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ACADEMIC AND PROFESSIONAL QUALIFICATIONS

- Professor of Law, Queensland University of Technology
- Solicitor, Supreme Court of Queensland and High Court of Australia, admitted 1986
- Bachelor of Laws, Faculty of Law, Queensland Institute of Technology

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EMPLOYMENT HISTORY SUMMARY



Current - 2012	Commissioner, Risk Intelligence and Regulatory Support, Australian Skills Quality Authority (ASQA)
2012 - 2004	Executive Dean, Faculty of Law, Queensland University of Technology
2004 - 2001	Secretary-General, Law Council of Australia
2001 - 1996	Special Counsel, Dunhill Madden Butler, Deacons (now Norton Rose Fulbright)
1996 - 1993	Member of Federal Cabinet
1996 - 1993	Attorney-General, Commonwealth of Australia
1993 - 1990	Chair of the House of Representatives Standing Committee on Legal and Constitutional Affairs
1996 - 1987	Member of the House of Representatives, Divisions of Fisher and Dickson
1984 - 1984	Articled Clerk and Solicitor, Trilby Misso and Company
1987 - 1982	Councillor, Pine Rivers Shire Council

EMPLOYMENT HISTORY DETAILS

COMMISSIONER, AUSTRALIAN SKILLS QUALITY AUTHORITY (ASQA)

ASQA is the national regulator of the Vocational and Further Education sector (VET). This includes State-run TAFE colleges and the various private Registered Training Organisations (RTOs) operating across the country. There are about 5,000 RTOs in Australia and three million people will undertake courses provided by RTOs each year.

The VET sector has formerly been regulated at a State and Territory level. As a result of an agreement reached through the Council of Australian Governments (COAG), the States agreed to cede both their constitutional power and that part of their bureaucracy involved in VET regulation to the Commonwealth. ASQA is the body which has assumed these previous State and Territory functions. ASQA is governed and led by three Commissioners. I have specific responsibility for the Authority's work in risk and investigations.

**PROFESSOR OF LAW AND EXECUTIVE DEAN, FACULTY OF LAW,
QUEENSLAND UNIVERSITY OF TECHNOLOGY (QUT)**

ASQA is the national regulator of the Vocational and Further Education sector (VET). This includes State-run TAFE colleges and the various private Registered Training Organisations (RTOs) operating across the country. There are about 5,000 RTOs in Australia and three million people will undertake courses provided by RTOs each year.

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The Executive Dean is the Chief Executive of the Faculty of Law, Queensland University of Technology, which is the largest Law Faculty in Australia. The Faculty comprises Schools in Law and Justice and a unit providing practical legal training.

The responsibilities of the Dean include:

- Leadership of the Faculty and participation in overall management of the University.
- Strategic planning for Faculty;
- Management oversight of Faculty's finances and staff.
- Academic leadership.

The Dean is responsible for the Faculty's \$21 million budget, 3 500 students and 160 staff located at the QUT's Gardens Point campus in the Brisbane CBD.

Key achievements:

- Increased the QUT Law Faculty research activity and research income tenfold, largely due to an increase in commercially funded research.
- Raised the profile of the QUT Law School by hosting a high-profile speakers forum, introducing an annual faculty versus students comedy debate and personally engaging high profile members of the judiciary and the executive with activities at the law school.
- Implemented new pathways, particularly from TAFE, the increased access to the Law Faculty for low socio-economic groups, including Indigenous students.
- Implemented a complete restructure of the undergraduate law degree to more closely align electives with career pathways.
- Implemented a graduate entry program, equivalent to a JD.
- Implemented strategies to re-engage Alumni with the law school, particularly through fundraising with the QUT Alumni Foundation.
- Implemented strategies to increase philanthropic donations to fund scholarships and other projects at the QUT Law School.

SECRETARY-GENERAL, LAW COUNCIL OF AUSTRALIA

The Secretary-General is the Chief Executive of the Law Council, which is the peak national representative body for the Australian Legal Profession.

The Law Council is owned by the Bar Associations and Law Societies of the Australian States and Territories. Through its constituent bodies, the Council represents 50,000 Australian lawyers.

The Council's purpose is to:

- Promote and defend the rule of law in the public interest
- Be the national legal industry body representing all lawyers on national and international issues.

The Secretary-General is responsible for the day to day management of the Council and controls a full time Secretariat of 30 staff based in Canberra.

SPECIAL COUNSEL, DEACONS (NOW NORTON ROSE FULBRIGHT) AND DUNHILL MADDEN BUTLER

Norton Rose Fulbright is an international law firm which in 2009 merged with the national firm of Deacons. A Special Counsel is a consultant to the firm. I was Special Counsel to the predecessor firms of Dunhill Madden Butler and Deacons.

The areas of work undertaken included:

- Energy and infrastructure projects
- Land access issues, particularly relating to negotiation with traditional land owners holding native title interests
- Industrial relations
- Political and strategic advice.

I also participated fully in the direction of the law firms at an equivalent to partnership level.

FEDERAL CABINET

As well as holding portfolio responsibility, as Attorney General I was a member of the Federal Cabinet. The Cabinet considered all legislative proposals across the Government and determined the public policy and fiscal priorities of the government.

I was a member of two standing committees of cabinet dealing with national security and general policy.

Accordingly, I was involved in discussions and decisions on issues such as:

- Foreign Affairs
- Migration
- Industrial Relations
- Commonwealth-State relations
- National economic policy

I also served on two select committees, namely the committee dealing with the Commonwealth's response to the 1992 Mabo decision of the High Court and the committee considering moving towards an Australian Republic.

COMMONWEALTH ATTORNEY-GENERAL

As Attorney-general, I was the senior portfolio Minister for the Attorney-General's Department and related agencies. The junior portfolio ministries were held in Justice and Consumer Affairs.

Responsibilities included policy formulation and Ministerial oversight in areas of:

- Corporations Law
- Family Law
- National Security
- Censorship
- Federal Litigation
- Insolvency.

Agencies reporting to the Attorney-General included:

- Australian Securities Commission
- Commonwealth Courts and Tribunals
- ASIO
- Commonwealth DPP
- Australian Government Solicitor
- Australian Law Reform Commission.

Key achievements as Attorney General:

- Passage of the Native Title Act
- Establishment of the National Native Title Tribunal
- Appointed Michael Kirby to the high court
- Increased the number of women judges in
- Bringing them Home report
- Decriminalization of homosexuality in Tasmania

As Attorney, I formed the Access to Justice Advisory Committee, chaired by Ron Sackville QC. The landmark report of the Committee led to the 1995 Justice Statement which contained comprehensive measures to improve the operations and fairness of the civil justice system.

CHAIR, HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS

The Committee considers policy and legislation referred to it by the Parliament and Ministers. As Chair, I led the Committee in the conduct of inquiries into:

- Equal opportunity and equal status for Australian women
- Corporate practices and the rights of shareholders
- The legal regimes of Australia's external territories

The Committee produced three (3) major reports including the landmark report *“Halfway to Equal”*. This report resulted in significant change in the *Commonwealth Sex Discrimination Act and Affirmative Action Act*.

The Committee’s report into corporate practices advocated policy positions such as shareholder derivative actions which were subsequently enacted into the *Corporations Act*.

MEMBER OF THE HOUSE OF REPRESENTATIVES

A Member of Parliament has primarily two roles: firstly, to act as a legislator; and secondly, to assist constituents in their dealings with government. The role has significant opportunities and responsibilities in community building.

While in Parliament, I served on both Government backbench and parliamentary committees including:

- House of Representatives committees on Electoral Matters, Aboriginal Affairs and reviewing the Family Law Act
- Chairing the Government’s local government committee
- Being a member of the Prime Minister’s Country Taskforce.

SOLICITOR - TRILBY MISSO AND COMPANY

After admission as a Solicitor, I was employed with the suburban firm of Trilby Misso and Company. I practiced in the general areas of family law, criminal law, personal injuries and small business commercial work.

COUNCILLOR, PINE RIVERS SHIRE COUNCIL

Pine Rivers was Queensland’s seventh largest local authority prior to its amalgamation with neighbouring local authorities in 2007 to form the Moreton Bay Regional Authority. The Council provides basic community infrastructure and services to the communities of the immediate north of Brisbane City. As a Councillor, I served on the committees of:

- Industrial Relations (Chair)
- Finance
- Public Works

My focus as a Councillor was to build the Council’s role in community services such as child care and emergency relief programs.

COMMERCIAL AND GOVERNMENTAL BOARDS AND MEMBERSHIP SUMMARY



Current - 2009	Chair, Financial Ombudsman Service (FOS)
2012 - 2009	Director, Australian Energy Market Operator (AEMO)
2010 - 2009	Chair, Consultative Committee to the COAG National Legal Profession Reform Taskforce
2012 - 2009	Director, Cambia
2004 - 2009	Director, National Electricity Market Management Company (NEMMCO)
2004 - 2006	Member, Board of Directors, Australian Stock Exchange Supervisory Review (ASXSR)
2009 - 2004	Chair, Board of Directors, Banking and Financial Services Ombudsman (BFSO)
Current - 1998	Chief Adjudicator, Alcohol Beverages Advertising Complaints Panel (ABAC)
2001 - 1998	Chairman, Millhouse IAG
1998 - 1996	Director, Colly Cotton

COMMERCIAL AND GOVERNMENTAL BOARDS AND MEMBERSHIP DETAILS

DIRECTOR, AUSTRALIAN ENERGY MARKET OPERATOR (AEMO)

AEMO is a government-created company responsible for the administration and operation of the inter-connected power system and wholesale national electricity market and the gas markets in Queensland, New South Wales, Victoria and South Australia. Formed in 2008, it operates on a not-for-profit basis and is funded from contributions by energy retailers and generators. It is owned by the Australian Government and industry participants.

AEMO Directors are appointed by the Ministerial Council on Energy following an independent selection process by a Panel consisting of industry and government experts. I chair the Board Committee on People and Culture and serve as a member of the Policy and Regulatory committee.

CHAIR, FINANCIAL OMBUDSMAN SERVICE (FOS)

In July 2008 the Banking and Financial Services Ombudsman (BFSO), Financial Industry Complaints Service (FICS) and Insurance Ombudsman Service (IOS) merged to form the national Financial Ombudsman Service (FOS). This independent umpire provides free, fair and accessible dispute resolution for consumers and some small businesses unable to resolve a dispute directly with their financial services provider.

DIRECTOR, CAMBIA

Cambia is an independent non-profit institute creating new technologies, tools and paradigms to promote change and enable innovation.

MEMBER OF THE BOARD, NATIONAL ELECTRICITY MARKET MANAGEMENT COMPANY LTD (NEMMCO)

From 2004-2009 I was a member of the Board of NEMMCO, the wholesale market and electricity system operator of the National Electricity Market (NEM). NEMMCO was established in 1996 to administer and manage the NEM, develop the market and continually improve its efficiency. On 1 July 2009, NEMMCO was absorbed into the Australian Energy Market Operator (AEMO).

MEMBER, BOARD OF DIRECTORS, AUSTRALIAN STOCK EXCHANGE SUPERVISORY REVIEW (ASXSR) - 2004-2006

The ASXSR was a special purpose subsidiary of the Australian Stock Exchange (ASX). The ASXSR operated as an independent body within the ASX Group, to review the performance of regulatory functions by the ASX. This position ended in 2006 following the restructure of the Australian Stock Exchange consequent upon its merger with the Sydney Futures Exchange.

CHAIR, BOARD OF DIRECTORS, BANKING AND FINANCIAL SERVICES OMBUDSMAN (BFSO) (2004-2008)

The BFSO was a dispute resolution service which dealt with consumer complaints about banks and other financial institutions. Established in 1991 by the major four Australian banks, the BFSO was the premier dispute resolution scheme in Australia's financial sector.

CHIEF ADJUDICATOR, ALCOHOL BEVERAGES ADVERTISING COMPLAINTS (ABAC) PANEL

The ABAC Panel considers public complaints about the advertising of alcohol products. It is part of the self regulatory system for advertising established by the alcohol producers and retailers.

MILLHOUSE IAG (1998-2001)

Millhouse is a venture capital business which assesses small and medium businesses for growth potential and matches the businesses with capital sources from private investors. It operates in Australia and Germany, with outreach programs in South East Asia and North America. I chaired the company's board and participated in forming the strategic relationships with government and industry.

COLLY COTTON (1996-1998)

Colly is Australia's largest cotton grower and merchant. I served on the company's board while it was a public company. It was subsequently "privatised" by its largest shareholder, at which time the independent directors left the board. I chaired two board committees dealing with corporate governance and environmental issues.

EDUCATION AND COMMUNITY SERVICE BOARDS AND COMMITTEES SUMMARY



Current - 2012	Advisory Board, Institute for Ethics, Governance and Law, Griffith University
Current - 2012	Reviewer, Migration Review and Refugee Review Tribunals
Current - 2008	Member of the Governance stream of the Federal Government's Australia 2020 Summit, Canberra
Current - 2007	Fellow of the Australian Academy of Law
2012 - 2006	Chair, Standing Committee on Legal Practice, CALD
2012 - 2004	Member, Council of Australian Law Deans (CALD)
Current - 2003	Member, Prime Minister's Consultative Group on Constitutional Change
Current - 1998	Delegate, Queensland Constitutional Convention
Current - 1998	Elected delegate for Queensland, Commonwealth Constitutional Convention
2004 - 1998	Advisory Board, Forde Foundation
Current - 1999	Member of the External Review Committee, Faculty of Law, Queensland University of Technology
2002 - 1999	Member, Senate of the University of Queensland
2006 - 1997	Advisory Board, Key Centre for Law, Ethics and Governance, Griffith University
2003 - 1997	Director, Plan Australia

EDUCATION AND COMMUNITY SERVICE BOARDS AND COMMITTEES

DETAILS

REVIEW OF MIGRATION REVIEW TRIBUNAL / REFUGEE REVIEW TRIBUNAL

In late 2011 I was invited by the Minister for Immigration and Citizenship to undertake a review of the Migration Review Tribunal and the Refugee Review Tribunal. This review was part of the Government's decision, in light of the High Court decision on the so-called Malaysian Solution, to adopt onshore processing for all asylum claims. The Review focussed on the operation of the Tribunal and efficiency measures.

CHAIR OF CONSULTATIVE COMMITTEE TO COAG NLPR TASKFORCE

In April 2009 the Council of Australian Governments (COAG) formed a Taskforce to progress a plan to achieve national regulation of the Australian legal profession. This Taskforce was advised and assisted by a Consultative Group comprising members from each State and Territory representing peak legal, business and consumer groups. I was appointed as Chair of the Consultative Group, which played an important role in identifying issues, providing advice and developing recommendations on this important reform agenda.

AUSTRALIA 2020 SUMMIT

The Australia 2020 Summit was convened by Prime Minister Rudd in April 2008 to bring together 1,000 Australians to debate ideas about Australia's future. I participated in the stream dealing with the future of governance.

AUSTRALIAN ACADEMY OF LAW (AAL)

In 2007 I was appointed as an ex officio Fellow of the Australian Academy of Law (AAL). The AAL is a broadly-based and permanent body, comprising individuals from all parts of the legal community – elected from the judiciary, legal practitioners and legal academics – united in a common goal of advancement of the discipline of law and the justice system.

MEMBER, COUNCIL OF AUSTRALIAN LAW DEANS (CALD)

The Council of Australian Law Deans is an unincorporated association which has amongst its objectives:

- Consultation on matters of mutual concern to members or their institutions and where
- Appropriate the adoption of common policies
- The furtherance of legal education in Australia
- The encouragement of legal research
- The promotion of cooperation between Law Schools
- The maintenance of close relations between Law Schools and the legal profession
- The collection, exchange and publication of information and statistics about the functions and needs of Law Schools

CONSULTATIVE GROUP ON CONSTITUTIONAL CHANGE

This group was formed by Prime Minister Howard to seek public response to a government discussion paper on options to change the manner which deadlocks between the House of Representatives and the Senate are resolved. Specifically, it is examining Section 57 of the Constitution. The group held public consultations in each capital city and reported in January 2004.

QUEENSLAND CONSTITUTIONAL CONVENTION

This convention was staged by the Queensland Government to examine the implications to the Queensland Constitution and method of government if Australia moved to a republican system.

COMMONWEALTH CONSTITUTIONAL CONVENTION

Running for 10 days in February 1998, this convention debated and agreed the model for an Australian Republic which was placed before the public in referendum. I was elected to the convention as a delegate from Queensland.

FORDE FOUNDATION

The Foundation was established by the Queensland Government to assist former residents of State and Church child welfare institutions. The Foundation was chaired by Leneen Forde and implements a recommendation of Ms Forde's inquiry into the abuse of children in Queensland. The advisory board decides on the bi-annual grants to former residents, and the investment strategy of government funds.

QUT LAW EXTERNAL REVIEW COMMITTEE

The QUT operates a periodic independent and external review of its Faculties and Divisions. I was a member of the Panel which reviewed the Faculty of Law and provided a report to guide the future direction of law and justice teaching and research within the University.

SENATE, UNIVERSITY OF QUEENSLAND

From 1999-2002, I served a four year term as a Member of the Senate of the University of Queensland. The University is governed by a 22-member Senate representing University and community interests, led by the Chancellor and the Deputy Chancellor. The University of Queensland Act 1998 empowers Senate to fulfill its functions, including to appoint staff; manage and control the University's affairs and property; and manage and control the University's finances.

ADVISORY BOARD, KEY CENTRE FOR LAW, ETHICS AND GOVERNANCE GRIFFITH UNIVERSITY / INSTITUTE FOR ETHICS GOVERNANCE AND LAW

From 1997-2004 I was a Member of the Advisory Board of the Key Centre for Law, Ethics and Governance at Griffith University. In 2004, the Key Centre was replaced by the Institute for Ethics Governance and Law (IEGL), a joint initiative of the United Nations University, Griffith University and the Queensland University of Technology (in association with the Australian National University). IEGL was established at the suggestion of the United Nations University (UNU) to fill an important gap in its research (ethics, governance and law) and a geographical gap (Oceania). In 2012, I rejoined the Advisory Board to the Institute for Ethics, Governance and Law

PLAN AUSTRALIA

Plan is an international non-government organisation which operates education, health and community development programs in 40 undeveloped nations. Plan Australia is the Australian arm of the organisation and which operates with the sponsorship of 40,000 Australians.

PUBLICATIONS

KEY REPORTS

"Half Way to Equal"

Report of the House of Representatives Standing Committee on Legal and Constitutional Affairs, chaired by Michael Lavarch. This report examined the status of Australian women and was the catalyst of significant legislative change to the Sex Discrimination and Affirmative Action Acts.

"Corporate Practices and the Rights of Shareholders"

Report of the House of Representatives Standing Committee on legal and constitutional affairs, chaired by Michael Lavarch. This report examined the state of Australia's Corporations Law in the aftermath of the corporate failures of the 1980's. It was the blueprint for reforms to the Corporations Law including the simplification and economic reform programs of the Keating and Howard governments.

SELECTED JOURNALS/ARTICLES

With Alison Riding. A New Way of Compensating: Maintenance of Culture Through Agreement. Native Title Research Unit, Australian Institute of Aboriginal and Torres Strait Islander Studies, 1998.

"Politicisation of ethics"

Article in Reform (Australian Law Reform Commission), no. 72, Autumn 1998

"How the High Court considers policy"

Article in Australian Journal of Public Administration, v.57, no.1, Mar 1998

"Lawyers and government: partnership for change"

Article in Evatt Papers, v.3, no.2 1995

"The government's approach to corporate law reform"

Australian Journal of Corporate Law, v.4, no.1 (1994)

"The appointment of judges"

Australian Institute of Judicial Administration Conference, (1994)

"Getting on with Business"

Stage 2 of the Corporations law Simplification Program – Address to Commercial Law Association of Australia, Queensland Committee (1994)

BOOKS

"Beyond the Adversarial System"

Book edited with Prof. Helen Stacy - Federation Press (1999) - examines the future of the Civil Justice System in Australia

"The role of international law making in the globalisation process" in Treaty Making and

Australia: Globalisation versus Sovereignty, edited by Philip Alston and Madeleine Chiam (1995) – Federation Press

Contributing author - *"Courts of Final Jurisdiction- the Mason Court in Australia"* edited by

Cheryl Saunders (1996) – Federation Press – a series of essays assessing the High Court under the leadership of Chief Justice Sir Anthony Mason.

SELECTED CONFERENCE PAPERS

"Self Regulation Process with External Bodies"

Sharing Best Practice in Self-Regulation: An International Workshop – London, United Kingdom, 28-29 October 2004

"Ethics for Industrial Relations Practitioners"

2003 IRSQ Convention (23 Oct 2003)

"Courts Versus the People: have the judges gone too far?"

Judicial Conference of Australia (2002)

"Wik: more than a candle in the wind"

Banking Law Association (Australia) – Banking Law and Practice Conference (1997)

"Law in Australia: continuity, consultation and change" Address to the Australia Law Reform Commission Conference (1995)

"Getting on with business: stage two of the Corporations Law Simplification Program"

Commercial Law Association of Australia, Queensland Committee, (1994)

"Corporate law reform in the 1990s"

Corrs Chambers Westgarth Guest Lecture (1993) and Australian Investment Managers' Group (1993).

OTHER INTERESTS

Active involvement in the creative arts, performing arts and film making, including:

- Ambassador, Museum of Contemporary Art
- Associate Producer, Sydney Festival
- Gapu Clan donor, Bangarra Dance Theatre
- Director, Lavarch Productions