
Simon Blake

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BACKGROUND

Simon is a Principal Advisor at Proximity. Simon has built a very strong reputation in the Australian Government legal sector as a pragmatic and outcome focused adviser who achieves results in an efficient and effective manner.

Simon's experience includes 11 years in private legal practice and 15 years in government legal practice (including 12 years in senior legal management roles). Simon has extensive experience in the provision of high level legal and strategic advice, legal practice management and supervision of in-house legal teams.

Simon has extensive experience in statutory interpretation, administrative law, public interest disclosure, executive power and machinery of government, legislative drafting, legal policy, civil regulation, the conduct and management of large scale civil litigation, civil penalties and criminal law, freedom of information, commercial and property law, employment law and media and communications law.

Immediately prior to joining Proximity, Simon was National Manager for Secondment Services and a National Group Manager of the Office of General Counsel at the Australian Government Solicitor (AGS). Before that Simon was a Principal Lawyer and Manager at the Australian Communications and Media Authority and previously had Senior Associate roles with both Clayton Utz and Allen, Allen and Hemsley.

Simon has a current NV2 (Top Secret) security clearance with AGSVA.

LEGAL EXPERIENCE

Government advice

Senior General Counsel – AGS Office of General Counsel: Provision of high level legal advice in relation to a number of Commonwealth clients, including in relation to the paid parental leave scheme, application of caretaker conventions, constitutional risk assessment of a number of government spending programs, disposal of unexploded military ordinance, interactive gambling, broadcasting licences, radiofrequency spectrum reallocation and legislative amendments to the Do Not Call Register Act 2006 and the Broadcasting Services Act 1992.

General Counsel - Department of Regional Affairs, Local Government, Arts and Sport (AGS secondment): Responsible for high level legal advice and management of the Legal Unit in the Department. Provided advice in relation to: a long running Code of Conduct investigation, the MoG changes and the effect on delegations and access to panels of service providers, total emissions from the external Territories and the possible application of the carbon tax legislation, numerous other complex statutory interpretation questions, contract and procurement matters, including advice regarding web hosting services, Regional Development Australia committees and the establishment of the Regional Development Policy Centre.

Principal Lawyer and Manager - Australian Communications and Media Authority: Provision of high level legal advice and analysis in

communications regulation, including extensive guidance and advice in relation to industry regulation and application of civil penalties, major legislative development projects such as the submarine communications cable protection regime, the T3 Taskforce (strategic and regulatory issues arising from the full privatisation of Telstra) and the regulatory regime applicable to Voice Over Internet Protocol telephony. Development and implementation of a new strategic direction for the Legal Group to maximise value to the agency. Awarded an Australia Day Medal in 2005 for the success of this project.

Litigation

Simon has extensive litigation experience at the Federal and State/Territory court level and has experience in running a number of complex cases simultaneously, gathering and assessing large amounts of evidence, drafting and settling pleadings, affidavits and written submissions, and appearance as Counsel.

Simon has made numerous appearances as Counsel before the NSW Supreme Court, the Federal Court and the ACT Supreme Court, including appearing as sole Counsel in a trade practices and planning law appeal before the Full Federal Court.

Simon also managed and directed the legal team in a complex multi-million dollar trade practices claim in the Federal Court. The team comprised 4 lawyers, senior and junior Counsel and experts from a number of major accountancy firms and industry bodies.

Simon's experience and problem solving ability has been utilised to review the progress of complex litigation matters which have begun to lose direction, where the existing strategy has reached a stalemate or where whole of government sensitivities apply. Simon has undertaken strategic litigation reviews of the Stolen Generation litigation against the Commonwealth and a number of long running vexatious litigant proceedings against the Commonwealth and NSW.

Training Presentations and Papers

Professionalism and Career Development, multiple presentations since March 2012

Engaging Legal Services, December 2012

Professionalism in In-House Teams, multiple presentations since November 2011

Advice Writing, Papua New Guinea Department of Justice and Attorney-General, November 2010

Managing Legal Risk and Relationships, multiple presentations since June 2010

Executive Power in a Post 'Pape' World, September 2009 and February 2010

Machinery of Government, (full day) multiple presentations in 2007 and 2008

Understanding Legislation, (half day) March 2008

Statutory Interpretation, (half day) December 2007

The Communications and Media Act 2010 (Cth), a hypothetical examination of what a single Act to regulate all types of communications and media may look like in 2010, March 2007

Regulation of Telecommunications in Australia, (half day) April 2004 and November 2005

Regulation of Radiocommunications in Australia, (half day) April 2005

Case Study: Integration v. Independence at the ACA In-House Legal Group, August 2005

Legal and Strategic Issues in Communications Regulation, presented overseas to European, Asian and North American communications regulators, March 2005

EXECUTIVE MANAGEMENT EXPERIENCE

National Manager - AGS Outpost Services Group: Leadership role and responsible for national management of the practice including business planning and implementation, negotiation of outpost placements, developing new business and resourcing the practice (comprising over 60 lawyers placed in various roles with clients at any one time). Also responsible for professional standards and the overall welfare of the AGS outpost lawyers.

National Group Manager - AGS Office of General Counsel (OGC): Responsible for the overall management of OGC including: establishing and implementing OGC business plans, monitoring and managing productivity and financial performance, development of new business and new areas of practice for existing clients, managing and developing client relationships, managing OGC resourcing to ensure alignment with business and client needs and recruitment and career development within OGC.

National Manager – AGS Practice Support Services: Responsible for provision of practice support to the 3 AGS national groups (Dispute Resolution, Commercial and OGC) with a focus on developing and providing services, resources and tools to help lawyers and teams to access information needed for legal practice, managing legal risk, accessing and complying with AGS's policies and guidelines and increasing their knowledge of the government legal environment.

Practice and Transition Manager - Department of Agriculture, Fisheries and Forestry (AGS Secondment): Leadership role and responsible for managing the transition from the previous in-house legal services provider to AGS in 2011. Managed the administrative aspects of the change to ensure a smooth transition and allow the lawyers to immediately focus on the provision of legal advice. The role included developing and implementing a transition management and communication project plan, reviewing systems and

records to identify process issues and establishing new processes and systems as required.

AGS National Client Service Manager - Attorney-General's Department and Australian Security and Intelligence Organisation: Prime national responsibility in AGS for managing and developing AGS's relationship with the client. First point of contact for all client relationship issues and key responsibility for ensuring that client legal and business needs and preferences are met. Responsible for understanding and anticipating client business needs and priorities and sharing this information throughout AGS.

AGS Project Manager – Document Management System (DMS) Refresh Project: Leadership role and responsible for ensuring effective user testing and full organisational ownership to maximise end user 'buy-in' and take up of the new DMS, strategic and project planning, negotiation with preferred supplier, overall supervision of the project initiation, design, integration, implementation, training and rollout of the new DMS. From inception to implementation the project took less than 9 months rather than the usual timeframe of between 18 – 24 months.

QUALIFICATIONS

- › Bachelor of Laws (University of New South Wales)
- › Bachelor of Commerce (Economics) (University of New South Wales)
- › Admitted as a lawyer of the Supreme Court of New South Wales and the Supreme Court of the Australian Capital Territory
- › Admitted as a lawyer of the High Court of Australia
- › Unrestricted practising certificate

MEMBERSHIPS

- › ACT Law Society