



## Simon Corbell MLA

DEPUTY CHIEF MINISTER

ATTORNEY-GENERAL

MINISTER FOR HEALTH

MINISTER FOR THE ENVIRONMENT

MINISTER FOR CAPITAL METRO

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MEMBER FOR MOLONGLO

Mr Mick Gentleman MLA  
Minister for Planning  
Minister for Roads and Parking  
Minister for Workplace Safety and Industrial Relations  
Minister for Children and Young People  
Minister for Ageing  
ACT Legislative Assembly  
GPO Box 1020  
CANBERRA ACT 2601

Dear Minister Gentleman

As you may be aware the Court of Appeal recently disqualified Justice Anthony Whealy QC from hearing David Eastman's stay application in the ACT Supreme Court due to a reasonable apprehension of bias arising from a previous professional association. The Chief Justice is required to allocate a new judge to hear Mr Eastman's upcoming stay proceedings.

The Chief Justice has advised that because of the likelihood of further challenge on the basis of apprehended bias, no currently appointed ACT judge could be allocated to hear these proceedings. There is also a real possibility that she will require a new judge to hear Mr Eastman's six month retrial commencing in February 2016, should the stay application be unsuccessful. The Chief Justice has sought Executive support for a further acting judge appointment under section 4B of the *Supreme Court Act 1933*.

A directions hearing to determine a new timetable for Mr Eastman's stay application is scheduled for Thursday 25 June 2015. It is preferable that the ACT appoint a replacement judge before the directions hearing to avoid suggestion it is contributing to delay.

In order to make this appointment expeditiously, the Chief Minister has agreed that I and another Minister may approve the appointment as the 'ACT Executive', rather than the usual protocol of seeking Cabinet approval (section 253 of the *Legislation Act 2001*). I am writing to you, as that other Minister, seeking your approval to the appointment of the Hon. David Ashley QC as an acting judge of the ACT Supreme Court.

The Chief Justice supports Justice Ashley's appointment. Mr Ashley retired from the Court of Appeal of the Supreme Court of Victoria in February 2012, having served in that Court from 2005. He previously served in the Court's Trial Division (from 1990 to 2005). He gained renown as

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### ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601  
Phone: (02) 6205 0000 Fax: (02) 6205 0535 Email: [corbell@act.gov.au](mailto:corbell@act.gov.au)  
Twitter: @SimonCorbell Facebook: [www.facebook.com/simon.corbell](http://www.facebook.com/simon.corbell)

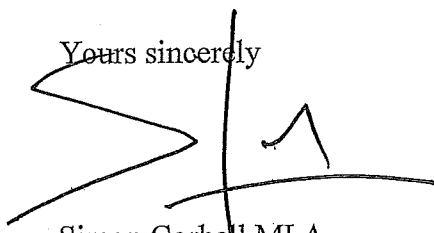


Senior Counsel on asbestos and mesothelioma cases in Western Australia and has a passion for justice. Justice Ashley is preferred based on factors including his availability, lengthy judicial experience, his intellectual rigor, his robust approach to managing counsel and litigants, and his lack of any obvious links to the Eastman case.

I propose Justice Ashley be appointed for 12 months from the date the Commission is signed, the maximum period allowed under the Supreme Court Act.

I look forward to your urgent approval by return correspondence.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Corbell', written over a horizontal line.

Simon Corbell MLA  
Attorney-General

17.7.15



**Simon Corbell MLA**

**DEPUTY CHIEF MINISTER**

ATTORNEY-GENERAL

MINISTER FOR HEALTH

MINISTER FOR THE ENVIRONMENT

MINISTER FOR CAPITAL METRO

MEMBER FOR MOLONGLO

COPY

*copy of Commission  
attached & sent  
21/7/15 CW*

The Hon. Justice Helen Murrell  
Chief Justice  
ACT Supreme Court  
GPO Box 1548  
CANBERRA ACT 2601

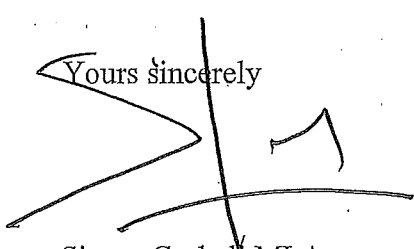
Dear Chief Justice

Thank you for your advice that you are unable to allocate an existing ACT judge to hear Mr Eastman's upcoming stay proceedings, because of the likelihood of challenge on the basis of apprehended bias. I note you seek the ACT Executive's support for an acting judge to be appointed to hear Mr Eastman's matters.

I am pleased to advise that the ACT Executive has appointed the Hon. David Ashley QC as an acting judge of the ACT Supreme Court for a period of 12 months commencing from the date of the Commission.

I attach a copy of the Commission for your reference. I trust that this appointment will assist the Supreme Court.

Yours sincerely

  
Simon Corbell MLA  
Attorney-General

Encl.

ACT LEGISLATIVE ASSEMBLY



**Simon Corbell MLA**

DEPUTY CHIEF MINISTER

ATTORNEY-GENERAL

MINISTER FOR HEALTH

MINISTER FOR THE ENVIRONMENT

MINISTER FOR CAPITAL METRO

MEMBER FOR MOLONGLO

**COPY**

*copy of Commission  
attached & sent*

*21/7/15 DW*

The Hon David Ashley QC  
210 William Street  
Melbourne VIC 3000

Dear Justice Ashley

I am pleased to advise that you have been appointed as an acting judge of the ACT Supreme Court. Your appointment is for 12 months commencing on the date of your Commission. I attach a copy of the Commission for your reference.

I am confident that you will serve the ACT community well in your role.

My Directorate will arrange for the Court Registry to contact you shortly to make the necessary administrative arrangements to support your appointment.

On behalf of the ACT Government, I congratulate you on your appointment.

Yours sincerely

Simon Corbell MLA  
Attorney-General

Encl.

ACT LEGISLATIVE ASSEMBLY



## Supreme Court Act 1933

### COMMISSION

The Australian Capital Territory Executive, under  
section 4B of the *Supreme Court Act 1933*,  
appoints

**DAVID JOHN ASHLEY QC**

as an Acting Judge of the Supreme Court for a period of 12 months  
commencing from the date of this instrument.

Dated

20 JULY

2015

Attorney-General

Minister



**CABINET-IN-CONFIDENCE**

TRIM No.: 2015/3667

Date Rec'd Minister's Office 23/6/15

**To:** Attorney-General

**From:** Executive Director Legislation, Policy and Programs

**Subject:** Appointment of Acting Judge, the Hon David Ashley QC

**Critical Date:** 23 June 2015

**Critical Reason:** A directions hearing to determine a new timetable for Mr Eastman's stay application is scheduled for 25 June 2015. It is preferable that the ACT appoint a replacement judge before the directions hearing to avoid any suggestion it is contributing to delay.

- DG (JACS) 23/6/15 (seen by DG)
- DDG (J) 23/6/15 evs

**Purpose**

1. To ask you to 'act in concert' with another Minister (as the ACT Executive) to appoint the Hon David Ashley QC as an acting judge of the ACT Supreme Court in order to hear all upcoming Eastman proceedings.

**Background**

2. On 10 June 2015, the Court of Appeal upheld David Eastman's appeal against Justice Anthony Whealy QC's decision not to disqualify himself from hearing Mr Eastman's stay application. The Court of Appeal found that Justice Whealy's previous professional association with the lead prosecutor in the 1995 Eastman trial gave rise to a reasonable apprehension of bias. The Court found Justice Whealy might not be able to bring an impartial mind to Mr Eastman's argument that the lead prosecutor had acted dishonestly.
3. As a result, the Chief Justice is required to allocate a new judge to hear Mr Eastman's upcoming stay proceedings. There is also a real possibility that she will require a new judge to hear Mr Eastman's six month retrial commencing in February 2016 in the event the stay application is unsuccessful.
4. The Chief Justice has advised that no currently appointed ACT judge would be suitable to hear Mr Eastman's matter due to likely challenge on the basis of apprehended bias. An interstate candidate will therefore be necessary. The Chief Justice seeks Executive support for a further acting judge appointment.
5. Cabinet Office has advised that in his absence between 19 June 2015 and 26 June 2015, the Chief Minister is comfortable with you and another Minister (of your choosing) acting as the ACT Executive to make this appointment expeditiously. The appointment can occur by an exchange of letters between yourself and the other Minister.

**CABINET IN CONFIDENCE**

## Issues

6. It would be preferable if the ACT Executive could appoint a replacement judge before the directions hearing on 25 June 2015. This hearing will determine a new timetable for hearing Mr Eastman's stay application. His stay application was vacated primarily due to defence counsel illness, but the absence of a replacement judge to hear the matter was cited as a contributing factor. To avoid any suggestion that the Government is contributing to delay, it would be preferable if counsel could advise the Court at the directions hearing that a new judge has been appointed.
7. Four interstate candidates have been identified as possible candidates for appointment to hear the Eastman proceedings. They are the
11. The preferred candidate, supported by the Chief Justice, is the Hon David Ashley QC. He is preferred based on factors including his availability, lengthy judicial experience, his intellectual rigor and his robust approach to managing counsel and litigants. Mr Ashley retired from the Court of Appeal of the Supreme Court of Victoria in February 2012, having served in that Court from 2005. He previously served in the Court's Trial Division (from 1990 to 2005). He gained reknown as Senior Counsel on asbestos and mesothelioma cases in Western Australia and has a passion for justice. Mr Ashley is described as: 'amazingly well-organised and thoroughly prepared' and it has been noted that he is 'always ready to run'.

12. Justice Ashley has not been involved in previous proceedings concerning Mr Eastman. Also, a preliminary scan of the public record does not reveal any long standing personal or professional connection with any of the major players in the Eastman matter (although this cannot be known without a thorough investigation). This absence of an obvious connection reduces the chance of an apprehended bias argument being pursued by Mr Eastman.
13. The Directorate recommends that Justice Ashley be appointed for 12 months from the date the Commission is signed: the maximum period allowed under the Supreme Court Act.
14. Once the exchange of Ministerial letters has occurred agreeing to the appointment , the Directorate will work with the Court to make the arrangements necessary for the acting judge to be sworn in.

#### **Financial Implications**

15. Acting Judges are paid for the days they hear matters. In accordance with Remuneration Tribunal Determination 8 of 2014, acting judges are entitled to be paid remuneration calculated at the rate of 1/230 of the annual remuneration paid to a judge of the ACT Supreme Court per day, plus superannuation.

#### **Directorate Consultation**

16. The Chief Justice supports Justice Ashley's appointment.

#### **External Consultation**

17. Given the urgency of this appointment there has been no external consultation, save for the Chief Justice.

#### **Media Implications**

20. The appointment is likely to attract media attention. A communications strategy and media release has been prepared for your consideration (at Attachments B and C).

## Recommendations

That you:

1. agree to appoint the Hon. David Ashley QC as an Acting Judge of the Supreme Court of the ACT, noting the Victorian Attorney-General's agreement in paragraph 13 needs to be in place to ensure Justice Ashley would be in a position to accept the appointment;

Agree / Disagree / Please Discuss

2. sign the proforma letter at Attachment A seeking another Minister's agreement to the appointment;

Signed / Not signed / Please Discuss

3. in anticipation of the other Minister agreeing to the appointment:

- a. agree to the proposed communication strategy (Attachment B) and media release (Attachment C);

Agree / Disagree / Please Discuss

- b. sign the instrument of appointment (the Commission) at Attachment D and arrange for the other agreeing Minister to countersign;

- c. sign the letter to Justice Ashley at Attachment E;

- d. sign the letter to the Chief Justice at Attachment F;

- e. sign and progress the attached Cabinet information paper at Attachment G to the meeting on 30 June 2015 informing Cabinet of the appointment.

Signed / Not signed / Please Discuss

Simon Corbell MLA

17/7/15  
...../...../.....

Minister's Comments

Signatory Name: Julie Field

Phone: 70522

Title: Executive Director

Date: 22 June 2015

Action Officer: Megan Dixon

Phone: 70595

**Hosking, Kim**

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**From:** Parker, Vicki  
**Sent:** Tuesday, 14 July 2015 4:57 PM  
**To:** Hosking, Kim  
**Cc:** Boogs, Monika; Wijemanne, Naveen; Field, Julie; Jenkins, Pam  
**Subject:** FW: Proposed appointment of Acting Judge to the ACT Supreme Court

Kim

We have the sign off from the Victorian GG that we were waiting on. Grateful if you could now put the brief for a new Acting Judge to the AG on Thursday when he returns to the office as discussed.

Were you able to ascertain if the appointment will be announced straight away?

Vicki

**Vicki Parker | Deputy Director-General Justice**  
 Justice and Community Safety Directorate  
 Ph: +61 2 62053504  
 M:

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**From:** [Stephen.Lodge@justice.vic.gov.au](mailto:Stephen.Lodge@justice.vic.gov.au) [<mailto:Stephen.Lodge@justice.vic.gov.au>]  
**Sent:** Tuesday, 14 July 2015 4:45 PM  
**To:** Parker, Vicki  
**Cc:** Field, Julie; Dixon, Megan; [Claire.Downey@supremecourt.vic.gov.au](mailto:Claire.Downey@supremecourt.vic.gov.au); [Peter.Lamb@justice.vic.gov.au](mailto:Peter.Lamb@justice.vic.gov.au); [Donald.Speagle@justice.vic.gov.au](mailto:Donald.Speagle@justice.vic.gov.au); [JONATHAN.KAPLAN@justice.vic.gov.au](mailto:JONATHAN.KAPLAN@justice.vic.gov.au)  
**Subject:** Proposed appointment of Acting Judge to the ACT Supreme Court

Dear Vicki

Further to my discussions with yourself and Julie Field, I am pleased to advise that, earlier today, the Victorian Governor in Council, by order:

- consented to the appointment of David John Ashley as an Acting Judge of the Supreme Court of the Australian Capital Territory; and
- 

The order has been provided to the Supreme Court of Victoria and is being provided to Justice Ashley.

If you have any queries, please call me on (03) 8684 0080.

Kind regards  
 Stephen

**STEPHEN LODGE**  
 Assistant Director, Judicial Policy  
 Civil Justice  
 Level 24, 121 Exhibition Street, Melbourne (GPO Box 4356 Melbourne 3001 – or – DX210077)  
 Department of Justice & Regulation

Phone: (03) 868 40080  
 Mobile: 0422 004 445  
 Email: [stephen.lodge@justice.vic.gov.au](mailto:stephen.lodge@justice.vic.gov.au)

*Our values: Community - Together - Integrity - Respect - Make it Happen*  
 Follow us on Twitter: [@Justice\\_Vic](https://twitter.com/Justice_Vic)  
 Be sustainable. Help conserve resources by not printing out this email.

**Hosking, Kim**

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**From:** Parker, Vicki  
**Sent:** Tuesday, 23 June 2015 12:26 PM  
**To:** Hosking, Kim  
**Cc:** Field, Julie; Dixon, Megan; Playford, Alison  
**Subject:** Appointment of new acting judge

Kim

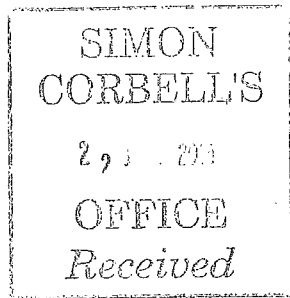
As discussed the brief for the appointment of the new acting judge should be on its way. Re para 13 and the I have been advised that the letter has gone to the Victorian AG. His office has indicated he will try to look at it today but this can't be guaranteed as it is a sitting day.

I will let you know when we have confirmation from Victoria that their AG is on board. Once this has occurred I will also check to make sure Justice Ashley would be willing to accept an appointment if offered one.

Vicki

Sent from my iPad

not for signing  
just yet...



**CHIEF JUSTICE'S CHAMBERS  
SUPREME COURT OF THE ACT  
GPO BOX 1548  
CANBERRA ACT 2601**

19 June 2015

The Hon Simon Corbell MLA  
Attorney-General  
ACT Legislative Assembly  
GPO Box 1020  
CANBERRA ACT 2601

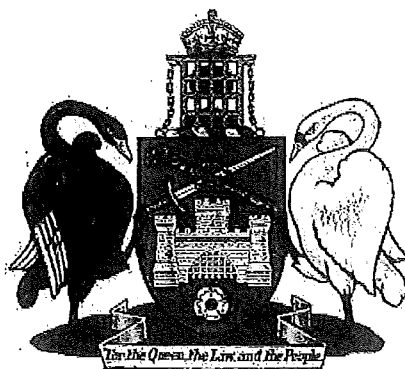
Dear Attorney-General,

Thank you for your letter of advice dated 16 June 2015 regarding the appointment of Acting Judges to the ACT Supreme Court.

Yours faithfully,

Helen Murrell  
Chief Justice

<b>TO</b>	
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<input type="checkbox"/>	LEGAL ADVISER
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<input type="checkbox"/>	CHIEF OF STAFF
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## Supreme Court Act 1933

### COMMISSION

The Australian Capital Territory Executive, under  
section 4B of the *Supreme Court Act 1933*,  
appoints

**DAVID JOHN ASHLEY QC**

as an Acting Judge of the Supreme Court for a period of 12 months  
commencing from the date of this instrument.

Dated

20 JULY

2015

A stylized, handwritten signature in black ink, consisting of a large 'S' followed by a vertical line and a horizontal line.

Attorney-General

A handwritten signature in black ink, appearing to be 'MD' followed by a horizontal line.

Minister

COPY



## Andrew Barr MLA

CHIEF MINISTER

TREASURER

MINISTER FOR ECONOMIC DEVELOPMENT

MINISTER FOR URBAN RENEWAL

MINISTER FOR TOURISM AND EVENTS

MEMBER FOR MOLONGLO

Mr Simon Corbell MLA  
Attorney-General  
ACT Legislative Assembly  
GPO Box 1020  
CANBERRA ACT 2601

Dear Attorney-General *Simon*

Thank you for your email of 18 June 2015 seeking my approval to appoint an Acting Judge to the ACT Supreme Court without prior Cabinet approval.

I approve your request to appoint a new Acting Judge to hear upcoming proceedings in the retrial of David Eastman. I understand that the appointment is necessary and urgent to prevent any further delays in the planned retrial.

I understand that you are currently seeking a final nominee in concert with the Chief Justice, and that you will inform Cabinet of the outcome at its 30 June 2015 meeting.

Thank you for bringing this matter to my attention.

Yours sincerely

*Andrew Barr*  
Andrew Barr MLA  
Chief Minister  
19 JUN 2015

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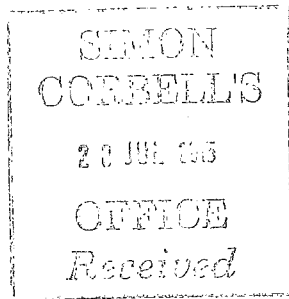
ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601

Phone: (02) 6205 0011 Fax: (02) 6205 0157 Email: barr@act.gov.au

Facebook: Andrew.Barr.MLA Twitter: @ABarrMLA





**CHIEF JUSTICE'S CHAMBERS  
SUPREME COURT OF THE ACT  
GPO BOX 1548  
CANBERRA ACT 2601**

24 July 2015

Mr Simon Corbell MLA  
Attorney-General  
ACT Legislative Assembly  
GPO Box 1020  
CANBERRA ACT 2601

Dear Attorney

Thank you for your letter advising that the ACT Executive has appointed the Hon David Ashley QC as an Acting Judge of the ACT Supreme Court for a period of 12 months.

Yours sincerely,

Helen Murrell  
Chief Justice

<b>TO</b>	
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**CABINET-IN-CONFIDENCE**

TRIM No.: 2014/6377

Date Rec'd Minister's Office 6/12/14

**To:** Attorney-General

**From:** Executive Director Legislation, Policy and Programs

**Subject:** Appointment of Acting Judge, the Hon Anthony Whealy QC

**Critical Date:** Today

**Critical Reason:** The documents need to be lodged with the Cabinet Office today to ensure this appointment is approved by Cabinet on 9 December 2014.

- DG (JACS) .../.../...
- DDG .../.../...

**Purpose**

1. To seek your approval to ask Cabinet to appoint the Hon. Anthony Whealy QC as an acting judge in the ACT,

**Background**

2. Section 4B of the *Supreme Court Act 1933* provides the Executive may appoint acting judges.
3. The Court has nominated the Hon Anthony Whealy QC to be appointed as acting judge of the ACT Supreme Court. It is proposed that Mr Whealy preside over the next directions hearing for the Eastman matter, which has been set down for 4 February 2014. It is also proposed that Mr Whealy then hear the application to stay this matter, which is proposed to be held in late June 2015.
4. Mr Whealy's CV is at Attachment A.

**Government Commitment – Government priority**

5. This issue falls within the government priority of *Liveability and opportunity* by ensuring that members of the community have appropriate access to justice.

**Issues**

6. Mr Whealy has not been involved in previous proceedings concerning Mr Eastman. This will reduce the risk of Mr Eastman arguing that he be removed for reasons of conflict of interests. His appointment will also ensure the resident judges are free to hear matters in their own lists.
7. The directorate recommends that Mr Whealy is appointed for 12 months from 16 December 2014 to 15 December 2015, which is the maximum period allowed under the Supreme Court Act.
8. If Cabinet agrees to the appointment, the directorate will arrange for Mr Whealy to swear an oath or make an affirmation.

**CABINET IN CONFIDENCE**

**Financial Implications**

9. Acting Judges are only paid for the days they hear matters. The current per day rate is \$1,793 plus superannuation.
10. The costs associated with this appointment are outside the Courts Administration budget and will be included in a request for a Treasurer's Advance in relation to the upcoming Eastman proceedings.

**Directorate Consultation**

11. The Supreme Court has nominated Mr Whealy.
12. A late lodgement letter concerning the lodgement of this Cabinet appointment form is contained within brief 2014/6398.

**External Consultation**

13. The Office for Women has been consulted on the proposed appointments at Attachment B.

**Benefits/Sensitivities**

14. The appointment will provide an additional judicial resource to the Supreme Court and help to prevent further backlog.

**Media Implications**

15. The appointment may attract media attention. A media release will be prepared once Cabinet agrees to the appointment.

**Recommendations**

That you:

1. Agree to appoint the Hon Anthony Whealy QC as Acting Judge of the Supreme Court of the ACT and sign the Cabinet appointment form at Attachment C;

Agree / Disagree / Please Discuss

2. If Cabinet agrees, that you:

- a. sign the instrument of appointment ('the Commission') at Attachment D and arrange for another Minister to countersign;
- b. sign the letter to Mr Whealy at Attachment E; and

- c. sign the letter to the Chief Justice at Attachment F.

Agree / Disagree / Please Discuss

Simon Corbell MLA .....

...../...../.....

Minister's Comments

4-12-14

Signatory Name: Julie Field

Phone: 70522

Title: Executive Director

Date: 4 December 2014

Action Officer: Victoria Linabury

Phone: 70524

**Simon Corbell MLA**

ATTORNEY-GENERAL  
MINISTER FOR THE ENVIRONMENT  
MINISTER FOR POLICE AND EMERGENCY SERVICES  
MINISTER FOR CAPITAL METRO

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MEMBER FOR MOLONGLO**CABINET IN CONFIDENCE**

Ms Katy Gallagher MLA  
Chief Minister  
ACT Legislative Assembly  
CANBERRA ACT 2601

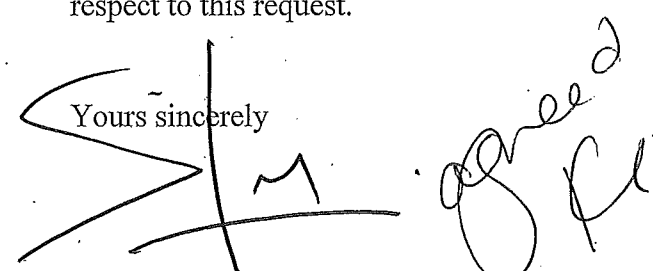
Dear Chief Minister 

I write to seek late lodgment for the Cabinet appointment papers *Additional Judge – appointment (14/416)* and *Acting Judge – Whealy (14/524)*.

These papers seek Cabinet agreement to endorse the appointments of Justices and Whealy.

It became apparent at a directions hearing on 2 December 2014 that an acting judge would be needed for hearings early in 2015 in relation to Eastman matters. Also the Chief Justice has asked for the appointment of an additional judge. The Commonwealth Attorney-General agreed to the additional judge appointment on 3 December 2014. It will assist the Chief Justice to make arrangements for the Supreme Court for next year if the appointments are considered on 9 December 2014.

My Directorate has consulted with Cabinet Office regarding these proposed late lodgments with respect to this request.

Yours sincerely 

Simon Corbell MLA  
Attorney-General

4.12.14

**CABINET IN CONFIDENCE**

ACT LEGISLATIVE ASSEMBLY

## SUMMARY & BIO

### The Honourable Anthony Whealy QC

1965-1971	Solicitor
1971-2000	Barrister
1984-2000	Queen's Counsel
2000-2012	Justice of the Supreme Court of NSW
2010-2012	Judge of the NSW Court of Appeal
2012-2013	Chair COAG Committee on Counter-Terrorism Laws
July-August 2013	Acting Judge of Appeal (Western Australia)
16/9/2013-28/2/2014	Assistant Commissioner Independent Commisison against Corruption
August 2013 to date	Part-time Commissioner NSW Law Reform Commission
August 2013-August 2016	Deputy Chair New South Wales Sentencing Council
2013 to date	University Visitor Catholic University
2013 to date	Consultant Judicial Commission of NSW





**Simon Corbell MLA**

ATTORNEY-GENERAL  
 MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT  
 MINISTER FOR POLICE AND EMERGENCY SERVICES  
 MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO

COPY

Mr Anthony Whealy QC

Dear Mr Whealy,

I am pleased to advise that you have been appointed as an Acting Judge for the ACT. Your appointment is for 12 months commencing on 16 December 2014 and ending on 15 December 2015. I attach a copy of the instrument for your reference.

I am confident that you will serve the ACT community well in your role, given the breadth and depth of your experience as a practising barrister and your work in criminal and the common law. I note you have made certain undertakings to the Chief Justice.

I understand that my Directorate will arrange for the Court Registry to contact you shortly to make the necessary administrative arrangements to support your appointment.

On behalf of the ACT Government, I congratulate you on your appointment.

Yours sincerely

Simon Corbell MLA  
 Attorney-General

15.12.14

ACT LEGISLATIVE ASSEMBLY

SENT

16/12/2014  
with att



**Simon Corbell MLA**

ATTORNEY-GENERAL

MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MINISTER FOR POLICE AND EMERGENCY SERVICES

MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

**COPY**

MEMBER FOR MOLONGLO

The Hon Justice Helen Murrell  
Chief Justice  
ACT Supreme Court  
GPO Box 1548  
CANBERRA ACT 2601

Dear Chief Justice

I am pleased to advise the Government has appointed the the Hon Anthony Whealy QC as Acting Judge of the ACT for a period of 12 months commencing 16 December 2014 and ending on 15 December 2015.

I attach a copy of Mr Whealy's instrument of appointment for your reference.

I note that Acting Judges are paid for the days they hear matters and that Mr Whealy will be engaged by the Court primarily for the purpose of hearing upcoming proceedings involving Mr David Eastman.

I trust that this appointment will assist the Supreme Court with its workload.

Yours sincerely

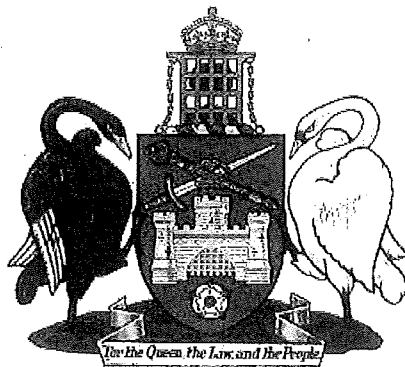
Simon Corbell MLA  
Attorney-General

15-12-14

ACT LEGISLATIVE ASSEMBLY

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## Supreme Court Act 1933

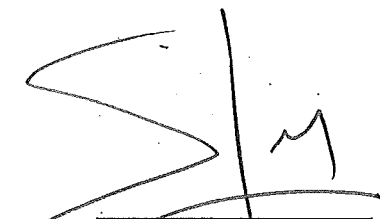
### COMMISSION


The Australian Capital Territory Executive, under  
section 4B of the *Supreme Court Act 1933*,  
appoints

**ANTHONY WHEALY QC**

as an Acting Judge of the Supreme Court commencing on  
16 December 2014 and ending on 15 December 2015.

Dated 15th of December 2014

  
Attorney-General

  
Minister