

Campbell Oliphant Duncan

DATE OF BIRTH	July 1953
NATIONALITY	Australian
ADDRESS & CONTACT DETAILS	Level 4, 443 Little Collins Street Melbourne Vic 3000 ph [61 3] 9602 5226 Postal address: PO Box 4, Collins Street West, Vic 8007 Australia
EDUCATION	1981 Master of Laws, University of Melbourne 1975 Bachelor of Laws (Hons), Monash University 1973 Bachelor of Economics, Monash University.
OTHER TRAINING	1977 Articled Clerk training 1995 Assoc. Diploma Agricultural Science (Viticulture)
MEMBERSHIP OF PROFESSIONAL SOCIETIES	Law Institute of Victoria RPA Australasian Study of Parliament Group – Victorian Chapter Australian Institute of Administrative Law Commonwealth Association of Legislative Counsel
CURRENT/OTHER AFFILIATIONS	Barrister and Solicitor, Supreme Court of Victoria
PUBLICATIONS	Publications: Planning and Development Law, Victoria (Australia), State Editor, Local Government Law Journal (1995-1999). Paper presented to World Conference on Transport Research Society Lisbon 2010 Conference (“Stakeholder consultation in road administration - a legal perspective.”)
COUNTRIES OF WORK EXPERIENCE	Australia, Azerbaijan, Bangladesh, Bhutan, Botswana, Dubai (UAE), India, Indonesia, Samoa, Sri Lanka, Tonga.
LANGUAGE and DEGREE OF PROFICIENCY	English – fluent French – conversational Indonesian – good.

RELEVANT EXPERIENCE

Drafting of human resources rules for local government Bhutan, World Bank Individual Consultant, 2010

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.

Institutional strengthening, roads legislation

India, Bihar State, ADB (TA), 2009, 2010

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.

Institutional support – law making process

Indonesia, UNDP, 2009

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.

Legislative drafting - land pooling, local government, land use planning

Bhutan Ministry of Works and Human Settlement, 2008, 2009

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 (*Thromde*) law and a draft *Planning Act*.

Drafting and Implementation of Road Traffic Act Reforms

Botswana Ministry of Works and Transport, 2008

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.

Legislation and Policy Training & Support

Ausaid IASTP III, Indonesia, 2008

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).

Policy implementation – driver licensing

Sub-contract to VicRoads International, Dubai (UAE) 2007

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.

Road administration law and practice

Highway II Project, World Bank, Azerbaijan 2007, 2008, 2009

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.

Legislation and Policy Training & Support

Indonesia, Ausaid

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;

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.

Policy reform and implementation

Ausaid Technical Assistance Governance Facility, Tonga 2004, 2005

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;

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.

Road funding (capital and maintenance) and related issues

ISAP, World Bank, Kerala India 2004 (World Bank funded)

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.

Road administration law and practice

ISTS, DFID, Bangladesh 2004

Review legislation dealing with road management and co-ordination between Government agencies and draft review road traffic law, consult local government, civil society and other stakeholders, develop specific proposals in consultation with Government agency.

Development of legislative proposals and draft legislation

Sumatera Region Roads Project (Road Safety and Vehicle Weight and

Dimensions), World Bank, Indonesia, 2001, 2002, 2004

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.

Development of road law and administration proposals

Development of Traffic Administration Systems and Improvement of Road Safety Project, World Bank, Samoa September 2001

Analysis of existing legislation and administrative practice relating to roads, stakeholder consultation, making recommendations for a new roads authority and new legislation.

Development and implementation of road use controls

Road Maintenance and Improvement
Bangladesh, ADB, 2000

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.

Development and implementation of road use controls

Southern Transport Development Project, ADB, Sri Lanka 1999

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.

EMPLOYMENT RECORD

1999 – present

Principal, Legislation Services/Duncan Lawyers

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). Review of draft new road law for Ethiopia (desk review). Sectoral legislation work –university, gambling, roads (traffic, public transport and road transport industry), courts administration, emergency services legislation.

1995 – 1999

Senior Associate, then Partner, Maddock, Lonie & Chisholm, Lawyers.

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 *Trade Practices Act* and submission to ACCC on industry structure.

1989 – 1995

Senior Associate, Russell Kennedy, Solicitors.

Acting for Commonwealth, State and local authorities. Advice and tribunal appearance work.

1987-1989

Development of legislative proposals

Local Government Department, Victoria Australia
1987-1989
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 *Local Government Act 1989* which remains in operation, providing the legal basis for local government in Victoria.

1985 – 1987

Development of legislative proposals

Road Traffic Authority, Victoria, Australia
1985-1987
Manager, Legislation.

In 1986 existing road law in Victoria was repealed and re-enacted as the *Road Safety Act*. 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

Parliamentary Counsel, Victoria.

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

Barrister in private practice

Litigation, advocacy.

1976

Articled Clerk, J P Brent & Stephens, Solicitors



15 August 2010