



**ATTORNEY-GENERAL
THE HON PHILIP RUDDOCK MP**

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APPOINTMENT OF FEDERAL MAGISTRATES

Attorney-General Philip Ruddock today announced the appointment of eight new federal magistrates. The new magistrates and their locations are:

- Mr Daniel O'Dwyer - Melbourne;
- Mr Grant Riethmuller - Melbourne;
- Mr Michael Lloyd-Jones - Sydney;
- Mr Graham (Bert) Mowbray - Sydney;
- Mr Nicholas Nicholls - Sydney;
- Mr Matthew Smith - Sydney;
- Ms Sylvia Emmett - Parramatta; and
- Ms Robyn Sexton - Parramatta.

Funding for eight new magistrates was announced in the 2004-05 Budget as part of the Government's response to a detailed review of the growing problem of migration litigation.

"The Government has been increasingly concerned about the escalating crisis in courts stemming from the very large number of migration cases before the courts and the very low success rate of this litigation," Mr Ruddock said.

"There has been a significant increase in the migration workload of the High Court, the Federal Court and the Federal Magistrates Court in recent years," he said.

The injection of additional resources into the Federal Magistrates Court will ensure that migration cases are dealt with quickly and fairly and improve access to justice for all cases with merit.

"I am extremely pleased about the early appointment of a further eight high-quality lawyers to the Federal Magistrates Court," Mr Ruddock said.

The eight new magistrates will take up their appointments during the period July to September 2004.

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The biographies of the new magistrates are attached.

NEW FEDERAL MAGISTRATES

Daniel O'Dwyer has been a full-time member of the Victorian Civil and Administrative Tribunal since 1998. Prior to taking up that appointment, Mr O'Dwyer was a member and referee with the Victorian Residential Tenancies and Small Claims Tribunals. During the period 1975-1995 Mr O'Dwyer was a legal practitioner, with a significant practice in family law. Mr O'Dwyer practised at the Victorian Bar from 1986 to 1993 where he undertook a broad range of work including appearances in the Supreme Court, Family Court and Federal Court.

Grant Riethmuller holds a Bachelor of Laws degree from the Queensland Institute of Technology and has practised as a barrister in Townsville since 1989. He has a wide ranging general practice, which includes appearances in Queensland's Court of Appeal and its Supreme Court, and in the Family Court. Mr Riethmuller's areas of practice include family law and child support, human rights and anti-discrimination, bankruptcy, industrial law and administrative appeals to the Administrative Appeals Tribunal (AAT).

Michael Lloyd-Jones holds, among other qualifications, Master of Laws, Bachelor of Science and Bachelor of Business degrees. Mr Lloyd-Jones was appointed as a Notary Public in 1995. Since March 1996, Mr Lloyd-Jones has been General Counsel of Seven Network Limited. In this capacity he supervises a team of lawyers engaged in a wide range of activities including contractual negotiation and documentation, protection of intellectual property, dispute resolution, advising on pre-broadcast and broadcasting issues and employment law. Prior to commencing with the Seven Network, Mr Lloyd-Jones was employed by the Ten Network from 1990-95, first as Network Solicitor and then as General Counsel and Company Secretary.

Graham (Bert) Mowbray is currently a full-time member of the AAT based in Canberra. Prior to being appointed to the AAT in 2001, Mr Mowbray was General Counsel (Immigration) with the Australian Government Solicitor having previously held a number of senior positions in the Commonwealth Attorney-General's Department. He is currently National President of the Australian Institute of Administrative Law and has been a member of the national executive of that organisation since 1992. From 1989 to 1992, he was Director of Research with the Administrative Review Council.

Nick Nicholls holds Bachelor of Arts, with Honours in Political Science, and Bachelor of Laws degrees. Mr Nicholls is currently the State Director for New South Wales, of the Department of Immigration, Multicultural and Indigenous Affairs, a position he has held since 1996. In this capacity he manages the operation of the Department in New South Wales, including decision making in all migration, refugee and humanitarian programs. Prior to 1996, Mr Nicholls held a number of other senior positions in the Department including responsibility for the Department's litigation program. He spent a year in private practice with a leading law firm.

Matthew Smith holds Bachelor of Arts and Law degrees from the Australian National University. He was admitted to the Bar in New South Wales in 1975 and commenced practice in 1976. Mr Smith's early practice was in general civil litigation, family law and Local Court criminal matters. For the past 20 years he has specialised in administrative law, appearing in the Federal Court, the Supreme Court of New South Wales, and the AAT. He has mainly appeared for private parties, but on occasion also represented Government bodies. Since 1984 he has been the editor of the Administrative Appeals Reports, and he has held part-time positions as a lecturer at the University of NSW and as a judicial member of the NSW Administrative Decisions Tribunal.

Sylvia Emmett is currently a Magistrate with the Local Court of New South Wales, having been appointed in June 2002. Prior to taking up that appointment, she practised at the New South Wales Bar from 1988. On the Local Court Bench, Ms Emmett has determined matters including family law matters, child care matters, administrative review matters and criminal matters. Prior to her appointment Ms Emmett practised at the Bar in areas including intellectual property, administrative law, Trade Practices Act matters and environmental matters.

Robyn Sexton holds Bachelor of Arts and Bachelor of Laws degrees. Ms Sexton is currently the principal solicitor in her own specialist family law practice and a member of the NSW Medical Tribunal. She has been a member of the Social Security Appeals Tribunal, a Commissioner on the Legal Aid Commission of NSW, Deputy Chair of the NSW Juvenile Justice Council and a panel solicitor at Bidura Children's Court, Glebe. Ms Sexton has been involved in voluntary legal work throughout her career and is presently a member of the Kirribilli Legal Advice Service, and the North Sydney Local Court domestic violence service. She regularly speaks to community groups about family law and related issues.