

# Resolution Institute's Adjudicator Panel

*under the Building and Construction  
Industry (Security of Payment) Act 2021*

## Western Australia

Updated February 2024



**Resolution  
Institute**

Excellence in dispute resolution  
across Australia and Aotearoa



**Grade 2 adjudicator**  
**Construction lawyer,**  
**arbitrator, mediator**

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## Graham Anstee-Brook

Graham is a construction lawyer with over 30 years' experience. He is also a graded arbitrator, mediator and adjudicator specialising in construction, infrastructure, mining and resources matters.

Graham has extensive experience in dealing with disputes between principals, contractors, subcontractors and consultants and experience in private legal practice and as in-house counsel delivers a perspective well suited to resolving disputes by alternative methods and in particular, adjudication.

The matters adjudicated include issues of contract interpretation, variation claims, extension of time claims, delay cost claims, prolongation claims, rectification costs, quality of work and damages claims, many of which involved substantial claims, the largest of which was a claim for \$97 million.



**Grade 2 & review**  
**adjudicator**

**Arbitrator, engineer,**  
**contract/commercial**  
**manager**

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## Deon Baddock

Deon is a highly experienced professional engineer, contracts/commercial manager and adjudicator with over 25 years' experience working in operational, management and executive positions with public and private companies on major road, bridge, rail, subdivisions, landfills, electrical, structures, oil & gas and mining infrastructure projects as well as contract mining.

Dean has a Bachelor of Engineering (Civil) Honours, Postgraduate Certificate in Management, comprising studies in dispute resolution, project management, law & business and economics (Distinction or High Distinction).

He is a registered adjudicator, review adjudicator and graded arbitrator (Grade 3). He is a practitioner member of Resolution Institute; a member of the Institution of Engineers Australia, Chartered Professional Engineer, Civil & Structural, and National Engineers Register, Civil & Structural. He is a graduate of the Australian Institute of Company Directors (GAICD).



## Michael Charteris

Grade 2 adjudicator

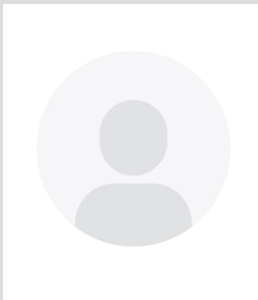
Quantity surveyor,  
contract administrator,  
expert witness

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Michael has been a registered and practicing adjudicator in Western Australia and Northern Territory since 2005, and is presently a Grade 2 adjudicator (BA1) under the *WA Building and Construction Industry (Security of Payment) Act 2021*. Michael has already been appointed to adjudicate 190 applications for adjudication to date for construction contract payment disputes varying from \$2K to \$100M.

Since 1990, Michael has been a practicing quantity surveyor, contract administrator and expert witness primarily within the commercial construction industry in Western Australia, but also within the residential, civil engineering and mining sectors. Michael has been an employee of several large commercial building construction companies in Perth and has been consulting since 2015, providing expert reports for matters before the State Administrative Tribunal and Western Australian courts concurrently with adjudications.

Michael holds memberships with Australian Institute of Quantity Surveyors, Resolution Institute, Australian Institute of Business and Society of Construction Law Australia.



## Greg Downing

Grade 2 adjudicator

Arbitrator, expert  
determiner

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Greg is an accomplished Grade 2 adjudicator, graded arbitrator and accredited expert determiner.

With over 40 years' experience in the practice and management of major building, civil infrastructure and resource construction projects delivered under various forms of procurement ranging from lump sum to alliance contracts utilising both standard form and bespoke contracts, Greg has a deep knowledge and understanding of the delivery of construction projects.

In addition to being a resolver of construction related disputes, Greg's expertise and qualifications in the areas of contract management and law, contractual entitlements and claims, cost management, infrastructure and civil engineering construction, commercial, industrial and institutional building construction, and quantity surveying enables him to provide specialist commercial and contractual management services to construction industry stakeholders including principals, contractors and subcontractors.



Grade 2 & review  
adjudicator

Arbitrator, mediator,  
expert determiner

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## Scott Ellis

Scott is an experienced and astute construction lawyer.

He has acted as a decision maker in several hundred disputes, both domestic and international, as an arbitrator, adjudicator, expert determiner and member of various statutory tribunals. The amounts in dispute range from \$5,000 to \$70 million.

Scott has been an adjudicator since 2005 and has been appointed to more than 100 adjudications. He has dealt with disputes relating to oil gas and mining infrastructure, commercial building work, domestic building disputes, transport infrastructure, supply of equipment, and power production.

Scott is a Fellow of Resolution Institute and ACICA. He is a Chartered Arbitrator. He is a registered adjudicator under the *Construction Contracts (Former Provisions) Act 2004 (WA)* and also adjudicates in NSW.

Scott also works as a commercial mediator and is accredited to NMAS standards.



Grade 2 & review  
adjudicator

Engineer, mediator,  
arbitrator, expert  
determiner

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## Warren Fischer

Warren has over 35 years' international experience in civil and structural engineering in building, mining, roadworks, bridge and civil construction over a wide range of engineering activities, including feasibility studies, design, project and construction management and contract administration.

Warren has hands-on onsite mining, building and civil construction industry experience: coal and gold mine projects (Indonesia), high and low rise building projects, major motorway widening, maintenance and civil engineering construction projects in the UK and Australia.

Adjudications undertaken include significant infrastructure projects: Brisbane Airport Link Tunnel, Northern Busway and East-West Arterial Gateway Projects, Port of Brisbane Container Terminal, SEQ Water Grid, Water Treatment Plants, Coal Processing Facilities, Coal Seam Gas Projects, Power Stations, Wind Farms, Solar Farms, New Royal Adelaide Hospital, Ichthys Gas Project, Inland Rail and Sydney Metro. The total value of the payment claims associated with adjudications Warren has undertaken exceeds \$1 billion.



## John Fisher

John is a registered adjudicator under the *Construction Contracts (Former Provisions) Act 2004 (WA)* and review adjudicator under the *Building and Construction Industry (Security of Payment) Act 2021*.

John is a chartered civil engineer with over 40 years' experience in major buildings and infrastructure and has been a client, consultant, contractor and subcontractor. He has managed a wide variety of commercial, retail, health, education, airport, rail and resources projects. He has worked in UK, Europe, Africa, the Arabian Gulf, Southeast Asia and Australia. For the last 15 years he has had his own practice in Perth specialising in dispute resolution, primarily but not exclusively, in construction.

John is a Resolution Institute accredited arbitrator, expert determiner and mediator. He was one of the first four adjudicators appointed in Western Australia in 2005. He has undertaken a multitude of adjudications in Western Australia, Northern Territory and New South Wales.

Grade 2 & review  
adjudicator

Civil engineer, arbitrator,  
expert determiner,  
mediator



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## Basil Georgiou

Basil is registered as an adjudicator under the *Construction Contracts (Former Provisions) Act 2004 (WA)* [Cert. No 108] and as a Grade 2 adjudicator under the *Building and Construction Industry (Security of Payment) Act (WA) 2021* [Reg. No. BA61].

Basil has been involved in adjudications since the introduction of security of payment legislation in WA in 2005. He has acted for owners, contractors, subcontractors and consultants. Basil has prepared and settled the adjudication documentation for applicants and respondents. He has been the lead member of the legal team in numerous adjudications, including over a dozen applications in one project.

Basil has also conducted training in adjudications for the Master Builders Association and the Law Society of WA, and has delivered papers on adjudications at forums held by Consult Australia and the Society of Construction Law Australia (SoCLA).

Basil has assisted in drafting submissions on construction law legislative reform for SoCLA and the Law Society of WA.

Grade 2 adjudicator

Barrister and solicitor,  
mediator



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## Barry Green

Grade 2 & review  
adjudicator

Quantity surveyor, legal  
practitioner



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Barry has over 25 years' experience as a chartered quantity surveyor (FRICS) and has held various senior commercial leadership roles for owners and tier one contractors in the construction, infrastructure and resources sectors in both Australia and the United Kingdom.

He is an experienced adjudicator under the *Construction Contracts (Former Provisions) Act 2004 (WA)*, *Construction Contracts (Security of Payments) Act 2004 (NT)* and is a Grade 2 registered adjudicator and review adjudicator under the *Building and Construction Industry (Security of Payment) Act 2021*.

Barry is also an admitted Australian legal practitioner and holds dual qualifications in law (LLB) and quantity surveying and commercial management (BSc(Hons)).

Barry is a Fellow of the Royal Institution of Chartered Surveyors (FRICS), a professional member of the Australian Institute of Quantity Surveyors (MAIQS CQS) and is a full member of the Chartered Institute of Arbitrators (MCI Arb). He has extensive experience in the preparation of applications for and in preparing responses to applications for adjudication.



## Neil Kirkpatrick

Grade 2 & review  
adjudicator

Quantity surveyor,  
construction manager,  
arbitrator, mediator,  
expert determiner,  
expert witness



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Neil is a chartered quantity surveyor, chartered construction manager, construction adjudicator, arbitrator, mediator, expert determiner and expert witness in quantum, delay and construction technical matters. As managing director of Construction Expert Services he provides consultancy services to developers, law firms, contractors, subcontractors and professional practices.

Neil has over two decades of experience assisting parties, clients, development companies and contractors internationally, solving problems, helping achieve real solutions, and resolving complex, contentious and non-contentious issues that arise on projects in addition to determining disputes arising under contract and subject to security of payment legislation. His experience embraces large scale developments; resource schemes; and infrastructure, industrial, residential and commercial construction projects. He is experienced in quantum, delay, contract and technical matters, incl. loss and expense, disputed variations, extension of time, disruption, acceleration, liquidated damages and defective work type claims across a range of projects.



Grade 2 adjudicator

Lawyer, company secretary

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## Laura McMahon Higgins

Laura is the managing director of Questamon Training Services, a consultancy firm specialising in the provision of contractual training and consulting to all members of the construction industry, including government bodies, principals, contractors, subcontractors and suppliers.

She has delivered training courses in construction contract law nationwide and taught thousands of members of the construction industry. She currently provides training to a large portion of the government sector: Main Roads WA, Department of Finance, Development WA, Public Transport Authority and local government.

Laura has consulted on a wide range of construction projects. She has particular experience in roads and large-scale infrastructure projects, such as hospitals, airports, prisons and shopping centres. Laura has previously worked in top tier national law firms and as company secretary and legal counsel in an ASX 200 mining company.

Laura has a Bachelor of Laws and Bachelor of Arts, University of WA. She is a member of Resolution Institute; Telstra WA Young Business Woman of the Year 2014 and Business News 40 under 40 Winner 2015.



Grade 2 adjudicator

Civil engineer, arbitrator, mediator

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## Mike Murrey

Mike, a qualified civil engineer, has worked in the construction industry in Australia for 23 years. His experience covers major civil works, infrastructure, resources, defence, marine and building works. He has been involved in construction disputes and claims as applicant, defendant and adjudicator. His technical skills include estimating from first principles using Expert and Candy, programming using MP and P6, and application of the SCL delay and disruption protocols. He has been an adjudicator under the *Construction Contracts (Former Provisions) Act 2004 (WA)* since 2006 dealing with 28 applications. His expertise covers tender negotiations to final account, working under a range of commercial terms and conditions, from alliance style contracts to fixed lump sum D&C contracts. He has dealt with issues relating to extensions of time, liquidated damages, variations, delay and disruption claims, defects, latent conditions, force majeure, scope changes and performance bonds.

He is a member of the Institute of Engineers Australia, Institute of Engineers United Kingdom, Australian Institute of Company Directors and Resolution Institute.



**Grade 2 adjudicator**

**Construction lawyer,  
arbitrator, expert  
determiner**



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## Robert Riddell

Robert is a practising construction lawyer and dispute resolution practitioner of 33 years' post admission experience. He is a Fellow of the Resolution Institute, sits on and has chaired its NSW Determinative Committee, providing accreditation, training and assessment for security of payment adjudicators.

Robert has been an accredited adjudicator for over 20 years and has determined over 100 adjudication applications, none of which have been disturbed through judicial review.

Robert is a registered adjudicator in Western Australia and an accredited adjudicator in New South Wales and Victoria. He is also a graded arbitrator and is on Resolution Institute's panel of expert determiners.

Robert's legal practice is strongly focussed on security of payment and building regulation. His deep experience delivers precise, reliable, cost effective and timely determinations of complex applications.



**Grade 2 & review  
adjudicator**

**Barrister and solicitor,  
arbitrator, engineer**



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## Gordon Smith

Gordon is a barrister and solicitor of the Supreme Court of WA and High Court of Australia. He is an accomplished adjudicator, arbitrator, engineer and construction lawyer with over 40 years' experience. Prior to becoming a lawyer, Gordon practised for 12 years as a consultant civil/structural engineer and project manager in Australia and NZ in the design, contract administration, claims assessment, negotiation and settlement for mining, oil and gas and hydro-electric projects.

Gordon, an adjudicator in Western Australia since 2015, has been appointed on numerous construction adjudications of claim value up to A\$85m, including claims for mining developments, power project design and construction, LNG facilities, commercial building works, domestic developments, wind farms, dam construction, electrical works, drainage/sewage/water supply infrastructure, unforeseen ground conditions, rail and road projects.

Gordon is a Fellow of the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators. He is also a Fellow of the Institute of Engineers, Australia, and an Australian Chartered Professional Engineer (1989–2012) (Ret).





Grade 1 adjudicator  
Engineer



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## Matt Grootveld

Matthew is a highly experienced engineer with an extensive background in project management.

He has a diverse background of experience and has managed projects across many industries including mining, power generation, utilities, oil and gas and heavy industrial and has worked in near equal parts on the client, contractor and consulting side. This has given him a unique understanding of the priorities and points of view of all sides to a dispute.

Matthew founded and managed his own civil contracting business for a number of years and has written, reviewed and negotiated numerous construction contracts. He has resolved many commercial disputes stemming from these contracts.