

TIMOTHY JOHN WISHART (Tim)
70 Gilruth Road
KENMORE Qld. 4069

Place of Birth: **Melbourne**

Contact details: **0408 707 147**
tim@timwishart.com.au
P.O. Box 107, Kenmore, 4069

Current occupation:

**Principal Legal Officer – Queensland South Native
Title Services Limited.**

**Principal – Tim Wishart Solicitor – admitted
Queensland, New South Wales and (on the roll
kept by the Registrar) High Court of Australia.**

Other:

Nationally Accredited Mediator

**Unrestricted principal's practising certificate
(Queensland)**

Date of Admission – 12 December 1991

Current Australian Passport

Current Open Queensland Drivers Licence

- Highly versatile and experienced legal practitioner.
- Passionate about easing inequalities.
- Pragmatic enough to know that it takes more than me to change the world – but happy to be part of a team working towards that end.

CAREER SUMMARY

CURRENT

Principal Legal Officer - Queensland South Native Title Services - September 2011 – continues

- I provide experienced leadership to, and management of, the QSNTS Legal Team and the services the team delivers. I improve the performance of the QSNTS legal team by providing training and mentoring to the lawyers and paralegals.
- I contribute to the effective management of QSNTS by being a proactive member of the Executive Team.
- I develop policies and procedures regarding QSNTS' performance of statutory functions and compliance with funding grant obligations.
- I provide high level advice, as required, to the CEO of QSNTS and to the QSNTS Board.
- I am corporate counsel to QSNTS and act in a range of organisational issues.
- I contribute to the development and execution of the QSNTS Strategic Plan.
- I develop, improve, and maintain effective liaison with external stakeholders. External stakeholders include, native title claimants and claim groups, Commonwealth and State Government (including at Ministerial and senior bureaucrat level), the Federal Court, The National Native Title Tribunal.
- I provide high-level, strategic advice to native title claimant groups.
- I identify the need for, and manage the provision of, external legal assistance.
- I draft submissions to the Court, the NNTT, and all levels of Government.
- I prepare briefs for counsel and management as required.

- I work closely with the QSNTS research team to ensure that all research work is undertaken in compliance with the relevant legislation and in accordance with the consultant's contract and the legal strategy for each claim.
- I solve complex problems and clearly articulate difficult legal concepts to Indigenous groups and individuals.
- I represent Aboriginal groups in proceedings before the Federal Court, the National Native Title Tribunal and in negotiations relating to proposals for the use, development and acquisition of land.
- I liaise with and coordinate counsel, anthropologists, historians, linguists and other consultants.
- I research policy and emerging legal issues which may affect the work of QSNTS and draft briefs for management on emerging and significant policy and planning issues.
- I represent QSNTS at national, State, and other forums dealing with legal and strategic issues related to native title.
- I present authoritatively at forums and seminars and other professional development workshops.
- I act as Chief Executive Officer as needed.

Previous Legal

Queensland South Native Title Services

Deputy Principal Legal Officer

November 2010 – September 2011

Duties included:

- management and prosecution of applications for Native Title Determinations
- oversight and leadership of claims teams
- liaison with matter specific client groups and third party stakeholders
- oversight of legal officers and the progress of matters under their supervision
- liaison with stakeholders including Traditional Owners, Federal Court, National Native Title Tribunal, State of Queensland, Crown Law.
- filling the role of Principal Legal officer on an acting basis as required
- representing the organisation in State and National meetings and other forums.

Senior Legal Officer

September 2010 – November 2010

Duties included responsibility for the management and prosecution of applications for Native Title Determinations, oversight and leadership of claims teams, liaison with client groups and third-party stakeholders.

Sole Practitioner

September 2008 – August 2010. Clients included The O’Keeffe Group – providing contract legal and management services to a closely held group of companies (which formerly included the Matilda Fuel Supplies business).

Property work, documenting transactions and arrangements, dispute resolution, insolvency, wills and estates, commercial leasing, liquor licensing and gaming.

Matilda Fuel Supplies/Neumann Petroleum Pty Ltd

July 2007 – August 2008.

- In house lawyer covering a wide and diverse portfolio including property, trade practices, agency and dispute resolution

McMahons National Lawyers

16 January 2006 – 30 June 2007

- Salaried Partner - Heading the commercial section of the Queensland branch of this national firm.

Walker Smith & Breen Solicitors

September 1995 – January 2006

- Associate – Sept 1995 – October 1999
- Partner - 1999
- Sole proprietor 1 October 2001 – 16 January 2006

Howard Gill & Brown Solicitors

February 1991 to September 1995.

- Law clerk (post articles)
- Employed solicitor
- Associate

Warren Gardiner & Co. Solicitors

January 1986 - February 1991

- Articled clerk

EXPERIENCE / ACHIEVEMENTS

Current professional achievements-

- Acting professionally and effectively as the Principal Legal Officer of Queensland South Native Title Services Limited.
- Succeeding as PLO of QSNTS at a time when the environment in which the organisation operates was and remains volatile and professionally challenging.
- Successfully dealing with a constant stream of challenges that go beyond legal work and include politics (Indigenous and mainstream) and a dynamic environment.
- Continuing the development of the QSNTS legal practice into a highly professional and well respected operation.

Private Practice Highlights-

- Assumed, on short notice, the conduct of and responsibility for a very significant action against the promoters of an unregistered managed investment scheme by the liquidator of the corporate vehicle. This involved mastering a large and complex mass of documents, assimilating the information, making the mass of documentary information comprehensible and appointing and briefing counsel and forensic accountants. Ultimately negotiated an outcome that was highly favourable to my clients (the defendants).
- Assumed responsibility for a struggling law firm after a highly disruptive and distressing event, identifying strengths and weaknesses in the firm, making the necessary changes to the structure and direction of the firm and ultimately making a successful business out of the firm.
- Spent time in Malaysia negotiating and documenting a complex joint venture arrangement between Australian and Malaysian interests. The work also involved advising the Australian interest on licencing and protecting intellectual property
- Successfully acted on a *no-win no-fee* basis (representing a blind elderly widow (*I know – but its true*)) in the first Queensland case testing the limits of an attorney's powers under the *Powers of Attorney Act 1998* (see *Smith –v- Glegg* [2004] QSC 443)

EDUCATION

Tertiary :

Q.U.T. (1986 - 1991)
Bachelor of Laws

Post graduate:

Queensland Law Society Practice Management Course -
Passed with Distinction

Q.U.T. Mediation Course

LEADR Mediation Course

Australian Advocacy Institute Course - advocacy intensive

Ongoing annual professional development

National Mediation Accreditation

OTHER

My life experience, which includes-

- management of emergency situations and responses including dealing with the management and immediate aftermath of fatal incidents;
- hands on experience in small business (as a manager and an employee);
- manual labour;
- exposure to bureaucratic structures

has given me a broad experience through which bring I pragmatism and add value to any role I fill.