

## CURRICULUM VITAE

**Proposed role in the project:**

1. **Family name:** Duncan
2. **First names:** Campbell Oliphant
3. **Date of birth:** 22 July 1953
4. **Nationality:** Australian
5. **Civil status:** Married
6. **Education:**

Institution (Date from - Date to)	Degree(s) or Diploma(s) obtained:
University of Melbourne (Australia) 1979-1981	Master of Laws
Monash University (Australia) 1971-1975	Bachelor of Economics, Bachelor of Laws (Hons)

7. **Language skills:** Indicate competence on a scale of 1 to 5 (1 - excellent; 5 - basic)

Language	Reading	Speaking	Writing
English	Mother tongue		
French	2	2	3
Indonesian	2	3	3

8. **Membership of professional bodies:** Law Institute of Victoria RPA, Australasian Study of Parliament Group – Victorian Chapter, Australian Institute of Administrative Law, Commonwealth Association of Legislative Counsel

9. **Other skills:** Legislative drafting, advocacy, professional training.

10. **Present position:** **Principal, Duncan Lawyers**

11. **Years within the firm:** 12

12. **Key qualifications:** (Relevant to the project): ...

13. **Specific experience in the region:**

Country	Date (from –to)
...	...
...	...

## 14. Professional experience

Date from - Date to	Location	Company & reference person <sup>1</sup> (name & contact details)	Position	Description
June-July 2011	Patna, Bihar State, India	...	Legal expert	<b>ADB TA 7598-IND Capacity Building for Bihar State Road Sector</b> Support to the Government of Bihar in improving sector management performance by implementing institutional development initiatives. Review of legal issues associated with institutional structure alternatives, revenue raising options and proposed road asset registry and maintenance policy. Preparation and presentation of report, participation in staff training
February 2011 (2 weeks)	University of Melbourne, Australia	...	Course designer and presenter	<b>Leadership Training (Legislative drafting training)</b> Legal Drafting for Law and Development Leaders, under the 2011 AusAID Australian Leadership Awards Fellowships (Ministry of Justice and Home Affairs of Mongolia). I designed and conducted a two week training course for mid-level to senior legislative drafting staff, concentrating on technical skills, legislative process, legislation structure, consultation and regulatory impact analysis.
February, May 2011 (intermittent)	Home office	...	QA Reviewer	<b>Quality Assurance Review, INDII Program</b> Development of legal framework for development of transport infrastructure in Indonesia. Review of draft report on legislation applying to expressway (including concession road – toll way) development in Indonesia under a quality assurance program of the Indonesia Infrastructure Initiative of Ausaid
2010 (6 weeks)	Thimpu, Bhutan	World Bank/Ministry of Works and Human Settlements	Staff Consultant	<b>Local Government institutional reform</b> Drafting of local government human resources rules and procedures as preparation for the introduction of democratic reforms to local government in Bhutan, with particular reference to employment of staff. With the introduction of elected local government in Bhutan new provisions were required for a range of issues relating to administrative machinery and human resources. The work included stakeholder consultation, preparation of a report and draft rules
Sept-Oct 2009, Mar 2010 (3 months)	Patna, Bihar State, India	...	Legal Expert	<b>Institutional strengthening, roads legislation</b> Drafting of laws providing for administration of roads and funding of road maintenance, creation of a road maintenance fund, provision for establishment of toll roads and review of road offence enforcement.
July 2008 (2 days)	Desk review	...	Legislation Consultant	<b>Review draft Ethiopia Road Transport Traffic Control Proclamation</b> Review and provide suggested amendments, both technical and policy-based.

<sup>1</sup> The Contracting Authority reserves the right to contact the reference persons. If you can not provide a reference, please provide a justification.

Date from - Date to	Location	Company & reference person <sup>1</sup> (name & contact details)	Position	Description
February 2009	Jakarta, Indonesia	...	Legislation Specialist	<p><b>Institutional support – law making process</b></p> <p>The Department of Law and Human Rights occupies a central place in the process of making and reviewing legislation in Indonesia – including laws made in all sectors, both nationally and locally. With the impending completion of an institutional support program (“CAPPLER”), there was a need to review support to date and to identify future support needs.</p>
2008, 2009 (4 months, intermittent)	Thimpu, Bhutan	<p>Department of Urban Development &amp; Engineering Services, Ministry of Works and Human Settlement.</p> <p>Post Box No. 129, Thimphu Bhutan</p>	Legislation Specialist	<p><b>Legislative drafting - land pooling, local government, land use planning</b></p> <p>With expansion of urban areas there was a need to develop a method of reconfiguring property boundaries which facilitates transition of rural land to becoming urban land in a way that is equitable and effective. The project included review of existing law and procedures and development of Rules to enable land pooling. Subsequent work has included drafting of a revised local government (<i>Thromde</i>) law and a draft <i>Planning Act</i>.</p>
July 2008	Gaborone, Botswana		Legislation Specialist	<p><b>Drafting and Implementation of Road Traffic Act Reforms</b></p> <p>The Botswana Ministry of Works and Public Transport and Department of Road Transport and Safety, working through a Reference Group, engaged Campbell to prepare a Gap Analysis of existing laws and proposed amendments, review draft legislation, undertake a program of consultation with Government and private sector stakeholders, and to finalise a package of regulatory reforms intended to achieve higher compliance levels by drivers.</p> <p>Specific challenges included: enforcing controls in relation to international road traffic (such as heavy goods vehicles from South Africa transiting through Botswana), enforcement of offences committed by commercial drivers against owners, record-keeping, licence administration and exercise of administrative discretions.</p>
January-February 2008	Various locations, eastern Indonesia	...	Course presenter	<p><b>Legislation and Policy Training &amp; Support</b></p> <p>Develop and present (with others) a series of seminars on the development of policy proposals into legislation, including public consultation techniques, with themes of poverty alleviation and gender mainstreaming (four seven-day seminars, regional locations).</p>
February, March, August 2007	Dubai, UAE	...	Legislation Specialist	<p><b>Policy implementation – driver licensing</b></p> <p>Sub-contract to VicRoads International, <u>Dubai (UAE) 2007</u></p> <p>Review law and practice dealing with driver licensing and driver training, draft new legislative provisions to implement recommended reforms, advise on alternatives for implementation in a Federal system.</p>

Date from - Date to	Location	Company & reference person <sup>1</sup> (name & contact details)	Position	Description
2007, 2008, 2009 (total 3 months over 3 visits)	Baku, Azerbaijan	AzerRoadService Project Implementation Unit (World Bank funded under Highway II Project).	Legislation Specialist	<p><b>Road administration law and practice</b> Highway II Project, World Bank, <a href="#">Azerbaijan</a> 2007, 2008, 2009</p> <p>Draft a report and proposed legislation on allocation of responsibilities between Government (national and local), Government-controlled entities and private sector entities in the road sector. Draft road administration provisions which blend contractual and legislative controls and provide for future establishment of inter-agency agreements, reference panels and private sector concession agreements.</p>
Early 2005 (6 weeks), early-mid 2006 (6 weeks)	Various locations in eastern Indonesia and Jakarta.	...	Course presenter, Legislation Specialist	<p><b>Legislation and Policy Training &amp; Support</b> <a href="#">Indonesia</a>, Ausaid</p> <p>IASTP III training (2005). Develop and present (with others) a series of seminars on the development of policy proposals into legislation, oriented to the needs of provincial government officials (four six-day seminars). I was the in-country team leader and responsible, specifically, for the simulated stakeholder consultation sessions and associated training;</p> <p>IALDF (2005, 2006). Review and report on support needs of the Department of Law and Human Rights in the development, preparation and drafting of legislation, including interdepartmental consultation. Develop components of central government training for legislative drafting officers and conduct training workshop sessions for Government and Parliament staff.</p>
2004, 2005 (5 months)	Nuku'alofa, Tonga	Ausaid Technical Assistance Governance Facility	Legislation Specialist	<p><b>Policy reform and implementation</b></p> <p>Ministry of Police (2005). Review road and traffic administration and present consolidated reform proposals as a draft Road Traffic Act and associated amendments to the Criminal Proceedings Act;</p> <p>Ministry of Justice (2004). Develop and present proposals relating to judicial service, court administration, case management and control over pay and other working conditions of judges and court staff, draft five bills and supporting documents, consultation with stakeholders and participation in deliberations of the Law Committee and its legislative drafting subcommittee.</p>
2004 (2.5 months)	Trivandrum, Kerala State, India	ISAP, World Bank.	Legislation Specialist	<p><b>Road funding (capital and maintenance) and related issues</b></p> <p>Analysis of recent legislation creating tied funding for road maintenance and administration of that fund by a statutory board, including application of funds to PPP arrangements.</p>

Date from - Date to	Location	Company & reference person <sup>1</sup> (name & contact details)	Position	Description
2001, 2002, 2004 (5 months)	Jakarta, Indonesia	Sumatera Region Roads Project (Road Safety and Vehicle Weight and Dimensions), World Bank.	Legal Expert	<p><b>Development of legislative proposals and draft legislation</b></p> <p>Member of OPCV/DHV team. Participate in the development of detailed proposals for efficient, effective and audited enforcement of vehicle load and dimension controls in northern Sumatra provinces, consult with enforcement stakeholders (including prosecutors and local judge). Prepare options for revenue transfer from the central government to provincial governments consistent with regional autonomy laws and civil service pay ceilings/pay structure.</p>
September 2001	Apia, Samoa	Development of Traffic Administration Systems and Improvement of Road Safety Project, World Bank	Legislation Specialist	<p><b>Development of road law and administration proposals</b></p> <p>Analysis of existing legislation and administrative practice relating to roads, stakeholder consultation, making recommendations for a new roads authority and new legislation.</p>
July 2000	Dhaka, Bangladesh	ADB staff consultant	Staff Consultant	<p><b>Development and implementation of road use controls, Road Maintenance and Improvement Bangladesh, ADB, 2000</b></p> <p>This work was undertaken with reference to the construction of a limited access road connecting to the Chittagong port. Review of road legislation, and also preliminary research in relation to "whistleblower" legislation. Participation in a seminar on land transport policy.</p>
July- August 1999	Colombo, Sri Lanka	ADB staff consultant	Staff Consultant	<p><b>Development and implementation of road use controls, Southern Transport Development Project, ADB, Sri Lanka 1999</b></p> <p>Development of proposals for control over use of roads and related areas, drafting of implementing laws. The legislation also included provision for establishment of toll roads operated by private concession and rationalisation of road safety legislation.</p>

Date from - Date to	Location	Company & reference person <sup>1</sup> (name & contact details)	Position	Description
1999-present	Melbourne, Australia (base)	Principal, Duncan Lawyers	Self-employed principal of law firm	<p><b>Principal, Legislation Services/Duncan Lawyers</b></p> <p>Policy analysis, advice and legislation development for government (Swinburne University, Department of Infrastructure, Roads Corporation, Country Fire Authority). Industry regulatory issues, National Competition Policy, including compliance auditing of statutory bodies and tendering practices (“full cost attribution” pricing by Government bodies). Sectoral legislation work –university, gambling, roads (traffic, public transport and road transport industry), courts administration, emergency services legislation.</p> <p><b>Review, for Department of Transport, Victoria, Australia</b> regulatory controls applying to commercial passenger vehicles and tow trucks and make detailed recommendations for changes (establishment of accreditation system for owners and drivers), subsequently implemented by legislation for taxis, commercial passenger vehicles and tow trucks.</p> <p><b>Develop legislation for the Victorian Roads Corporation</b> including heavy vehicle driver fatigue reforms (as part of National reforms) and driver licensing reforms.</p>
1995-1999	Melbourne, Australia	Maddock, Lonie & Chisholm (law firm), Melbourne	Senior Associate, Partner	Government and administrative law. Seminars and writing for publication. Legislative drafting. Management responsibility within a large (200 person) legal office. Advising about law reform, including national competition policy and restructuring issues. Advice on <i>Trade Practices Act</i> and submission to ACCC on industry structure.
1989-1995	Melbourne, Australia	Russell Kennedy (law firm), Melbourne	Senior Associate	Acting for Commonwealth, State and local authorities. Advice and tribunal appearance work.
1987-1989	Melbourne, Australia	Local Government Department, State of Victoria	Manager, Legislation	Stakeholder consultation (local government and other affected groups and users, including seminars and media interviews). Preparing Cabinet and other decision papers. Facilitating negotiations, briefing Members of Parliament leading to enactment of the <i>Local Government Act</i> 1989 which remains in operation, providing the legal basis for local government in Victoria.
1985-1987	Melbourne, Australia	Road Traffic Authority, State of Victoria.	Manager, Legislation	In 1986 existing road law in Victoria was repealed and re-enacted as the <i>Road Safety Act</i> (legislation which includes heavy vehicle regulation). Responsibility for co-ordinating policy development, preparing drafting instructions, supporting regulations and decision papers. Stakeholder consultation with affected organisations, industry bodies, unions, government authorities, police and others.
1981-1985	Melbourne, Australia	Parliamentary Counsel, Victoria	Parliamentary Counsel	Drafted legislation for the Victorian State Parliament, advised on subordinate legislation, worked with law reform committees and appeared before the Parliamentary Legal & Constitutional Committee.
1977-1981	Melbourne, Australia	Barrister (court advocate), self employed	Barrister	Barrister in private practice: Litigation, advocacy.
1975	Melbourne, Australia	JP Brent & Stephens (law firm, Melbourne)	Articled Clerk	Commercial work for private clients.

**15. Other relevant information** (e.g., Publications)

Publications: Planning and Development Law, Victoria (Australia), State Editor, Local Government Law Journal (1995-1999).

“Stakeholder Consultation in Road Administration: A Legal Perspective”. 12th World Conference on Transport Research (Lisbon, 2010) Selected Papers ISBN 978-989-96986-1-1.