

News from WFC

2012 promises to be an exciting year for William Forster Chambers. We welcome our old friend and former member Graham Hiley QC back to chambers from March for a six month stint, which we hope will become a permanent fixture in the chambers' calendar. We have also had the good fortune of securing three senior local practitioners as members, Kerry Sibley, Miles Crawley and Bruce Taylor. Last but not least, we are delighted to announce that two prominent Australian academics with strong ties to Charles Darwin University are joining us. Dr Ned Aughterson commences fulltime practice at WFC on 1 March 2012, and Professor Les McCrimmon from 1 June 2012. Both have served as the head of law at CDU and each has substantial advocacy experience. They will strengthen significantly the existing talent at the Northern Territory Bar.

These new members bring substantial additional experience and skill to chambers for the benefit of our existing members, our clients and the profession, and support our commitment to delivering the highest quality professional services to our clients. Their arrival builds on our existing strengths, creating more opportunities for our instructing solicitors to obtain quality, specialist advice and representation, promptly and at a reasonable price.

If you have not met them already, you will have the chance to do so over the coming weeks at seminars and functions. Short summaries of their careers are set out below so you may assess for yourself

how and where they may be of assistance to you and your clients. Inquiries as to their availability and terms may be made with them direct or via our clerk Emily Arthur. Further information and contact details may be obtained from our website – www.williamforster.com. They look forward to hearing from you!



Graham Hiley QC

Graham has practised as a lawyer since 1972, first as a solicitor, then since 1978 as a

barrister, in Darwin and Brisbane. He took silk in the Northern Territory in 1987. Graham lived and worked in Darwin from 1976 until 1994, and in Brisbane since then. Graham was one of the founding members of the Northern Territory Bar Association and of William Forster Chambers, and he was an active participant in various associations and tribunals, including terms as President of the Northern Territory Law Society, President of the Northern Territory Bar Association and Chairman of the Planning Appeals Committee.

Graham has practised in all the main areas of the law apart from family law. Over the last 10 years Graham's practice has focussed on native title and associated areas such as administrative law, real property, mining and statutory interpretation. He has also been involved in contract, construction and valuation cases. He has appeared as counsel in a large number of reported cases in the Territory and, since moving to Brisbane, in the Federal Court at first instance and on appeal. He has also appeared regularly in the High Court including in the well-known native title cases of *Wik*, *Yorta Yorta*, *Ward* and *Yarmirr* and also the torts cases, *Papantonakis* and *Mengel*. He is particularly interested in developing his

practice as a mediator.

Kerry Sibley

Kerry has 24 years experience both as solicitor and barrister. She commenced employment in the law in 1986 as a law clerk in the area of personal injuries litigation acting initially for plaintiffs. After several years acting for both plaintiffs and defendants, in 1999 Kerry joined the NSW Bar. Between 1986 and 2006 Kerry appeared and acted in matters at all levels of both civil and appellate jurisdictions including the High Court.

With the abolition or, at least, serious curtailment of personal injuries litigation in NSW, Kerry decided to accept a seven week contract at Ward Keller in Darwin. That occurred in August 2006 and she is still here. This is, no doubt, a very familiar Darwin story. After two years working with John Neill at Ward Keller, Kerry decided to expand her legal experience and accepted an offer to join Minter Ellison as special counsel. Kerry was then engaged in a broad spectrum of work from building and construction disputes through franchising disputes, contract disputes and disputes about indemnity under policies of insurance. However, Kerry has always maintained contact with personal injuries litigation and continues to act in that field.

Kerry's interest in music has led her to spend some of her evenings working as a roadie for, and trainee sound engineer with, her partner Colin who has his own PA. Her most recent work as a roadie was the launch of the Batchelor calendar last December.

Miles Crawley

Many of you will already know



Miles from his time as a partner with Cridlands MB in Darwin, heading their workers compensation team as well as acting generally as in-house counsel for all sections of the firm.

He is a senior practitioner with over 32 years of litigation and advocacy practice gained as in-house counsel initially with a firm in Adelaide, and then as an Adelaide partner in a national firm. Miles has extensive experience as counsel in personal injury and general commercial matters, as well as in the employment law area. He has appeared regularly in all relevant jurisdictions, including at appellate level.

Although enjoying the intense mental challenge that comes with appellate work, trial advocacy with its probing of the evidence and testing the general credibility of witnesses remains a passion. His favourite case (in fact, series of cases) appropriately, involved beer. He was responsible for coordinating the successful litigation defence to the bitterly fought attempted takeover of Coopers Brewery by Lion Nathan, which was fought in the South Australian Supreme Court and subsequently the High Court, as well as in the Federal Court both in South Australia and Victoria – and covered extensively in the media.

Bruce Taylor

Bruce has joined Chambers from Minter Ellison, Darwin after transferring from interstate. Bruce initially worked at

the NSW DPP in between studies at University of NSW and after graduating 17 years ago; he moved to Darwin and commenced work at Cridlands as a commercial litigator, where he undertook a variety of dispute work. In 1999 Bruce moved back to Sydney where he worked with Price

Waterhouse Coopers Legal and then moved to Hong Kong to work as a contract litigator.

On returning to Sydney, he set up with a colleague a boutique employment and litigation practice in the city called Henderson Taylor Lawyers. He appeared as an advocate for clients in the NSW Industrial Commission on employment and occupational health matters. He also successfully acted for clients in two landmark High Court cases, being *Smits v Roach* (2006) 227 CLR 423 and *SST Consulting Services Pty Limited v Rieson* (2006) 225 CLR 516. He also spent several years as a commercial procurement consultant to the Royal Australian Air Force.

Bruce has extensive experience advising on employment law, occupational health and safety and commercial litigation. He has also appeared as an advocate in courts and tribunals in Darwin and at all levels in New South Wales and is a trained mediator.

Dr Ned Aughterson

Ned has appeared as counsel in trial and appellate courts, and in both criminal and civil matters, in Queensland, Victoria, New South Wales, Western Australia, and the Northern Territory, and before the Federal Court and High Court of Australia. After admission as a barrister in Queensland, Ned practised at the Queensland Bar full-time and then part-time (concurrently with holding an academic position at the University of Queensland) for eight years, before moving to Darwin in late 1986. Since that time, Ned has practised at the Northern Territory Bar largely on a part time basis (concurrently with holding an academic appointment at the Northern Territory University),

but also with periods of full-time practice. During the periods of full-time practice, Ned also appeared as counsel in a number of extradition cases, including some high profile cases, in the southern States. He is also an accredited mediator and has conducted a number of mediations.

Ned's areas of practice include administrative law, appeals, mediation, inquiries, commercial law, contracts, consumer law, engineering and construction law, property law, constitutional law, international law, and extradition.

Prof Les McCrimmon

Professor McCrimmon is one of Australia's leading experts on evidence law, advocacy and privacy.



He took up his appointment as Professor of Law at Charles Darwin University (CDU) on 1 February 2010. He holds a BA and LLB from the University of Alberta, Canada, and an LLM by research from the University of Queensland. He is also admitted as a legal practitioner in the

Northern Territory and New South Wales. Since 1994, he has been a member of the teaching faculty of the Australian Advocacy Institute, Australia's leading provider of advocacy training to the legal profession. He was a founding member of the Global Alliance for Justice Education, which is a world leader in the promotion of social justice through legal education. He was the ALRC Commissioner in charge of the Uniform Evidence Act reference (2006). In 2010, he was elected a Fellow and Board Member of the Australian Academy of Law. ●

