions to which they have been assigned. The divisions to which Senior Members and Members have been assigned are indicated as follows:

- G General Administrative Division
- V Veterans' Appeals Division

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**ADMINISTRATIVE** 

- T Taxation Appeals Division
- S Security Appeals Division

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Presidential members	
Federal Court	The Honourable Justice BT Lander
Family Court	The Honourable Justice CE Dawe
Deputy President	Deputy President DG Jarvis
Non-presidential mem	bers
Senior Members	Senior Member L Hastwell (G,V) Senior Member RW Dunne (G,V,T)
Members	Mr S Ellis AM (G,V,S) Dr ET Eriksen (G,V) Professor PL Reilly AO (G,V) Mr JG Short (G,V,T)
Western Australia	
Presidential members	
Federal Court	The Honourable Justice AN Siopis
Deputy President	Deputy President SD Hotop Deputy President RD Nicholson AO
Non-presidential mem	bers
Senior Members	Senior Member S Penglis (G,V,T) Senior Member A Sweidan (G,V,T)
Members	Mr WG Evans (G,V) Dr PA Staer (G,V) Ms LR Tovey (G,V) Brigadier AG Warner AM LVO (Rtd) (G,V,S Dr HAD Weerasooriya (G,V)
Tasmania	
Presidential members	
Family Court	The Honourable Justice RJC Benjamin
Deputy Presidents	Deputy President CR Wright QC Deputy President RJ Groom
Non-presidential mem	bers
Senior Member	Senior Member AF Cunningham (G,V,T)
Member	Dr RJ Walters (G,V)

# Australian Capital Territory

# Presidential members

Family Court

# Non-presidential members

Senior Member

Senior Member JW Constance (G,V,T,S)

The Honourable Justice MM Finn

Members

Air Vice Marshal F Cox AO (Rtd) (G,V) Dr MD Miller AO (G,V)

Mr S Webb (G,V,T) Dr P Wilkins (G,V)

# Changes to appointments in 2008–09

New appointments during the year to 30 June 2009 were: The Honourable Justice RJ Buchanan, Part-time presidential member The Honourable BJM Tamberlin QC, Part-time Deputy President

The following persons ceased to be members during the reporting year: The Honourable Justice RS French The Honourable Justice RV Gyles AO The Honourable Justice PC Heerey Rear Admiral AR Horton AO RAN (Rtd)

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# **MEMBER PROFILES**

The Honourable Justice Garry Downes AM BA LLB FCIArb

## President

Justice Downes was appointed a Judge of the Federal Court and President of the Administrative Appeals Tribunal in 2002. He is also a judge of the Supreme Court of Norfolk Island. He is Co-President of l'Association Internationale des Hautes Juridictions Administratives (International Association of Supreme Administrative Jurisdictions).

He was called to the Australian Bar in 1970 and appointed Queen's Counsel in 1983. He was also a member of the English Bar. His practice was concentrated on commercial law, administrative law and international arbitration.

Justice Downes is the immediate past Chair of the Council of Australasian Tribunals and was a member of the Council of the Australasian Institute of Judicial Administration. He was Chairman of the Federal Litigation Section of the Law Council of Australia and Chairman of its Administrative Law Committee.

He has served international and national organisations in various capacities, including as President of the Union Internationale des Avocats, Founder and Patron of the Anglo-Australasian Lawyers' Society, Chairman of the Chartered Institute of Arbitrators Australia, Member of the International Court of Arbitration of the International Chamber of Commerce, Member of the Council of the NSW Bar Association and Chairman of the NSW Council of Law Reporting.

#### **Dr Ion Alexander**

MBBS (Hons) LLB MRACMA FRACP FJFICM Part-time Member, NSW

Ion Alexander was appointed as a Member of the AAT in August 2004. He is a Senior Staff Specialist and Clinical Director at Sydney Children's Hospital at Randwick. He has been a member of the Health Care Complaints Peer Review Panel since 1997 and the Professional Services Review Panel since 2001.

Dr Alexander was a member of the Organising Committee for the 2010 AAT National Conference in 2008–09.

#### Mason Allen RFD Barrister-at-Law

Full-time Senior Member. NSW

After admission in 1968, Mason Allen served with the Australian Army Legal Corps in South Vietnam and Papua New Guinea. He was a Solicitor, Common Law, with Brisbane City Council from 1970 to 1973 when he was appointed Crown Counsel in the office of the Tasmanian Solicitor-General. He was appointed Senior Crown Counsel in 1978. In 1980, he returned to private practice at the Queensland Bar with a commission to prosecute in both the Supreme and District Courts. He was appointed as a Senior Member of the Veterans' Review Board in 1985 and as a Senior Member with tenure of the AAT in 1988.

# Narelle Bell

BA LLB Full-time Senior Member, NSW

Narelle Bell was appointed to the AAT as a full-time Member in 2001 and a full-time Senior Member from 1 July 2004. She is a former legal member of the Social Security Appeals Tribunal (1994–2001), Judicial Member/Mediator with the New South Wales Administrative Decisions Tribunal (1994-2001). Consultant Reviewer with the Office of the Legal Services Commissioner (1995–2001), member of the Professional Standards Council of New South Wales and Western Australia and legal policy consultant. She worked as a corporate counsel and legal adviser (part-time) for the New South Wales State Rail Authority during 1994-95. From 1988 until 1994, she worked as a policy officer and assistant director in the Legislation and Policy Division of the New South Wales Attorney-General's Department. Prior to this, she worked as a solicitor at the Anti-Discrimination Board (1986-88), the Redfern Legal Centre (1983-86) and for a private law firm (1982-83).

Senior Member Bell was the AAT's Mentoring Coordinator and a member of the AAT's Professional Development Committee during 2008–09. She was also a member of the Executive Committee of the New South Wales Chapter of the Council of Australasian Tribunals.

#### Julian Block

HDIPLaw HDIPTax LLM MTax Part-time Deputy President, NSW

Julian Block was originally admitted as a solicitor in South Africa and thereafter in the United Kingdom. He emigrated to Australia in March 1978 and joined Freehills in 1978, becoming a partner in 1980. He was appointed as a Senior Member of the AAT in 1995, fulltime Deputy President in 2000 and a part-time Deputy President in 2001. He is a part-time Judicial Member of the New South Wales Administrative Decisions Tribunal. He is a parttime consultant to Morgan Lewis, Solicitors, and to Investec Bank. He is a member of the Executive of the Sydney International Piano Competition and Wagner Society and a patron of Opera Australia.

Deputy President Block was a managing member for tax schemes in 2008–09.

#### Dr Kerry Breen AM MBBS MD FRACP

Part-time Member, Vic

Kerry Breen is a consultant physician in gastroenterology and has been a Member of the AAT since 2006. He has served as President of the Australian Medical Council and President of the Medical Practitioners Board of Victoria. From 2000 to 2006, he chaired the Australian Health Ethics Committee of the National Health and Medical Research Council.

#### Dr John Campbell

MBBS DTM&H MHA LLB LLM FRACMA FAICD FAIM Part-time Member, NSW

John Campbell has been a Member of the AAT since 1991. He served in the Australian Army between 1962 and 1980 and as a senior executive in NSW Health between 1980 and 1998. In subsequent years, Dr Campbell has been involved as a director with NRMA (until 2001) and Mercy Family Life Centre (until 2003) and as Chairman of MA International Ltd, a health management consultancy company.

Dr Campbell was a member of the AAT's Professional Development Committee in 2008–09. He was also an adjudicator in the 2008 AAT Mooting Competition.

#### Margaret Carstairs BA (Hons) LLB

Full-time Senior Member. Qld

Margaret Carstairs was appointed as a full-time Member of the AAT in 2001 and as a full-time Senior Member in November 2006. Prior to her appointment to the AAT, she was the Executive Director of the Social Security Appeals Tribunal (2000–01) and was a Senior Member of the Social Security Appeals Tribunal in Brisbane for four years from 1996. She has extensive experience in administrative law within Australian Government departments and was Coordinator of the Welfare Rights Centre in Brisbane from 1994 to 1995. She has lectured in public administration at the University of New England and has published in this area.

Senior Member Carstairs was an adjudicator in the 2008 AAT Mooting Competition.

## David Connolly AM

BA (Syd) DipBS (Ceylon) FCPA (HM) Part-time Member, NSW

David Connolly was appointed to the AAT as a part-time Member in August 2006. He served as a career diplomat in Colombo, the UN New York and Tel Aviv before his election to the House of Representatives as the member for Bradfield from 1974 to 1996. He was a consultant with Phillips Fox Lawyers and a Commonwealth adviser to the South African Parliament until 1998 when he was appointed Australia's High Commissioner to South Africa. Namibia, Botswana, Lesotho and Swaziland, On his return to Australia in 2003, Mr Connolly was appointed a Trustee/Director of the CSS/ PSS now ARIA superannuation schemes and chairman of Rice Warner Actuaries. He was also a director of the Braidwood Rural Lands Protection Board until 2009. He is a parttime member of the Migration and Refugee Review Tribunals.

# James Constance

BA LLB (Hons) Full-time Senior Member, ACT

James Constance was appointed to the AAT in August 2004. He practised as a barrister and solicitor in the Australian Capital Territory and New South Wales from 1970 as an employed solicitor, sole practitioner and, for more than ADMINISTRATIVE APPEALS TRIBUNAL ANNUAL REPORT 2008-09

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22 years, as a partner in legal firms. Senior Member Constance graduated from the Australian National University with a Bachelor of Arts degree, a Bachelor of Laws with First Class Honours and the University Prize in Law in 1968. His legal experience encompasses administrative law, taxation law, employment law, family law, personal injury compensation, discrimination, wills and estates, mortgages and property, veterans' affairs, defamation, contracts, statutory interpretation, criminal law and coronial inguests.

Senior Member Constance was the Executive Deputy President for the Australian Capital Territory in 2008–09. He was a member of the AAT's Executive Deputy Presidents Committee, the Library Committee and the Practice and Procedure Committee. He was an adjudicator in the 2008 AAT Mooting Competition.

# Air Vice Marshal Franklin (Frank) D Cox AO (Rtd)

Part-time Member, ACT

Frank Cox was appointed to the AAT on 24 August 2006. He trained with the Royal Australian Air Force (RAAF) as a pilot and held numerous flying and staff appointments during his military career. The last senior appointment he held was Assistant Chief of the Defence Force — Personnel.

Air Vice Marshal Cox is a graduate of the Royal College of Defence Studies (London) and the USAF Air War College. After service with the RAAF, he worked as a consultant in human resource management. He was appointed to the Defence Force Remuneration Tribunal in 1999 and held the position of ex-service member for a period of six years.

Air Vice Marshal Cox was a member of the AAT's Alternative Dispute Resolution Committee in 2008–09.

#### Ann Cunningham

LLB (Hons)

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Part-time Senior Member, Tas

Ann Cunningham was appointed as a part-time Member of the AAT in 1995 and became a Senior Member on 1 July 2006. She is a Presiding Member of the Resource Management and Planning Appeal Tribunal and Chairperson of the Board of the Public Trustee. Ms Cunningham is an accredited mediator and arbitrator and has worked as a mediator for the Supreme Court of Tasmania and the Magistrates Court. She worked as a barrister and solicitor in private practice for a number of years. Between 1984 and 1999, she was a Deputy Registrar of the Family Court of Australia.

Senior Member Cunningham was a member of the AAT's Alternative Dispute Resolution Committee in 2008–09. She was also an adjudicator for the moot finals held at the Australian Law Students' Association Conference in Hobart.

#### Dr Marella Denovan

BSc MBBS FRACGP JD Part-time Member, Qld

Marella Denovan was appointed to the AAT in December 2005. She was a part-time medical adviser with the Department of Veterans' Affairs between 2000 and 2001 and a general practitioner in private practice between 1992 and 2001.

Dr Denovan holds a Bachelor of Science from Griffith University (1984), a Bachelor of Medicine/Bachelor of Surgery from the University of Queensland (1990), and a Juris Doctor from the University of Queensland (2004). She was awarded Fellowship of the Royal Australian College of General Practitioners in 2000.

Dr Denovan was an adjudicator in the 2008 AAT Mooting Competition.

# Rodney (Rod) Dunne

Part-time Senior Member, SA

Rod Dunne was admitted as a barrister and solicitor of the Supreme Court of South Australia in October 1982 and is a qualified accountant. He was appointed to the AAT in June 2005. Senior Member Dunne continues to practise part-time as a partner in the Adelaide commercial law firm Donaldson Walsh, where he specialises in taxation and revenue law, superannuation and estate planning. He is a member of the Specialist Taxation Committee of the Business Law Section of the Law Council of Australia and a Fellow of the Taxation Institute of Australia.

Senior Member Dunne is a former lecturer and tutor in income tax law as part of the commerce degree. He is also a past lecturer and examiner in taxation administration as part of the Master of Legal Studies degree with the law school at the University of Adelaide.

#### Stuart Ellis AM

BA Grad Dip Mgt Stud Grad Dip Strtgc Stud Part-time Member, SA

Stuart Ellis was appointed as a Member of the AAT in 2006. He served with the Australian Army from 1975 to 1996. He was involved in a number of overseas deployments including to Somalia in 1994. He was subsequently appointed Chief Executive Officer of the Country Fire Service in South Australia before establishing his own consultancy business in 2002. Mr Ellis consults nationally on operational leadership and emergency management, including to the Australian Defence Force.

## Dr Erik Eriksen

MBBS FRCS FRACS

Part-time Member, SA

Dr Erik Eriksen was appointed to the AAT in October 2002. From 1977 until 1998, he was a medical consultant and consultant surgeon at the Ashford Hospital. In 1976, he was a visiting specialist in Accident and Emergency at the Royal Adelaide Hospital. Dr Eriksen spent 1973 in Tanzania as a consultant and orthopaedic surgeon at Williamson Diamond Mine. From 1967 to 1971, he gained experience in the speciality of neurosurgery in the United Kingdom and the United States of America. He was until recently involved in rehabilitative orthopaedic medicine as a rehabilitation consultant.

Brigadier Conrad Ermert (Rtd) MSc FIEAust CPEng

Part-time Member, Vic

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Conrad Ermert has been a Member of the AAT since 1991. He is a practising engineering consultant. He had 31 years' service in the Australian Army, his last appointments being Director General Electrical and Mechanical Engineering and Director General Logistics in the rank of Brigadier. From 1990 to 1995, he was Director of Facilities and Supply at the Alfred Group of Hospitals before establishing his consultancy practice. He is the Chairman of AMOG Holdings, Chairman of the AIF Malayan Nursing Scholarship, a past Chairman of the Victoria Division, Institution of Engineers, Australia and the current Chairman of Judges of the Institution's Excellence Awards.

### Geri Ettinger

BA (Economics) LLB Part-time Senior Member, NSW

Geri Ettinger was first appointed to the AAT in June 1991. She has worked both in the private and public sectors. She was Chief Executive of the Australian Consumers' Association, publisher of CHOICE Magazine, for more than 10 years and was for a long period, until mid 2002, a member of the Board of St George Bank.

Senior Member Ettinger first trained as a mediator approximately 20 years ago. She has been mediating and conciliating at the AAT as well as in commercial, equity, personal injury, medical negligence and workplace disputes since that time. In addition to undertaking regular additional training to keep up to date, she conducts ADR training for various organisations and private parties. She is an accredited mediator under the National Mediator Accreditation System.

Senior Member Ettinger sits as a member of the Medical Tribunal and chairs Professional Standards Committees on behalf of the New South Wales Medical Board in relation to disciplinary action regarding medical practitioners. She is a Mediator at the New South Wales Workers Compensation Commission. For many years, Senior Member Ettinger held appointments as a part-time member of the New South Wales Consumer, Trader and Tenancy Tribunal and its predecessor bodies (the Consumer Claims Tribunal, Building Disputes Tribunal and Fair Trading Tribunal).

Senior Member Ettinger participates in the work of various committees and advisory bodies, including the Dispute Resolution APPENDIX 1: MEMBERS OF THE TRIBUNAL

Committee of the New South Wales Law Society. She was Chair of the Mediation Specialist Accreditation Committee of the New South Wales Law Society in 2008–09. She was the Deputy Chair of the AAT's Alternative Dispute Resolution Committee and was also a coordinator of the professional development program for members in Sydney.

#### Warren Evans psc

Grad Dip Logistics Mngt Cert Business Studies FAIM Part-time Member, WA

Warren Evans was appointed as a Member of the AAT in September 2006. From 1967 until 1989, he served in the Australian Army, including in South Vietnam in 1970–71. During his service, Mr Evans undertook extensive and diversified training, gaining considerable experience across a number of disciplines, including aviation, administration, logistics, recruiting, Special Forces and intelligence. During 1978–79, he was Honorary Aide-de-Camp to Sir Roden Cutler VC, Governor of New South Wales. From 1986 to 1989, he was the Chairman of the Defence Armaments Committee and on the Steering Committee of Monash University's Logistics Degree Course. Retiring as a Lieutenant Colonel in 1989, Mr Evans became the State Manager (Logistics) for Myer Stores in Western Australia and then undertook several CEO appointments, directing several successful company recoveries.

After establishing his own company in 1996, Mr Evans has concentrated on corporate forensic intelligence work which has led to work with the federal and state governments on major projects, interspersed with private sector activity. From 1997 to 2000, he was on the supervisory staff of Curtin University with responsibility for students undertaking PhD studies in logistics management. He was also a member of the Western Australian Government's Aviation Training Advisory Committee, a member of the Western Australian Department of Main Roads Consultative Committee, a member of the Jandakot Airport Chamber of Commerce and a member of several flying clubs. From 2001 to 2005, Mr Evans held a senior appointment with the Defence Materiel Office, associated with the \$6 billion ANZAC Ship Project. In 2006, he was involved in the retention of Jandakot Airport

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at its present site. In January 2007, Mr Evans was appointed Honorary Colonel of the Royal Australian Army Ordnance Corps — Western Region. He is an experienced company director, company secretary and business consultant. He has been a Fellow of the Australian Institute of Management since 1995.

#### Egon Fice

BBus (Bachelor of Business) LLB (Hons) LLM Full-time Member. Vic

Egon Fice was appointed to the AAT as a parttime Member in 2003 and was appointed on a full-time basis from 29 August 2005. Prior to taking up his full-time appointment, Mr Fice was a partner in Charles Fice, Solicitors. He was a partner specialising in litigation in Phillips Fox from 1995 to 1998 and worked in insolvency and commercial litigation law from 1990 until 1995. From 1967 to 1980, he was a pilot in the Royal Australian Air Force before working as a pilot for eight years with Associated Airlines (BHP and CRA Corporate Airline).

Mr Fice was a member of the AAT's Alternative Dispute Resolution Committee during 2008– 09. He was an adjudicator in the 2008 AAT Mooting Competition. He also acted as adviser to the committee drafting case scenarios for the Mooting Competition.

#### Simon Fisher

LLB (Hons) LLM

Part-time Member, Qld

Simon Fisher was appointed a Member of the AAT in 2004. From 2000 until his appointment to the AAT, he was a part-time member of the Social Security Appeals Tribunal.

Mr Fisher is a practising member of the Queensland Bar. His practice spans many areas, including administrative law and governmental law, competition law and corporate and securities law. He was a sessional lecturer at the TC Beirne School of Law at the University of Queensland, having previously been an Associate Professor of Law. He was previously a lecturer (1992–95) and senior lecturer (1995–99) in the Faculty of Law at the Queensland University of Technology and was a visiting fellow at the Australian National University in 1995. Between 1992 and 2002, Mr Fisher practised as a solicitor and legal consultant at Praeger Batt, Solicitors, Ebsworth & Ebsworth, Solicitors, and Bowdens Lawyers. From 1981 until 1987, he worked for the Reserve Bank of Australia in various positions of a legal, policy and operational nature and, from 1980 until 1981, worked in the import/export area of the Banque Nationale de Paris.

Mr Fisher was a member of the Corporations Law Committee of the Law Council of Australia and a board member of several not-forprofit enterprises. He has published widely in the area of contract, personal property, commercial, company and associations law and the law of obligations. He has authored and co-authored a number of books, including one entitled *Churches, Clergy and the Law*.

#### Stephanie Forgie

LLB (Hons)

Full-time Deputy President, Vic

Stephanie Forgie was in private practice and lecturing and tutoring in the law of contract before becoming the Deputy Master of the Supreme Court of the Northern Territory. In that position, she gained considerable experience in court management. She built on and consolidated that experience when she later became the Registrar of the AAT. In the intervening years, she worked in various legal policy positions in the Attorney-General's Department in Canberra. She has been closely involved in the development of legislation such as the Freedom of Information Act 1982, the Insurance Contracts Act 1984 and the Federal Proceedings (Costs) Act 1981. Her work on policy issues relating to international trade law and private international law led to her representing Australia at international meetings on these subjects and to her work on the implementation of the United Nations Convention on Contracts for the International Sale of Goods. Subsequently, she held the departmental position of Legal Adviser in the office of the then Deputy Prime Minister and Attorney-General, the Hon LF Bowen.

In September 1988, Deputy President Forgie was appointed to the AAT. Between 1993 and 1999, she also held part-time positions as a Deputy Chairperson of the Land Tribunal and as a Member of the Land Court. Both were Queensland appointments. They gave her the opportunity to hear matters beyond the broad and diverse range that she has heard, and continues to hear, as Deputy President of the AAT. In addition to her casework, Deputy President Forgie has enjoyed the extensive opportunities she has previously been given to draw upon her management skills. She has been responsible for case management in the Queensland, Victorian and South Australian Registries and has been an active member of the AAT's various management committees over the years.

She has held various positions on professional associations, an arts council and a charitable organisation.

#### Graham Friedman

BEc LLB GradDipAdmin Full-time Senior Member, Vic

Graham Friedman has been a member of the AAT since July 2001 and was appointed as a Senior Member in June 2005. He was a Senior Member of the Migration Review Tribunal from 1999 to 2001 and Chairman/Convenor of the Disciplinary Appeal Committee of the Public Service and Merit Protection Commission from 1993 to 2000. Prior to this. Senior Member Friedman practised at the Victorian Bar (1988–1993). He represented the Victorian Department of Human Services as Prosecutor. Child Protection. from 1993 to 1999. He was Chairman, Grievance Review Tribunal, Victorian Department of Conservation and Natural Resources from 1994 to 1996. He has previous experience in administrative law with the Australian Government Attorney-General's Department.

Senior Member Friedman was a member of the Organising Committee for the joint AAT and Law Council seminar, in June 2009.

Stephen Frost BA (Hons) Dip Law (BAB)

Part-time Member, NSW

Stephen Frost was appointed to the AAT in August 2006. He was admitted as a legal practitioner in New South Wales in 1989, having been employed since 1977 by the Australian Taxation Office in Sydney and APPENDIX 1: MEMBERS OF THE TRIBUNAI

Canberra, From 1989 until 2008, he was a tax practitioner in the private sector. From 1995 to 2008, he was a tax partner at KPMG. He is a nationally accredited mediator member of the Institute of Arbitrators & Mediators Australia.

#### The Honourable Raymond Groom LLB

## Part-time Deputy President, Tas

Raymond Groom has been a Deputy President of the AAT since July 2004. He was admitted to practice in the Supreme Court of Victoria in 1968 and Tasmania in 1970. He was a partner in the Tasmanian firm of Crisp Hudson & Mann and committee member of the Bar Association of Tasmania. He is a former Premier of Tasmania and Attorney-General of Tasmania. He was Chairman of the Australian Standing Committee of Attorneys-General, as well as Chairman of the Australian Housing Industry Council and the Australian Construction Industry Council. Deputy President Groom is the chairman or director of several charities and community bodies.

Deputy President Groom was the Executive Deputy President for Tasmania in 2008-09. He was a member of the AAT's Executive Deputy Presidents Committee and the Practice and Procedure Committee. He was also an adjudicator in the 2008 AAT Mooting Competition.

### Philip Hack SC

### Full-time Deputy President, Qld

Philip Hack took office as a Deputy President on 9 January 2006 after a career as a barrister in private practice extending over some 23 years. He was admitted to practice as a barrister in 1981 and commenced private practice the following year. He was appointed Senior Counsel in and for the State of Queensland on 1 December 2000. Deputy President Hack had a broad practice at the Bar, successfully undertaking both criminal and criminal appellate work, as well as general civil, commercial, insolvency, revenue and public law cases at both trial and appellate level.

Deputy President Hack served on the Committee (later the Council) of the Bar Association of Queensland for more than 16 years until his appointment to the AAT. He was, for a number of years, the Honorary Treasurer of the Queensland Bar Association and the Australian Bar Association. More recently, he was the inaugural Chair of the Bar's Practising Certificate Committee.

Deputy President Hack was the Executive Deputy President for Queensland and the Northern Territory during 2008–09. He was the Chair of the AAT's Alternative Dispute Resolution Committee and a member of the Executive Deputy Presidents Committee, the Practice and Procedure Committee and the Professional Development Committee. He was also a managing member for tax schemes in 2008–09 and an adjudicator in the 2008 AAT Mooting Competition.

#### John Handley

Full-time Senior Member. Vic

John Handley was appointed as a member of the Victorian Administrative Appeals Tribunal (now Victorian Civil and Administrative Tribunal) in 1988 and as a full-time tenured Senior Member of the AAT in 1989. He is a barrister and solicitor of the Supreme Court of Victoria and High Court and was in private practice between 1981 and 1988. He was a part-time member of the Crimes Compensation Tribunal during 1987 and 1988. From 1981 until 1988, he was a member of the Goulburn Valley College of TAFE. While in private legal practice in Shepparton during this time, he was also involved in the Shepparton self-help group and Council for Disabled Persons and, for a time, served as its President. He is a mediator and has a special interest in dispute resolution and ombudsry.

Senior Member Handley was a member of the AAT's Alternative Dispute Resolution Committee during 2008–09.

### Lesley Hastwell

LLB LLM

Part-time Senior Member, SA

Lesley Hastwell was admitted as a barrister and solicitor of the Supreme Court of South Australia in March 1976. She has been in private legal practice since that time apart from a period of five years when she worked on a full-time basis as an academic in the Law School at the University of Adelaide.

Senior Member Hastwell continued to have academic involvement after ceasing full-time academic work and, for a number of years, she continued to present courses for the Adelaide Law School with some ongoing involvement in the examining and supervision of students. She holds a Masters Degree in Law from the University of Adelaide.

Senior Member Hastwell was until recently a partner in the Adelaide law firm Norman Waterhouse Lawyers. She has recently retired as a partner and has taken on the role of Senior Consultant. Her specialties are in family law and all associated areas, and the area of estate planning.

Senior Member Hastwell was appointed to the AAT in July 2004. She has previously held appointments as a Deputy President of the South Australian Guardianship Board (1994–2004), as a legal member of the Social Security Appeals Tribunal (1987–96) and as a legal member of the South Australian Dental Board (1992–99). She currently holds the position of Deputy Chair of the South Australian Psychological Board. She is a founding member of the Committee of the South Australian Chapter of the Council of Australasian Tribunals and continues to serve on that committee. She is trained in mediation and in Collaborative Practice. She is a current member of the Collaborative Law Committee of the Law Society of South Australia.

# Dr Timothy (Tim) Hawcroft

BVSc (Hons) MACVSc

Part-time Member. NSW

Tim Hawcroft was appointed to the AAT in July 2006. He graduated with a Bachelor of Veterinary Science (Hons) from the University of Sydney in 1969. He established and was principal of the Gordon Veterinary Hospital from 1971 to 2002. He was Honorary Veterinarian for the Royal Agricultural Society of New South Wales from 1975 until 1986 and a part-time consultant for the University Veterinary Centre, Sydney, during 2003. He is an accredited veterinarian with the Australian Quarantine and Inspection Service.

Dr Hawcroft is the author of a number of books on veterinary science and animal care. He is a life member of the Australian Veterinary

Association and the Australian College of Veterinary Scientists.

#### Rear Admiral Anthony (Tony) Horton AO RAN (Rtd) BA

## Part-time Member, NSW

Tony Horton was appointed to the AAT in June 1991. His appointment followed completion of service in the Royal Australian Navy, his last appointment being Flag Officer Naval Support Command. During his service, Rear Admiral Horton specialised in naval aviation and navigation and held a number of commands and senior positions, including responsibility for naval and civilian personnel and the naval legal branch. During a two-year posting in command of the Naval College, he was also appointed a Special Magistrate. He has interests in the merchant shipping industry and has been, and remains, on the boards of a number of charitable organisations.

Rear Admiral Horton's appointment as a member of the Tribunal ended on 31 May 2009.

# Stanley (Stan) Hotop BA LLB LLM

Full-time Deputy President, WA

Stan Hotop has been a member of the AAT since 1991. He was appointed as a part-time Deputy President in March 2002 and became a full-time Deputy President in June 2005. He was an Associate Professor of Law at the University of Sydney from 1980 to 1988 and at the University of Western Australia from 1989 to 2005. He was Dean and Head of the Law School at the University of Western Australia from 1990 to 1993 and was President of the Australasian Law Teachers' Association from 1990 to 1991. He taught administrative law in university law schools from 1971, first at the University of Sydney (1971–88) and subsequently at the University of Western Australia (1989-2005). He is the author of several textbooks in the area of administrative law.

Deputy President Hotop was the Executive Deputy President for Western Australia during 2008–09. He was the Chair of the AAT's Library Committee and a member of the Executive Deputy Presidents Committee and the Practice and Procedure Committee.

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Deputy President Hotop was also a managing member for tax schemes and an adjudicator in the 2008 AAT Mooting Competition.

# Dr Gordon Hughes LLB (Hons) LLM PhD

Part-time Member, Vic

Gordon Hughes was appointed as a Member of the AAT in July 2004. He has been a partner at Blake Dawson Waldron since 1997 and is currently joint head of their national information technology, communications and media division. He was a managing partner of the Melbourne office of Hunt & Hunt from 1993 until 1997 and partner with Lander & Rogers from 1979 until 1993. He is a past president of the Law Institute of Victoria (1992-93), the Law Council of Australia (1999-2000) and LAWASIA (2001–03). He has authored several legal textbooks, including one on accident compensation and one on privacy. He is also a qualified Grade 1 arbitrator and an Adjunct Professor at RMIT University.

# Robin Hunt

BA LLM

Full-time Senior Member, NSW

Robin Hunt was appointed to the AAT in July 2004. She was previously a full-time Senior Member of the Migration Review Tribunal (MRT) in Canberra from October 2001. She was a full-time Member of the MRT in Sydney from 1999 until 2001 and for a short time prior to that a part-time Member of the Immigration Review Tribunal. Prior to joining the MRT on a full-time basis, Senior Member Hunt was a senior associate and solicitor in private practice for over 30 years.

Between 1996 and 2001, Senior Member Hunt undertook work as a technical tax writer with Computer Law Services and Thomson Legal (Law Book Company). She has tutored and lectured in tax, corporations and business law at Macquarie University and has been an occasional lecturer in law at the University of Technology Sydney. She has a Bachelor and Master of Laws from the University of Sydney.

# Naida Isenberg

Part-time Senior Member, NSW

Naida Isenberg was appointed as a part-time Member of the AAT in 2001. In August 2006, she was appointed as a part-time Senior Member. She is also a New South Wales Law Society Panel Mediator, a Mediator with the Dust Diseases Tribunal, a Defence Force Mediator and a legal management consultant. Senior Member Isenberg was formerly a parttime Senior Member of the Veterans' Review Board and a District Court Arbitrator. Her previous experience includes: general counsel of a major insurance company; Director of Crown Legal Services, New South Wales; and Deputy Director of the Australian Government Solicitor. She is also a Lieutenant Colonel in the Army Reserve (Legal Corps) and is the Legal Consultant to Land Headquarters. She is a fellow of the Institute of Chartered Secretaries.

Senior Member Isenberg was a member of the AAT's Alternative Dispute Resolution Committee in 2008–09 and is an accredited mediator under the National Mediator Accreditation System.

### Deane Jarvis

LLB (Hons) FAICD Full-time Deputy President, SA

Deane Jarvis was admitted as a barrister and solicitor of the Supreme Court of South Australia in March 1964. He was engaged in private practice until his appointment to the AAT from 1 July 2003, and was previously the senior partner and chair of a prominent Adelaide commercial law firm. He is a former chair of Bridgestone Australia Ltd and an Adelaide radio station, and a former director of Macquarie Broadcasting Holdings Limited. He served on the Council of the Law Society of South Australia for 10 years and is a former chair of the Costs, Property and Planning Environment and Administrative Law Committees of that Society. He was the Honorary Consul-General of Japan for South Australia from 2002 to 2003. He was formerly an examiner in administrative law and a parttime tutor in Australian constitutional law at the University of Adelaide.

Deputy President Jarvis is the Convenor of the South Australian Chapter of the Council of Australasian Tribunals. He has provided tuition to persons undertaking the South Australian Bar Readers' course.

Deputy President Jarvis was the Executive Deputy President for South Australia and the Coordinator of the Members' Appraisal Scheme in 2008–09. He was the Chair of the AAT's Professional Development Committee and a member of the Executive Deputy Presidents Committee and the Practice and Procedure Committee. Deputy President Jarvis was also a member of the Organising Committee for the 2010 AAT National Conference, and Chair of the Trustees of the AAT Benevolent Trust.

#### **Timothy Jenkins**

FIA FIAA

Part-time Member, NSW

Tim Jenkins was appointed as a Member of the AAT in 2006. He has been an emeritus partner and consulting actuary with PricewaterhouseCoopers since 2003, having been a partner from 1999 until 2002. He was Chief Executive of Superannuation and Insurance at Westpac from 1996 until 1998, having been general manager of Westpac Financial Services from 1993 until 1996, and before that, Managing Director of ANZ Funds Management from 1989 until 1993. Mr Jenkins has also been Managing Director of ANZ Life, a partner with E S Knight & Co, Consulting Actuaries, and an actuary at MLC Life.

Mr Jenkins has been Chair of the Life Insurance Actuarial Standards Board since 1998. He is a former President of the Institute of Actuaries of Australia and Convenor of the Institute's Professional Conduct Committee. He was elected a life member of the Institute of Actuaries of Australia in 2005. He qualified as an actuary by satisfying requirements for admission as a fellow of the Institute of Actuaries (London) in 1965.

#### Professor Graham Johnston AM

BSc MSc PhD DPharm FRACI FTSE
Part-time Member, NSW

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Graham Johnston has been a member of the AAT since 1991. He is Professor of

Pharmacology at the University of Sydney and trained as an organic chemist at the universities of Cambridge and Sydney. He brings expertise in chemistry, pharmacology and toxicology to the Tribunal. His scientific research is directed to the discovery of drugs to treat Alzheimer's disease, amnesia, anxiety, epilepsy and schizophrenia.

### Steve Karas AO

BA (Hons) LLB Part-time Senior Member, Qld

Steve Karas was appointed to the AAT in September 2007. He was a Senior Member of the Immigration Review Tribunal from 1989–99 and a part-time Member and Senior Member of the Migration Review Tribunal from its inception in 1999 until he was appointed to act as Principal Member in early 2001. He was also appointed as the Principal Member of the Refugee Review Tribunal from 1 July 2001.

Mr Karas previously worked in the Australian Government Attorney-General's Department and was in private practice as a legal practitioner for a number of years. He has had extensive community involvement including with the Federation of Ethnic Communities' Councils of Australia and the Ethnic Communities Council of Queensland. Mr Karas has been a member of the Migration Agents Registration Board, the Board of the National Accreditation Authority for Translators and Interpreters and Chairman of the Special Broadcasting Service's Community Advisory Committee.

# Josephine Kelly

Full-time Senior Member, NSW

Josephine Kelly was in practice at the New South Wales Bar from 1986 until her appointment to the AAT in 2004. Her practice included administrative law and areas related to public law. She specialised in local government, environmental law and related areas such as property and common law. She was statutory counsel for the New South Wales Environment Protection Authority from 1996 and has appeared in various courts, tribunals and inquiries. She was a member of Professional Conduct Committees of the New South Wales Bar Association from 2001 THE TRIBUNAL

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until 2004 and has been a committee member of various legally-related associations and a trustee of a not-for-profit organisation. She edited Environmental Law News from 1989 to 2004. Before going to the Bar, she worked as an associate to a judge, in administration and politics.

Senior Member Kelly was a member of the AAT's Library Committee in 2008–09 and a member of the Organising Committee for the joint AAT and Law Council of Australia seminar held in June 2009. She was also an adjudicator in the 2008 AAT Mooting Competition.

#### Graham Kenny

BA LLB (Hons) LLM Part-time Member, Old

Graham Kenny has been a Member of the AAT in Queensland since 2001. He was a part-time Member and Senior Member of the Veterans' Review Board from 1988 until March 2004. He was a part-time legal member of the Social Security Appeals Tribunal from 1995 until 2001 and Queensland convenor (part-time) of the Student Assistance Review Tribunal from 1988 until 1994. He is a senior lecturer in the School of Law at the University of Queensland, having joined in 1976. His current responsibilities include Chair of the Law School Teaching and Learning Committee, Director of the Bachelor of Laws and Juris Doctor programs and Law School Chief Examiner. Mr Kenny practised as a barrister from 1978 until 1989. From 1964 until 1974, he was a teacher with the Queensland Department of Education.

### Dr Kenneth Levy RFD

BA BCom LLB PhD FCA FCPA MAPS Barrister-at-Law Part-time Senior Member, Qld

Kenneth Levy was appointed as a parttime Member of the AAT in July 2004 and appointed as a part-time Senior Member in September 2006. Prior to his appointment to the AAT, he worked in the Queensland Public Service for approximately 36 years, retiring as Director-General of the Department of Justice in Queensland in December 2003. Dr Levy was National President of the professional accounting body CPA Australia in 2004-05. He has also been a Fulbright scholar at the University of California at Irvine.

Dr Levy is a practising barrister. He is also appointed as a Professor to the Faculty of Law of Bond University and teaches part-time each semester. In addition, Dr Levy serves on the Standby Reserve of the Australian Army and holds the rank of Lieutenant Colonel. He has been awarded the Reserve Force Decoration (RFD), the Centenary Medal, the Australian Defence Medal and the National Service Medal.

Dr Levy serves on the Board of Management of the Centre for Forensic Excellence at Bond University. He recently completed a term as a director of the Accounting Professional and Ethical Standards Board. He has continued to be involved this year in a review of the Auditor General's legislation in the Solomon Islands

Senior Member Levy was a member of the AAT's Library Committee during 2008-09. He was also an adjudicator in the 2008 AAT Mooting Competition.

## Brigadier Graham Maynard (Rtd) MBBS MSc (OCC MED) DIH DTM&H

Part-time Member, Qld

Graham Maynard was appointed as a Member of the AAT in July 2004. After graduating in Queensland in 1965, he spent 27 years as an Australian Army medical officer commencing with duties as an Infantry Battalion Medical Officer in SVN and finishing as Director of Medical Services for the Army in 1990. His career included postings in clinical positions, hospital command, malaria research and senior command. His specialist training was in tropical medicine and occupational medicine. From 1990 to 2002, he was employed as a senior medical officer in the federal Department of Health with responsibilities at various times in food safety, Australian Government Health Services management. Creutzfeld-Jacob disease matters and finally as Chief Medical Adviser for Medical Devices at the Therapeutic Goods Administration.

# Bernard McCabe

BA LLB GradDipLegPrac LLM (Corp & Comm) (Dist) Full-time Senior Member, Qld

Bernard McCabe was appointed as a parttime Member of the AAT in July 2001 and as a full-time Senior Member in November 2003. He was a member of the Faculty of Law at Bond

University from 1992 until 2006 and is now an Adjunct Professor of Law. From 1998 to 2001, he served as a member of the legal committee of the Companies and Securities Advisory Committee, the federal government's peak corporate law advisory body. He continues to edit the consumer protection section of the Trade Practices Law Journal and is a member of the editorial committee of the Corporate Governance eJournal. During the past year, he published in the areas of trade practices and company law.

During 2008–09, Senior Member McCabe was a member of the AAT's Professional Development Committee and the Organising Committee for the 2010 AAT National Conference. He was an adjudicator in the 2008 AAT Mooting Competition and a judge for the Bond University's High School Mooting Competition.

# Associate Professor Peter McDermott RFD LLB (Hons) LLM PhD

Part-time Senior Member, Qld

Peter McDermott was appointed as a Senior Member of the AAT in November 2004. He is an Associate Professor and Reader in Law in the School of Law at the University of Queensland. He was the Senior Legal Officer (1982-88) and later the Principal Legal Officer (1988–91) of the Queensland Law Reform Commission. In 1998, he accepted a term appointment as an Assistant Commissioner of Taxation, Australian Taxation Office, to contribute to the Ralph reform process (1998-99).

Senior Member McDermott was admitted as a barrister of the Supreme Court of Queensland in 1978. In the Wik case, he was privileged to be the junior counsel to the late Sir Maurice Byers QC before both the Federal Court of Australia and the High Court of Australia. He is a member of the Bar Association of Queensland.

Senior Member McDermott has served on a number of Queensland tribunals. From 2002 until 2006, he was a member of the South Queensland Regional Community Corrections Board. He served on the Children Services Tribunal from 1997 until 2001.

Senior Member McDermott is the author of Equitable Damages (foreword by Sir Robert Megarry) (1994). He is a co-author of *Principles* of the Law of Trusts (3rd ed, 1996), Company Law (foreword by Justice MD Kirby) (2006, 2nd ed. 2008) and Fundamental Company Legislation 2008. He has recently written on citizenship issues: see 'Australian Citizenship and the Independence of Papua New Guinea' (2009) 32(1) University of New South Wales Law Journal 50.

#### Graham McDonald

IIB

Full-time Deputy President, Vic

Graham McDonald has been a legal practitioner since 1972. In addition to establishing a legal firm, he has been involved in a number of public positions, including the inaugural solicitor at the Western Australian Aboriginal Legal Service and subsequently its Principal Legal Officer. Western Australian Commissioner for Corporate Affairs, Principal Member of the Social Security Appeals Tribunal in Western Australia, Chairman of the Western Australian Legal Costs Committee, executive officer for a project examining the establishment of an international insurance exchange for Australia and Pacific Rim countries, inaugural Australian Banking Industry Ombudsman and Chairman of the Superannuation Complaints Tribunal. Deputy President McDonald has had extensive involvement in voluntary legal aid work and chaired various inquiries including into the Western Australian Sexual Assault Centre and to draft legislation for Aboriginal land rights for the Western Australian Government. He has been a presidential member of the AAT since 1988.

Deputy President McDonald was the Executive Deputy President for Victoria in 2008–09. He was also a member of the AAT's Executive Deputy Presidents Committee and the Practice and Procedure Committee.

The Honourable Dr B McPherson CBE BA LLB PhD Hon LLD

Part-time Deputy President, Qld

Bruce McPherson was appointed to the AAT in September 2007. He was educated at the universities of Natal, Cambridge and Queensland where he completed his PhD in APPENDIX 1: MEMBERS OF THE TRIBUNAI

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1967. In 2004, he was awarded an honorary LLD from the University of Queensland.

Deputy President McPherson commenced practice at the Queensland Bar in 1965 and took silk in 1975. In 1982 he was appointed to the Supreme Court of Queensland, in 1990 as Senior Puisne Judge and in 1991 to the Court of Appeal. He retired from the bench in 2006. He was a Judge of the Fiji Court of Appeal and remains a Judge of Appeal of the Solomon Islands. In 2006, he was elected an Overseas Vice-President of the Selden Society.

From 1969 to 1982, Deputy President McPherson was a member of the Queensland Law Reform Commission and its Chairman from 1982 to 1991. In recognition of his contribution to law reform, he was awarded the CBE in 1988.

Deputy President McPherson is the author of *The Law of Company Liquidation* (now in its 5th Australian and 2nd English edition), *The History of the Supreme Court of Queensland 1861–1960: history, jurisdiction and procedure* (1989) and *The Reception of English Law Abroad* (2007), as well as numerous journal articles and papers.

#### **Dr Roderick McRae**

MBBS (Hons) BMedSc (Hons) FANZCA FJFICM FAMA PGDipEcho MBioeth JD

Part-time Member, Vic

Roderick McRae was admitted as a barrister and solicitor of the Supreme Court of the Australian Capital Territory in December 2004 and the Supreme Court of Victoria in February 2005. He was appointed to the AAT in January 2006.

Dr McRae is a practising anaesthetist and intensive care physician. He works primarily in the public healthcare sector providing medical care to non-neonatal patients undergoing complex surgical interventions, as well as participating in many hospital committees. He is Chairman of the Federal Australian Medical Association (AMA) and is a qualified bioethicist who sits on several hospital Human Research Ethics Committees as well as the AMA's Ethics and Medicolegal Committee. He undertakes consultancies related to human research legal and ethical issues. He has significant undergraduate and postgraduate teaching experience and is an Adjunct Senior Lecturer at Monash University's Department of Epidemiology and Preventive Medicine.

#### Dr Michael Miller AO AVM (Rtd) MBBS FRANZCOG FRCOG FAFPHM

Part-time Member, ACT

Michael Miller was appointed to the AAT in August 1995. He had a specialist medical practice in Brisbane from 1964 to 1968 and became an officer in the Roval Australian Air Force (RAAF) in 1968. His appointments included Senior Medical Officer in Vietnam (1970–71), Commanding Officer 4 RAAF Hospital Butterworth in Malaysia (1974-75) and exchange duty with the United States Air Force (1977–79). His various staff appointments included Director of Medical Plans and Deputy Director General Air Force Health Services. He was appointed Director General Air Force Health Services in 1987 with rank of Air Vice Marshal and Surgeon General Australian Defence Force in 1990. He retired in September 1992.

# Associate Professor Barrie Morley RFD MBBS FRACP FRCP

## Part-time Member, Qld

Barrie Morley, a consultant neurologist since 1965, has been a Member of the AAT since November 1985. He was consultant neurologist to the Royal Australian Air Force Specialist Medical Reserve from 1969 until 1989. Initially appointed in 1972 as a medical member of the War Pensions Assessment Appeals Tribunal, Associate Professor Morley served on the Repatriation Review Tribunal and then on the Veterans' Review Board. He was formerly Dean of the Clinical School and Head of Medicine of the (now) Monash Medical Centre. He moved to Queensland in 1992 and is now Associate Professor of Medicine in the South West Division of the Rural Clinical School of the University of Queensland.

# The Honourable Robert David Nicholson AO BA LLB LLM MA

Part-time Deputy President, WA

Robert Nicholson was appointed as a part-time Deputy President of the AAT in

September 2007. He was a Judge of the Federal Court of Australia from 1995 to 2007 and before that a Judge of the Supreme Court of Western Australia for six and a half years. During part of his time as a member of the Supreme Court, he was also Chair of the Guardianship and Administration Board of Western Australia. From 1986 to 1988, he was a full-time Deputy President of the AAT. Before this appointment, his professional life was spent in legal practice in Perth associated with the law firm now known as Freehills.

Internationally, Deputy President Nicholson has been active in matters relating to law. As Secretary of the LAWASIA Judicial Section, he has been a resource person to the Conference of Chief Justices of Asia and the Pacific for over a decade. On behalf of the Federal Court of Australia, he was engaged in the delivery of judicial training and education in Indonesia and the Philippines. As a member of the International Commission of Jurists, he has edited the *CIJL Yearbook* and contributed to the *ICJ Yearbook* as well as conducted a trial observership on behalf of the Commission.

Deputy President Nicholson was the Foundation Secretary-General of the Law Council of Australia. Subsequently, he was a Deputy Secretary-General of the International Bar Association. He has represented the Australian legal profession at a number of international meetings. He is the author of a number of legal papers published in Australian legal journals.

Deputy President Nicholson was a recipient of the Centenary Medal in 2001 for service to the judiciary, to education and to the community. He was awarded an Officer of the Order of Australia (AO) in 2002 for service to the judiciary and to the law, to education, particularly in the area of university administration, and to the community. In 2007, he became a Foundation Fellow of the Australian Academy of Law and has since been elected the Academy's foundation President. Since 2007, he has been the President of the Royal Western Australian Historical Society.

# Bruce Pascoe

Part-time Senior Member, Vic

Bruce Pascoe was appointed as a part-time Member of the AAT in December 1991 and has been a Senior Member since April 1995. Until 1991, he was a senior partner of Ernst & Young, Chartered Accountants, where he specialised in taxation and corporate finance. He is a former President of the Taxation Institute of Australia, former National Treasurer of the Institute of Arbitrators & Mediators Australia and a Grade 1 arbitrator and accredited mediator with that Institute. He was Chair of the Tax Agents' Board of Victoria until 1997 and is a director of several companies.

Senior Member Pascoe was a managing member for tax schemes in 2008–09. He was also an adjudicator in the 2008 AAT Mooting Competition.

#### **Steven Penglis**

BJuris LLB Part-time Senior Member, WA

Steven Penglis was appointed to the AAT in June 2005. He is a senior commercial litigator with the national law firm Freehills which he joined in 1983, becoming a partner in 1987. He has been an elected member of the Legal Practice Board of Western Australia since 1996 and was Chairman from 2002 until 2007. Senior Member Penglis has been an elected Member of Council of the Law Society of Western Australia since 2002 and is also the Convenor of the Society's Courts Committee which he also convened from 1995 to 2000. Since 1992, he has been the Chair of Freehills's Perth Pro Bono Committee.

Senior Member Penglis was an adjudicator in the 2008 AAT Mooting Competition.

Regina Perton BA LLB Dip Ed

Full-time Member, Vic

Regina Perton has been a full-time Member of the AAT since August 2004. Prior to her appointment to the AAT, she was a Senior Member of the Migration Review Tribunal. She has also been a Member of the Refugee Review Tribunal and the Immigration APPENDIX 1: MEMBERS OF THE TRIBUNAI

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Review Tribunal. She was a member of the Victorian Equal Opportunity Commission and a Commissioner of the Victorian Multicultural Commission. Ms Perton has held management positions in several dispute resolution bodies, including Registrar of the Victorian Residential Tenancies Tribunal and Small Claims Tribunal. Other roles have included working for the Parole Board, in real estate and as a secondary teacher. She has been a member of various boards and committees of professional, health and community organisations, including the Austin & Repatriation Medical Centre and the Turning Point Alcohol & Drug Centre. Ms Perton was awarded a Centenary Medal in 2001 for services to equal opportunity, immigration, ethnic affairs and the law.

Ms Perton was Convenor of the Victorian Chapter of the Council of Australasian Tribunals until March 2009 and continues to serve as a member of that committee. She was also a member of the committee of the Victorian Chapter of the Australian Institute of Administrative Law during 2008-09.

### **Professor Peter Lawrence Reilly AO**

Part-time Member, SA

Peter Reilly was appointed to the AAT in July 2006. He has been a practising neurosurgeon since 1976. From 1994 until 2005, he was head of the Department of Neurosurgery at the Royal Adelaide Hospital. He has also been a visiting staff specialist at Flinders Medical Centre and the Women's and Children's Hospital, Since 2004, he has been clinical professor of Neurosurgery in the Department of Surgery at the University of Adelaide.

Professor Reilly is an executive member of the Neurosurgical Research Foundation Inc. He has recently completed a term as president of the International Neurotrauma Society and is on the advisory committees of several national and international neurotrauma societies. He is a former President of the Neurosurgical Society of Australasia (1996–98), Chair of the Neurosurgical Board of the Royal Australasian College of Surgeons (1991-94) and supervisor of Neurosurgical Training for South Australia. He has a Bachelor of Medical Science. Doctorate of Medicine and Bachelor of Surgery from the University of Adelaide. He is a fellow of the Royal Australasian College of Surgeons and of the Faculty of Pain Medicine.

Professor Reilly was made an Officer in the General Division of the Order of Australia in 2002 for service to the advancement of neurosurgery in the prevention and treatment of head injuries through clinical practice, research, education and membership in relevant professional organisations. He remains actively involved in the study of traumatic brain injuries.

#### Dr Teresa Schafer

BSc (Hons) PhD GCertPharmEcon Dip Law GCert Leg Prac Part-time Member, NSW

Teresa Schafer is both a scientist and lawyer and has been a member of the AAT since August 2006. She is currently a Director in Clayton Utz's product liability practice and provides specialist advice to clients predominantly in the pharmaceutical and medical devices industries. She is also the Director of Pharmedica Consulting Ptv Ltd, a company she established in 2001 which provides advice on pharmaceutical and medical device regulation. Dr Schafer has a PhD in organic chemistry from the University of Western Australia and worked in the pharmaceutical industry for more than 13 years, both in senior management roles and as a consultant, before commencing her roles at the AAT and Clayton Utz.

#### Elizabeth Anne Shanahan BSC MBBS FRACS LLB

Part-time Member, Vic

Anne Shanahan has been a part-time Member of the AAT since 1991. She is a cardiothoracic surgeon (now retired) and worked both in public and private hospitals in Victoria for 43 years. She is also a barrister, a Harvard alumnus and former Fulbright scholar. From 1973 until 1985, Miss Shanahan was a senior lecturer in the Department of Surgery at Monash University. She has served on numerous hospital committees and a hospital Board of Management, in addition to the Health Service Commissioner's Review Council, a Health Insurance Commission Committee and the Red Cross International Humanitarian Law Committee, Miss

Shanahan is also a part-time Member of the Superannuation Complaints Tribunal and the Victorian Civil and Administrative Tribunal (Professional Bodies).

#### John Short IIВ

#### Part-time Member, SA

John Short was appointed to the AAT in 2004. Prior to this, he was a part-time member of the Social Security Appeals Tribunal in Adelaide (1989–2004), a part-time member of the Veterans' Review Board (1993-97) and a part-time member of the South Australian Residential Tenancies Tribunal (2001–04). Mr Short was a legal practitioner in general practice from 1984 until 1992. He lectured in contract law on a part-time basis at the Douglas Mawson Institute (SA) between 1989 and 1992. He was also a part-time Child Support Review Officer from 1992. Mr Short completed a LEADR mediation course in 1997 and maintains a strong interest in alternative dispute resolution.

Mr Short was a member of the AAT's Alternative Dispute Resolution Committee in 2008–09.

#### Professor Tania Sourdin BA LLB LLM PhD

Part-time Member, NSW

Tania Sourdin has been a part-time Member of the AAT since 2001. She is also a part-time Professor of Peace and Conflict Resolution at the University of Queensland. She has worked as a lawyer, court registrar, academic, mediator and tribunal member since being admitted to practise as a lawyer in 1985. She has held a number of part-time appointments, including as a Senior Member with the New South Wales Consumer, Trader and Tenancy Tribunal and as a member of its predecessor tribunals for more than 10 years.

Professor Sourdin has published many papers and books in the area of alternative dispute resolution, litigation and research into dispute resolution processes and is the author of the major text on alternative dispute resolution. In 2007, she developed the National Mediation Accreditation Standards that govern mediation practice in Australia. She is a member of the National Alternative Dispute Resolution Advisory Council and attended a number

of national and international conferences as a keynote and specialist speaker during the past year. In 2008, Professor Sourdin conducted additional extensive research into mediation and related processes in Victoria and was retained as an international expert to advise governments and courts on alternative dispute resolution in both the Middle East and the Pacific.

Professor Sourdin was a member of the AAT's Alternative Dispute Resolution Committee during 2008-09.

### Dr Peter Staer

MBBS DObst (RCOG) FRCS (Eng) FRACS

Part-time Member, WA

Peter Staer has been a member of the AAT since 1985 and was previously a member of the Repatriation Review Tribunal and Veterans' Review Board. He has practised medicine for 45 years, primarily as a surgeon/gynaecologist. He has served on the Nurses' Examination Board and various medical advisory committees. He is a gualified mediator. He spends two to three months per year in voluntary work in developing countries.

#### Andre Sweidan

BComm LLB H Dip Tax Law Grad Cert Arbitration and Mediation

Part-time Senior Member, WA

Andre Sweidan was appointed as a Senior Member of the AAT in 2005. He has practised in various fields of law in Australia and overseas for more than 35 years. He is currently a Consultant at Anchor Legal, a firm which he co-founded, in Perth. He has had an extensive legal career in the areas of taxation, revenue, intellectual property and administrative law. He has also had extensive experience representing clients before the AAT, the Federal Court and the Supreme Court of Western Australia. In 1998, he commenced practice as a senior partner with KPMG Legal in Perth. From 1993 to 1998, he worked in sole practice and from 1983 was a partner at Stone James & Co, which subsequently became Mallesons Stephen Jaques in Perth. Before immigrating to Australia from South Africa, Senior Member Sweidan was a partner in the law firm Trakman & Sweidan for 12 years.

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Senior Member Sweidan was a member of the AAT's Professional Development Committee during 2008–09 and was also a managing member for tax schemes.

## The Honourable BJM Tamberlin QC BA LLB (Syd) LLM (Harv)

Part-time Deputy President, NSW

Brian Tamberlin has been a part-time Deputy President of the AAT since 30 March 2009. He was previously a Judge of the Federal Court of Australia where he served for a term of 14 years. He was appointed a parttime judicial member of the AAT in 2005 and was Acting President in the absence of the President between 2005 and 2009. Prior to his appointment as a Judge, Deputy President Tamberlin was at the New South Wales Bar for 28 years, 14 as Queen's Counsel. Prior to that he was a solicitor for several years and an in-house counsel.

Over the past five years, Deputy President Tamberlin has been actively involved with the International Association of Supreme Administrative Jurisdictions.

### Mr Peter Taylor SC

Part-time Senior Member, NSW

Peter Taylor was appointed to the AAT in August 2006. He is a barrister in private practice in New South Wales. He graduated from the University of Adelaide in 1974 with a Bachelor of Laws (Honours) and was made Senior Counsel in New South Wales in 1993. Senior Member Taylor practises in the areas of commercial, building and construction, insurance, professional liability, equity and trusts, and public authority tort law. He was the Chair of the New South Wales Bar Association Advocacy Committee from 1996 to 2000 and a member of the Legal Profession Admission Board of New South Wales from 1994 to 2008.

From 1984 until 2005, Senior Member Taylor was the General Editor of *Ritchie's NSW Supreme Court Practice*. Since 2005, he has been the General Editor of *Ritchie's NSW Uniform Civil Procedure*.

#### Dr Maxwell Thorpe MBBS MD FRACP

Part-time Member, NSW

Max Thorpe has been a member of the AAT since November 1985 and was previously a member of the Repatriation Review Tribunal. For 28 years, he was a consultant physician in private practice and Visiting Medical Officer, Prince of Wales Hospital, where he was Warden of the Clinical School, University of New South Wales. Dr Thorpe continues as Honorary Consultant Medical Officer at the Prince of Wales Hospital. He is Chairman of the Appeals Committee, Overseas Doctors, Australian Medical Council. He was previously a World Health Organisation Consultant in Cambodia advising on postgraduate education. Dr Thorpe was a Guest Professor at Harbin Medical University, China and director of an exchange of medical specialists from Harbin Medical University with teaching hospitals of the University of New South Wales. He has extensive involvement in insurance and reinsurance medicine.

Dr Thorpe was an adjudicator in the 2008 AAT Mooting Competition.

# Dr Saw Hooi Toh

MBBS FRACGP

Part-time Member, NSW

Saw Hooi Toh was appointed to the AAT in August 2006. Dr Toh is a general practitioner and a medical educator at the Institute of General Practice Education. She sits as a member of the Medical Tribunal and of Professional Standards Committees of the New South Wales Medical Board. Dr Toh is also Senior Examiner for the Australian Medical Council Board of Examiners.

#### Lisa Tovey

BJuris LLB LLM (Dist) Part-time Member, WA

Lisa Tovey was appointed as a part-time Member of the AAT in June 2005. She has been a barrister at John Toohey Chambers in Perth since 2003.

Ms Tovey was admitted as a barrister and solicitor of the Supreme Court of Western Australia and High Court of Australia in 1992. She commenced practice with Corrs

Chambers Westgarth and then worked as Associate to the Honourable Justice Rowland at the Supreme Court of Western Australia. Ms Tovey was a Crown Prosecutor within the Office of the Director of Public Prosecutions for Western Australia between 1996 and 2001. Ms Tovey has been a lecturer and senior lecturer, and the Course Controller for both the law of evidence and administrative law courses at the University of Notre Dame Australia.

Ms Tovey is currently the presiding member of the Osteopaths Registration Board of Western Australia, having served as the deputy presiding member between 2003 and 2004. She is also a member of the Legal Aid Western Australia Review Committee. Ms Tovey was a Lieutenant in the Royal Australian Naval Reserves between 1994 and 2001 and has completed a Practitioner's Certificate in Mediation. Ms Tovey is also a member of the Western Australian Bar Association Equal Opportunity Committee and the Law Society of Western Australia Human Rights Committee.

# Professor Emeritus Geoffrey Walker

Full-time Deputy President, NSW

Geoffrey Walker was appointed to the AAT in 2004. He was admitted to the Bar in 1965 and subsequently gained extensive legal experience in private practice, industry and government. In 1978, he joined the academic staff of the Australian National University and has also taught law at the universities of Sydney, Queensland and Pennsylvania. For 11 years, until returning to the Bar in 1997, he was Dean of Law at the University of Queensland. He has been appointed Adjunct Professor of Law at Murdoch University.

Deputy President Walker is the author of four books, including *The Rule of Law: Foundation of Constitutional Democracy* (1988), and approximately 100 articles in legal and related journals.

Deputy President Walker was the Executive Deputy President for New South Wales in 2008–09. He was a member of the AAT's Executive Deputy Presidents Committee and the Practice and Procedure Committee. He was also an adjudicator in the 2008 AAT Mooting Competition.

#### Dr Robert (Rob) Walters

Part-time Member, Tas

Dr Rob Walters was appointed to the AAT in November 2006. He is a general practitioner in Hobart. He is past Chair of the Australian Divisions of General Practice (now Australian General Practice Network), a position he held between 2002 and 2005. He continues to sit on a number of national boards and councils.

Dr Walters is Secretary and medico-legal adviser to the Medical Protection Society of Tasmania. As well as providing case advice, he regularly presents to medical practitioners and medical students on matters related to medical indemnity and medico-legal aspects of medical practice.

Dr Walters holds the rank of Colonel in the Australian Army Reserve, having joined the Australian Defence Force in 1972 as a National Serviceman. He is currently the Senior Health Officer for Tasmania and a consultant to the Surgeon General of the Australian Defence Force on General Practice for the Army, Navy and Air Force. He served in East Timor in 2002.

Dr Walters is the Medical Director on the Tasmanian WorkCover Board and a past Chair of the Cancer Council of Tasmania. He also has regular national media commitments on both television and radio.

# Brigadier Anthony Gerard (Gerry) Warner AM LVO (Rtd)

BSc (Hons) DipMilStud FAICD Part-time Member, WA

Gerry Warner was appointed to the AAT in June 2005. His military career, following graduation from the Roval Military College Duntroon. included extensive command experience, tours on the personal staff of Governors-General, pivotal operations and personnel staff appointments and UN peacekeeping on the Golan Heights and in Southern Lebanon. He was the Senior Defence representative in Western Australia in 1996–97 and in his final posting was Chief of Staff Land Headquarters in Sydney during a period of intense operational tempo, including the East Timor campaign and support to the Olympic Games. After separation from the Army in 2003, he was appointed to the independent committee convened by the Board of Western Power to report on the power supply ADMINISTRATIVE APPEALS TRIBUNAL ANNUAL REPORT 2008-09

APPENDIX 1: MEMBERS OF THE TRIBUNAI

crisis of February 2004. He is a sessional Senior Member of the State Administrative Tribunal, a member of the Mental Health Review Board of Western Australia and is Chief Executive Officer of the RAAF Association (WA Div) Inc.

## Simon Webb

### Full-time Member, ACT

Simon Webb was appointed to the AAT in July 2001. From 1997 to 2001. he held the office of Deputy Director of the Commonwealth Classification Board with extensive periods acting in the office of Director. During this period, he was Secretary of the Commonwealth, State and Territory Censorship Ministers' Council. From 1994, Mr Webb worked with federal, state and territory ministers and officials to implement revised censorship laws in a cooperative national legislative classification scheme. He was involved in establishing the Classification Board and the Classification Review Board in 1996 and worked with the Australian Customs Service reviewing prohibited import and export regulations and related administrative procedures. Prior to that, Mr Webb conducted a management consultancy and was General Manager of the Arts Council of Australia. He has over 25 years senior management and public administration experience and is an accredited mediator.

Mr Webb was a member of the AAT's Professional Development Committee during 2008–09. He was also an adjudicator in the 2008 AAT Mooting Competition.

### Dr David Weerasooriya

MBBS MRCP (Lond) MRCP (Edin) MRCP (Glas) DCH

Part-time Member, WA

David Weerasooriya has been a part-time Member of the AAT since 1996. He is a parttime Tutor in Problem Based Learning for year two medical students at the University of Notre Dame - School of Medicine. Prior to his appointment to the AAT, he was a medical member of the Social Security Appeals Tribunal from 1994 until 1996. Dr Weerasooriya practised as a specialist physician, paediatrician and vocationally registered general practitioner in Kalgoorlie from 1972 to 1976 and in Perth thereafter. He was a visiting specialist physician to Wanneroo Hospital

from 1989 until 1996. He was a senior lecturer in paediatrics at the University of Ceylon, Colombo. Dr Weerasooriya undertook his postgraduate training in the United Kingdom between 1959 and 1964. He was the author of a textbook on health science for GCE 'O' level students in Sri Lanka. Dr Weerasooriva is a qualified mediator.

Dr Weerasooriya was a member of the AAT's Library Committee in 2008-09.

## Dr Peter Wilkins MBE

BA MBBS MHP MLitt GradDipHum FAFOEM FAFPHM Part-time Member, ACT

Peter Wilkins was appointed to the AAT in August 2006. He served full-time in the Royal Australian Air Force for 22 years and remains a member of its Specialist Reserve. Dr Wilkins has held senior management positions with the Federal Australian Medical Association, NSW Health and as Director of Aviation Medicine for the Civil Aviation Safety Authority. His main current work is consultant practice in occupational medicine.

Dr Wilkins was a member of the Organising Committee for the 2010 AAT National Conference in 2008–09.

## The Honourable Christopher Wright QC BBL

### Part-time Deputy President, Tas

Christopher Wright has been a part-time Deputy President of the AAT since February 2001. From 1986 until 2000, he was a judge of the Supreme Court of Tasmania, having been Solicitor General from 1984 until 1986. He practised at the Tasmanian Bar from 1977 until 1983 and was a magistrate in Hobart from 1972 until 1977. Between 1959 and 1972, he was a partner in the Hobart law firm Crisp Wright and Brown. Other appointments he has held include Chairperson of the Retirement Benefits Fund Investment Trust (1984–86), the Social Security Appeals Tribunal (1979–83) and the Tenancy Law Review Committee in Tasmania (1979) and President of the Bar Association of Tasmania (1977–79). He was appointed as Chairman of the Tasmanian Police Review Board in 2004. He was appointed Queen's Counsel in 1984.