

Potential Witness List & Explanatory Notes

In summary

- For the Witness Workshops themes 2-4 you will choose your preferred witnesses.
- Use your 6 dots to choose those witnesses that you want to hear from most.
- You can choose witnesses in just one theme or spread them across witnesses in the three themes.
- Make a rainbow! Endeavour to choose witnesses from multiple colours as they will represent different perspectives on the issues being discussed.
- The witnesses for Witness Workshop 1 have been selected for you by the Stakeholder Reference Group supporting this process.

Background - Witness list development

This Witness list has been compiled by the members of the Stakeholder Reference Group (SRG) supporting this project to help the Jury identify the experts in the CTP field.

The SRG also agreed to the four Witness Workshop themes. The SRG felt that these four themes covered the breadth of the issues / information that the Jury needed to understand in order to fulfill the remit.

The members of the SRG are as follows;

Name	Title	Organisation
Lisa Holmes	Acting CTP Regulator	Chief Minister, Treasury and Economic Development
Richard Glenn	Deputy Director General, Justice	Justice and Community Safety Directorate
Jamie Ronald	Barrister	ACT Bar Association
Madeleine Hibberd	Manager, Regulatory Policy	Insurance Australia Group (IAG)
Surayez Rahman	Executive Manager, ACT CTP	ACT CTP insurer - Suncorp
Fiona Tito Wheatland	Health Care Consumers Association	Health Care Consumers Association
Professor Ian Cameron	Professor of Rehabilitation Medicine	John Walsh Centre for Rehabilitation Research, University of Sydney
Geoff Atkins	Principal, Finity	Insurance scheme design expert

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Peter McCarthy Executive Director, EY Actuary

Each of the individuals or groups of organisations represented on the SRG have different perspectives and expertise about CTP schemes. Therefore, it can be expected that the witnesses they have recommended will reflect these differences.

It is vital to the work of citizens' juries that you receive balanced advice ... that being that you hear views that cover all perspectives and that you are exposed to as much expertise as possible.

However, you are not confined to the witnesses chosen by the SRG. You can choose your own witnesses, which you will be able to nominate in the room.

Witness Program - Theme 1: What are the key trade-offs?

Theme 1 was considered by the SRG members to be an important introductory session for jurors and central to the Jury's work. As a consequence, the SRG members worked to agree on a balanced group of witnesses to represent all perspectives and expertise for this session.

As the SRG has determined the panel for this session, the Jury will not need to choose witnesses for this theme.

Witness Program - Themes 2, 3 and 4

For the remaining three themes the Jury will choose 4 witnesses per theme.

This will be achieved through a dotmocracy approach. Your decisions will be informed by the work you undertake with democracyCo to identify your information / knowledge gaps.

You will receive 6 dots. You will use these to choose the witnesses that you would like most to hear from. Ideally the witnesses you choose will be those who help you to fill gaps in your knowledge and or help you to answer questions you have about CTP. You can 'spend' your dots however you like, however we encourage you to choose a rainbow...

Why should you aim to choose a rainbow?

You will note that the witnesses have been shaded different colours. This is because they have been chosen by different members of the SRG.

The different shading colours represent the potential witnesses that SRG members that have recommended (ie insurers, lawyers, consumers, regulator/government, health) and we have used one colour for those added to the list by the actuary and scheme design expert)

Given the importance of hearing a balanced range of perspectives – we encourage you to spread your dots across the spectrum of colours.

It is also important to note that;

- where there is no shading (ie the witness is left white) – multiple SRG members from **different types of organisations** asked for this person to be put on the list.
- The names of those witnesses recommended by either the actuary or scheme designer have been highlighted in **yellow**.

Process after you have made your choice

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democracyCo will add up the dots on each witness sheet in the room.

The top four witnesses (that being the four witnesses with the most dots under each theme) will then be approached by democracyCo to present to you, on Day 3 as part of the Witness Program.

If the same person has been identified in two of the themed workshops (Themes 2-4) we will work with the SRG to determine which of the themes the person would best speak in and then take the witness with the next highest number of dots to fill that position.

If for some reason the chosen witness is unable to participate we will ask them to help us identify someone else who has similar knowledge and will present from a similar perspective to replace them.

Theme 1. What are the key trade-offs?

This theme will help jury members to understand and begin to explore the key trade-offs and priority decisions for the scheme design, balancing premium cost with coverage and benefit levels. It also introduces the other themes that you will explore in more detail.

This theme will be attended by all jurors as an introductory session.

	Witness	Current Position/ Relevant Position	Short Bio and what the witness 'can speak about ...'
1	Andrew Stone	Barrister Sir James Martin Chambers	Andrew has extensive experience in CTP matters in the ACT, NSW and other jurisdictions. He is an editor of Leslie & Britt's Motor Vehicle Law, NSW. He can talk to the key elements of the various schemes and the impact of various tradeoffs.
2	Estelle Pearson	Finity, Principal	Estelle is a past President of the Actuaries Institute and currently a director of the National Disability Insurance Scheme (NDIA). She works with both insurers and regulators on monitoring performance of schemes and identifying possible improvements. She can speak with the jury about what is needed for a sustainable scheme.
3	Marcia Neave	Retired Victorian Court of Appeal Judge	Marcia was Director of Research at the NSW Law Reform Commission when it developed a no-fault traffic accident proposal for NSW. She worked closely with the NSW Law Foundation on a case study program of people who were injured and received and did not receive compensation, and in the various no-fault schemes in other jurisdictions. She also has extensive knowledge and experience as a judge and on the practical and theoretical operation of the tort system.
4	David Bowen	Retired. Previous head of the NSW Motor Accident Authority and of the National Disability Insurance Agency	David worked productively with all stakeholders to deliver CTP Scheme reform in NSW in 1999. Subsequently he worked as Executive Director of the National Disability Insurance Scheme. He has a long history in exploring the policy and legal aspects of both tort and no-fault in the motor accident environment, particularly where someone is severely injured. David can talk about balancing different stakeholder perceptions with the goal of assisting people who have been injured in motor vehicle crashes.
5	Peter McCarthy	Peter McCarthy, Partner, Financial Services Ernst & Young	Actuary

Theme 2 Who is covered?

This theme explores community expectations around who is covered by CTP for their injuries in the event of an accident.

No.	Witness	Current Position & Organisation	Short Bio and what the witness 'can speak about ...'
6	Estelle Pearson	Finity, Principal	Estelle is a past President of the Actuaries Institute and currently a director of the National Disability Insurance Scheme (NDIA). She works with both insurers and regulators on monitoring performance of schemes and identifying possible improvements. She can speak with the jury about what is needed for a sustainable scheme.
7	Jamie Ronald	Barrister Burley Griffin Chambers	<p>Jamie is a barrister practicing in civil cases, including personal injury. In his 15 year legal career he has represented many injured people in CTP claims in the ACT and NSW. His practice has spanned periods of CTP law reform in both NSW and the ACT, including the introduction of the significant changes in the Civil Law (Wrongs) Act 2002 and the Road Transport (Third-party Insurance) Act 2008.</p> <p>Jamie's clients have included those with multiple fractures and brain injuries, and vulnerable road users such as cyclists, passengers, pedestrians, including children and the elderly. He has spent many hundreds of hours listening to the first-hand accounts of people whose lives have been changed forever because other road users have driven too fast, run red lights failed to give way or otherwise failed to obey the basic standards of road use most road users uphold.</p>
8	Michael Eburn	Associate Prof. College of Law, ANU	<p>Dr Eburn is the leading researcher in the area of emergency services, emergency management and the law. He is the author or co-author of three books and has made over 80 other contributions as book chapters, journal articles, professional publications and conference and professional development presentations. His blog, Australian Emergency Law, is widely read and respected throughout the sector. His current research on law and governance in emergency management is funded by the Australian Bushfire and Natural Hazards CRC.</p> <p>Michael is prepared to discuss the various limits and exclusions that are used around Australia to meet community expectations about circumstances (e.g. drink driving) where full compensation is not appropriate.</p>
9	Geoff Atkins	Principal, Finity	Geoff Atkins has been engaged to help the jury with scheme design questions. An actuary by training, he has worked with pretty much all the CTP and workers compensation schemes at times during the last three decades and seen a lot of changes.

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10	Surayez Rahman	Executive Manager, ACT CTP - Suncorp	<p>Surayez Rahman is the Canberra-based Executive Manager of CTP with Suncorp (whose brands include GIO, AAMI and Apia). He worked in the insurance industry specializing in CTP for over 10 years.</p> <p>Surayez can speak to who is currently covered in the ACT CTP scheme and where the gaps are. Also talk to how this compares to other schemes across Australia and a world and where improvements can be made.</p>
11	Noor Blumer	Director Blumers Personal Injury Lawyers	<p>Noor is a director at Blumers Personal Injury Lawyers. While now specialising in plaintiff personal injury litigation, previous experience includes family law, criminal law and commercial litigation. She has appeared on a regular legal talkback program on 2CC since about 2002 answering questions and explaining a wide range of legal issues. Noor can speak to the ACT CTP scheme. Who is covered, who is not, and the implications of making adjustments to the scheme.</p>
12	David Gifford	Chief Strategy Officer, Transport Accident Commission (TAC) Victoria	<p>David has a long history (over 20 years) of involvement in CTP and workers compensation schemes in Australia and NZ including scheme reforms. David has written a number of papers on personal injury schemes during that time.</p> <p>He has firsthand experience in the TAC scheme of the issues in what a good example of a CTP scheme in Australia which has a very different design to the Act scheme.</p>
13	Carmel Franklin	Director, Care Financial Counselling Service; Chair, Financial Counselling Australia; Member of the FOS Consumer Liaison Group	<p>Carmel Franklin has been involved with consumer issues for a number of years, including as the Director of Care Financial Counselling and the Consumer Law Centre of the ACT, as the Chair of Financial Counselling Australia and through her role on the boards of the National Information Centre on Retirement Investments and the Welfare Rights and Legal Centre. In addition to these positions, she is a member of the ATO Individual Tax Advisory Forum and a former member of the ASIC Consumer Advisory Panel as well as the FOS Consumer Liaison Group.</p>
14	Graeme Adams	Finity	<p>Graeme was the head of CTP at NRMA Insurance for five years until 2010, following an extensive career in home and motor insurance. Since joining Finity in 2011 he has done several assignments for the NSW scheme regulator on scheme design issues, as well as advising insurers on claims and other topics.</p>

Theme 3 What benefits are people covered for?

This theme provides information and views about the range of benefit entitlements and the choices relevant to cost trade-offs.

No.	Witness	Current Position & Organisation	Short Bio and what the witness 'can speak about ...'
15	John Walsh	Actuary, National Disability Insurance Scheme; and Adjunct Professor, John Walsh Centre for Rehabilitation Research, University of Sydney	John is an actuary with decades of experience with development and reform of compensation schemes. He has made submissions in many states of Australia and was very influential in the establishment of the National Disability Scheme. John can talk about fairness from a broad perspective, including a consumer perspective.
16	Geoff Atkins	Principal, Finity	Geoff Atkins has been engaged to help the jury with scheme design questions. An actuary by training, he has worked with pretty much all the CTP and workers compensation schemes at times during the last three decades and seen a lot of changes.
17	Ian Cameron	Head, John Walsh Centre for Rehabilitation Research, University of Sydney	Ian is a researcher and medical specialist who works with people who have been injured in motor vehicle crashes. With colleagues he has evaluated patterns of recovery after motor vehicle crashes. Ian can talk about rehabilitation and recovery after injury, including what helps and what does not. He can contrast what happens to the injured person in different types of CTP insurance schemes.
18	Laura Neil	Australian Lawyers Alliance	Laura Neil is the National President of the Australian Lawyers Alliance (ALA). Laura has been a Barrister in private practice in Cairns since 2013. Prior to that she was a solicitor for approximately 20 years. Laura specialises in all aspects of personal injuries litigation and as a solicitor was a Queensland Law Society Accredited Specialist. She is an ardent supporter of the rights of individuals and ensuring a "fair go" for all. She is especially passionate about rural and regional issues, having grown up in Cairns in Far North Queensland. She is the Vice President of the Cairns Community Legal Centre.
19	Fiona Fonti	The Rehabilitation Specialists	Fiona is a nationally and internationally experienced Occupational Therapist with over 10 years' experience in delivering Workplace Rehabilitation, Motor Accidents, and Income Protection services across compensable (Comcare, WorkCover ACT and WorkCover NSW),

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			<p>fault and no fault jurisdictions. Fiona is experienced at managing complex cases (physical, psychological and medical) with a wide range of needs and providing strategies to assist in building capacity to return to work and to assist an individual to return to health.</p>
20	Mariano Rossetto	Director Vincent's	<p>Mariano is currently a Director at Vincent's , but has worked for a number of large legal and accounting firms (including Slater and Gordon, Deloitte and Furzer Crestani) over his 32 year career.</p> <p>Mariano has worked widely in the forensic arena assessing damages in relation to various personal injury claims and commercial disputes. He is able to speak to the various CTP schemes and the financial implications of the various elements within those schemes.</p>
21	Estelle Pearson	Finity, Principal	<p>Estelle is a past President of the Actuaries Institute and currently a director of the National Disability Insurance Scheme (NDIA). She works with both insurers and regulators on monitoring performance of schemes and identifying possible improvements. She can speak with the jury about what is needed for a sustainable scheme.</p>
22	Fiona Tito Wheatland	Consumer representative	<p>Dr Fiona Tito Wheatland PhD BA(Hons) LLB is a SRG member nominated by ACT Health Care Consumers Association. Fiona has a strong legal and social policy background, with extensive experience as a consumer advocate and consumer representative in diverse areas including health care, foster care, mental health and disability. She has a long-term interest in compensation system design and practice and has worked on both CTP and Workers Compensation across a number of jurisdictions.</p>

Theme 4 Fairness in claim determination

This theme helps to build understanding of how the workings of the system are relevant to injured people and where there may be scope for improvement and/or efficiency gains.

No.	Witness	Current Position & Organisation	Short Bio and what the witness 'can speak about ...'
23	James Treloar	Partner Maliganis Edwards Johnston	James has over 18 years experience as a legal practitioner and has worked extensively in personal injury matters in the ACT. James can speak to the current CTP processes, including the strengths and weaknesses of the current ACT CTP scheme.
24	Carmel Franklin	Director, Care Financial Counselling Service; Chair, Financial Counselling Australia; Member of the FOS Consumer Liaison Group	Carmel Franklin has been involved with consumer issues for a number of years, including as the Director of Care Financial Counselling and the Consumer Law Centre of the ACT, as the Chair of Financial Counselling Australia and through her role on the boards of the National Information Centre on Retirement Investments and the Welfare Rights and Legal Centre. In addition to these positions, she is a member of the ATO Individual Tax Advisory Forum and a former member of the ASIC Consumer Advisory Panel as well as the FOS Consumer Liaison Group.
25	John Walsh	Actuary, National Disability Insurance Scheme; and Adjunct Professor, John Walsh Centre for Rehabilitation Research, University of Sydney	John is an actuary with decades of experience with development and reform of compensation schemes. He has made submissions in many states of Australia and was very influential in the establishment of the National Disability Scheme. John can talk about fairness from a broad perspective, including a consumer perspective.
26	Jamie Ronald	Barrister Burley Griffin Chambers	Jamie is a barrister practicing in civil cases, including personal injury. In his 15 year legal career he has represented many injured people in CTP claims in the ACT and NSW. His practice has spanned periods of CTP law reform in both NSW and the ACT, including the introduction of the significant changes in the Civil Law (Wrongs) Act 2002 and the Road Transport (Third-party Insurance) Act 2008. Jamie's clients have included those with multiple fractures and brain injuries, and vulnerable road users such as cyclists, passengers, pedestrians, including children and the elderly. He has spent many hundreds of hours listening to the first-hand accounts of people whose lives have been changed forever because other road users have driven

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			too fast, run red lights failed to give way or otherwise failed to obey the basic standards of road use most road users uphold.
27	Susie Walford	Susie Walford, Executive Manager, ACT Personal Injury, Suncorp	Susie has 24 years of Personal Injury Claims Management experience in Workers Compensation and CTP, where has been responsible for both the underwriting and claims functions. Susie serves on a number of committees including the Default Insurance Fund Advisory Committee and the ACT Work Safety Council advising stakeholders on trends, performance and reform. Susie is a lifetime resident of Canberra and is dedicated to the sustainability of the ACT CTP scheme, while providing a positive claims experience to people injured in Canberra.
28	Ian Cameron	Head of Rehabilitation Medicine, John Walsh Centre for Rehabilitation Research, University of Sydney	Ian is a researcher and medical specialist who works with people who have been injured in motor vehicle crashes. With colleagues he has evaluated patterns of recovery after motor vehicle crashes. Ian can talk about rehabilitation and recovery after injury, including what helps and what does not. He can contrast what happens to the injured person in different types of CTP insurance schemes.
29	Andrew Gill	Detective Sergeant New South Wales Police	Andrew is a Detective Sergeant attached to the Fraud and Cybercrime Squad of the New South Wales Police. The Fraud and Cybercrime Squad falls within the State Crime Command, which is the command that houses all of the Detective Squads in NSW. Andrew can speak to: <ul style="list-style-type: none"> - What are the indicators to Fraud in NSW CTP? - How did it become so prominent? - What are the impacts on the scheme? It is fair and how many people pay for the impacts of fraud?
30	Madeleine Hibberd	Manager, Regulatory Policy	Madeleine is a Regulatory Policy Manager at IAG. She is a highly experienced insurance professional with over 15 years' experience in the management and administration of CTP claims, including five years in NRMA Insurance's Canberra office. Madeleine can speak about the current processes involved for an injured person making a CTP claim as well as areas where there is scope for improvement and increased efficiency.
31	Graeme Adams	Finity	Graeme was the head of CTP at NRMA Insurance for five years until 2010, following an extensive career in home and motor insurance. Since joining Finity in 2011 he has done several assignments for the NSW scheme regulator on scheme design issues, as well as advising insurers on claims and other topics.