



**SUPREME COURT
OF WESTERN AUSTRALIA**
Stirling Gardens
Barrack Street
Perth WA 6000

MEDIA ALERT

1 December 2004

Appointment of Senior Counsel- Media Statement

The Chief Justice of Western Australia, the Hon David K. Malcolm AC, today announced the appointment of one senior Government Officer and four Barristers as Senior Counsel in Western Australia.

The appointments are: Mr Gregory Calcutt AM, Mr Christopher Shanahan, Mr Andrew Beech, Mr Mark Ritter and Mr Grant Donaldson.

Applications for appointment closed on 31 August 2004. This year 23 applications were received. Following the closure of the applications, the Chief Justice has undertaken an intensive period of consultation, including consultations with the Judges and Masters of the Supreme Court, the Judges of the Federal Court in Western Australia, the Chief Judge of the Family Court of WA, the Chief Judge of the District Court, the President of the Industrial Relations Commission, the Chief Stipendiary Magistrate, the Solicitor-General, the President of the Law Society of WA, the President of the WA Bar Association, the Vice President of the Women Lawyers' Association and nominated representatives of existing Queen's Counsel and Senior Counsel.

The appointment of Senior Counsel is made only on the basis that, in the opinion of a substantial majority of those consulted by the Chief Justice, the candidate meets the published criteria for appointment in Practice Direction No 1 of 2001, namely, eminence in the practice of the law, especially in advocacy; unquestioned integrity; availability; and independence. They rank in order of precedence in accordance with the respective dates upon which they were first admitted to practice.

Mr Gregory Arthur Calcutt AM

Mr Calcutt AM was born in Western Australia in September 1945 and educated at Perth Modern School. He obtained his degrees of Bachelor of Jurisprudence and Bachelor of Laws at the University of Western Australia in 1967. He was admitted to practice in Western Australia on 23 December 1968 having completed his articles at Parker & Parker with the late T A S Davy. In 1969 and 1970, he served in the Army. In February 1971, he joined the Parliamentary Draftsman's Office. In 1985 he became Deputy Parliamentary Counsel to Garth Thornton QC whom he succeeded as Parliamentary Counsel in 1989. In 2003 his services were recognised by the award of Member of the Order of Australia. He has been involved in drafting legislation in respect of a wide range of topics including, in particular, constitutional and electoral legislation. He also provides high level advice to Attorneys General and other

Ministers, Government agencies and members and officers of Parliament on legislative and parliamentary issues generally, again with particular reference to constitutional and electoral issues. In this context, he has worked very closely with successive Solicitors General. He is a member of the Parliamentary Counsel's Committee responsible for the drafting of uniform and complementary legislation for the Standing Committee of Attorneys General, the Council of Australian Governments and other National Ministerial Councils.

In the 1970s he served as the Assistant to the Western Australian delegation to the Australian Constitutional Convention and assisted in the development of proposed amendments to the Commonwealth Constitution. He is a long-standing member of the Law Society and serves on the Society's Clear Writing Committee which promotes the use of plain and effective language in the legal profession with a particular focus on law students. He is an active member of the Australian Association of Constitutional Law.

Mr Christopher Shanahan

Mr Shanahan was born in Western Australia on 18 September 1960 and educated at Aquinas College. He obtained his degrees of Bachelor of Jurisprudence and Bachelor of Laws at the University of Western Australia in 1981 and 1982 and then obtained his Masters with Honours at the University of Sydney in 1990. He was admitted to practice in Western Australia on 2 May 1984, in New South Wales in 1989 and the High Court in 1990. He first joined the Independent Bar following his completion of his articles at Jackson MacDonald in 1983. Following a period of travelling overseas in 1985, he practised as a solicitor in Perth from 1985 to January 1988. In 1988 he taught Property as a full-time tutor at Macquarie University. In 1989, based on early chapters of his thesis he was awarded the Lionel Murphy Scholarship and he completed his thesis in early 1990 and was awarded the degree LLM (Master of Laws) with Honours.

In 1990 to 1991 he was appointed as a Senior Officer to the Department of Prime Minister and Cabinet based in Canberra. Mr Shanahan then moved to Sydney from 1991 to 1992 where he returned to legal practice and worked as a solicitor in the Public Interest Advocacy Centre. In 1993, he returned to Perth and spent some time as in-house counsel with the ALS in late 1992 and commenced a lectureship at Murdoch University Law School in 1993. He commenced a PhD thesis under the supervision of Mr Mark Harrison at the University of NSW. In 1993 he joined the WA Bar Association and commenced a part-time opinion practice while lecturing at Murdoch University Law School. He returned to full-time practice as a barrister in 1995 but continued teaching part-time. He was involved in the establishment of the Environmental Defender's Office and has been involved with legal education since that time. In the last 10 years, he has developed an extensive practice in Equity and Administrative Law, the conduct of criminal trials briefed by the State DPP as well as acting as defence counsel and continuing his practice in the civil law including significant cases involving the law of the sea and fishing. He was responsible for the development and organisation of the Bar Readers' Course which was first presented by the WA Bar Association in 2004.

Mr Andrew Beech

Mr Beech was born in Western Australia on 17 April 1962 and educated at St Louis and John XXIII College. He obtained degrees of Bachelor of Jurisprudence and Bachelor of Laws with First Class Honours from the University of Western Australia in 1983 and 1984. He was admitted to practice in Western Australia on 20 December 1985. He completed his Articles and Restricted Practice with Northmore Hale (now Minter Ellison) from 1985-86. He then joined Parker & Parker (now Freehills) in their Commercial Litigation area from 1989-91. He joined the Office of Director of Public Prosecutions as a Crown Prosecutor from 1992-94. He joined the Independent Bar in 1994 and has developed an extensive practice in a wide range of commercial and general civil litigation, public law and criminal law.

He has been a part-time lecturer at the UWA Law School since his return in 1989 from England after obtaining his BCL at Oxford University. During the last 10 years, he has sought to contribute to the teaching of Advocacy in Western Australia as well as having been a teacher in the undergraduate course at UWA Law School since 1992. He has been involved in numerous weekend and other workshops organised by the Law Society and the Australian Advocacy Institute. He was a member of the Committee Chaired by Justice Steytler which developed and co-ordinated the Trial Advocacy course presented in 2002 under the joint auspices of the Supreme Court and Murdoch University Law School. He is a workshop leader in the Advocacy module of the Bar Reader's Course. He was editor of the WAR from 1996 to 2002, having been a reporter from 1989 to 1996. He has been the Consultant Editor of the Reports since 2002.

Mr Mark Ritter

Mr Ritter was born in Nottingham, England, on 10 January 1962 and educated at Kelmscott Senior High School. He obtained degrees of Bachelor of Jurisprudence and Bachelor of Laws with First Class Honours at the University of Western Australia in 1983 and 1984. He was admitted to practice on 20 December 1985. From 1986-1990, he was an employed solicitor at Dwyer Durack in the general litigation department. He was a partner in the firm from 1990 to 31 March 1995. In that period he developed an extensive criminal practice and was a Tutor in Criminal Law at UWA. In 1991-92 he acted as solicitor and counsel for a number of Ministers and former Ministers at the Royal Commission into the Commercial Activities of Government and Other Matters. He was also counsel for a former Minister in the subsequent Coal Contract Inquiry.

Since 1995, he has been practising as a barrister at Wickham Chambers. He has been a part-time Judicial Registrar of the Industrial Relations Court of Australia and a member of the Legal Aid Review Committee of the Legal Aid Commission since 1997. He has been a member of the Legal Practice Board since April 1999. He is involved in a number of publications and is the author of the annotations to the Native Title Act in Butterworths loose-leaf service. He has published a number of papers and has an extensive civil practice.

His current areas of practice are mainly in administrative law and, in particular, immigration law, native title, criminal law and employment law. Mr Ritter was appointed by the Hon Mr Clive Brown MLA, Minister for State Development to conduct a Ministerial Inquiry into the occupational health and safety systems and practices at BHP Billiton and Boodarie Iron sites in the Pilbara in Western Australia and other matters.

Mr Grant Donaldson

Mr Donaldson was born in Western Australia on 5 May 1962 and educated at Rossmoyne Senior High School. He obtained his degrees of Bachelor of Jurisprudence and Bachelor of Laws at the University of Western Australia in 1983 and 1984. He was awarded the Rhodes Scholarship for Western Australia in 1984 and in 1987 graduated from Oxford University with a BCL. He was admitted to practice on 3 November 1987. He was a partner of Mallesons Stephen Jaques from 1991 to 1995. From 1996 to 1998 he was a Senior Assistant Crown counsel at the Crown Solicitor's Office. Since then he has been in practice as a barrister at Wickham Chambers. He accepts instructions in all areas of law except Family Law. His instructions are generally in commercial matters, many of which are large or of the most complex kind. He is briefed regularly by all of the large firms in Perth and often by their Sydney, Melbourne and Brisbane offices. He has also been briefed to appear by the Crown Solicitor, the Australian Government Solicitor (both in Perth and Canberra) and the Commonwealth Director of Public Prosecutions. He has been briefed to appear on behalf of a wide range of major corporate clients as well as by sole practitioners, small firms and directly by in-house counsel of significant corporations such as banks and large mining and oil

companies. He is briefed regularly by Law Cover to defend solicitors. He was Deputy President of the Equal Opportunity Tribunal from 1999 to 2004 and is a Visiting Fellow of the Law School at UWA where he teaches both undergraduates and graduates. He has regularly appeared in migration appeals as counsel under the Federal Court's Order 80 scheme under which volunteers appear on behalf of appellants who would otherwise be unrepresented.

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