

19 March 2019

Dr Sean Turner
Acting Secretary
Legal and Constitutional Affairs Legislation Committee
The Senate
Parliament House
CANBERRA ACT 2600

email: legcon@aph.gov.au

Dear Dr Turner

I refer to the continuing resolution of the Senate, passed on 25 February 1988, in relation of protection of persons referred to in the Senate.

I understand that this continuing resolution applies only to remarks made in the Senate chamber and if a person wishes to seek redress for something said in a Senate committee that is materially wrong and has affected the person's repute, the correct procedure is to ask the committee to address the matter and, if it is unable to do so, for the committee to refer it to the Senate.

I have prepared a statement that I request the committee consider and agree to publish.

Thank you in anticipation.

Yours sincerely

Justin Meyer

**LEGAL AND CONSTITUTIONAL AFFAIRS LEGISLATION COMMITTEE -
PERSONS REFERRED TO IN COMMITTEE PUBLIC HEARING**

On 18 October 2016 in the estimates proceedings of the Legal and Constitutional Legislation Committee, Senator the Hon. Penny Wong referred to persons recently appointed to the Administrative Appeals Tribunal and, relevantly, to me. In asking questions of the Minister and the Department about appointments to the Administrative Appeals Tribunal, Senator Wong said (Hansard, page 145):

Because Mr Justin Meyer, also a Liberal Party donor, has been appointed.

When the honourable Senator's comments were drawn to my attention I felt aggrieved, because I knew that this was factually wrong, but I decided at the time not to take any action to correct the record.

Regrettably, the misstatement of Senator Wong has led to other persons, over time, believing that what she stated was true. I do not impute to Senator Wong any improper motive, because she may have relied on information that had been published in the media at the time, which was factually incorrect. For example an article on the *Buzzfeed* website of 3 November 2016 about the Administrative Appeals Tribunal referring to me states: "*electoral records show the lawyer donated more than \$11,000 to the Liberal party in 2010-11.*" A purported Australian Electoral Commission record is then shown. However this record in fact indicates no donation. It shows that I was a *creditor* of the Liberal party – the Victorian Division of that party owed me a sum for a redundancy arising from my employment there in 2010. The *Buzzfeed* article has misinterpreted this information.

Because it was implied that my appointment to the Tribunal might somehow have been linked to political donations, I want to make it absolutely clear that the report of me being a donor to the Liberal Party of Australia was incorrect.

I have not been a donor to the Liberal Party of Australia or any other political party, nor am I a donor now.

My qualifications for appointment as a Member of the Administrative Appeals Tribunal stem from section 7 of the *Administrative Appeals Tribunal Act 1975*. Section 7(3)(a) of that Act relevantly states:

A person must not be appointed as a senior member or other member unless the person:

(a) Is enrolled as a legal practitioner (however described) of the High Court or the Supreme Court of a State or Territory and has been so enrolled for at least 5 years.

...

I graduated in law in 1993 and I have been enrolled as a legal practitioner of the Supreme Court of Victoria since 1994. Before appointment to the Tribunal, I

practised extensively as a legal practitioner in private and corporate practice. From 2006 to 2008 I was Chairman of the Australian Insurance Law Association (Victorian Chapter).

To the extent that it can be imputed that I was appointed to the Tribunal because I was '*a Liberal Party donor*' that is factually untrue. However, because it has stood in Hansard unchallenged, it has been accepted as factual by other persons.

I therefore wish to correct the record and respectfully request that the Committee resolve to publish this statement, in accordance with established practice.