



James Lavery

Principal Advisor

Details

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Bachelor of Laws (Honours), 1998

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Profile

James is an experienced government management consultant and lawyer specialising in government, public and commercial law. James has significant experience working as a public sector senior executive, and leading large groups of people in times of change. He has worked within, and for, the public sector nationally and at a State level for over two decades.

James was a senior executive in the Victorian infrastructure and transport portfolios for over 10 years. For the final 6 years of this period, he was an Executive Director at the Victorian Department of Transport reporting direct to the Secretary.

James was also the Department's General Counsel and a member of its senior executive board and audit and risk committees.

James has been a senior director of KPMG's national government management consulting practice, where he regularly assisted governments and agencies, nationally and internationally, with key regulatory, strategic, governance, policy reform, organisational, institutional and commercial issues. While at KPMG, James was also seconded to act in senior executive roles in government,

including a long-term secondment to the Victorian Department of Health & Human Services as Deputy Secretary, Corporate Services, responsible for a diverse departmental division of over 1,000 staff.

Skills

- › Organisational governance
- › Public sector organisational design, review and development
- › Public administration and leadership
- › Stakeholder engagement, consultation and facilitation
- › Policy and policy reform
- › Public law
- › Administrative law
- › Litigation

Experience

Public sector organisational design, review and development and public sector governance

James' areas of expertise include public sector organisational design, review and governance, policy and reform (particularly in a regulatory and legislative context), commercial policy, strategy and negotiation, infrastructure projects, and public transport franchising.

James also has extensive expertise in Commonwealth-State relations, intergovernmental and inter-agency relations, stakeholder relations, and government law and litigation. He works regularly with Ministers, Chief Executives, Board Directors and senior stakeholders in the public and private sectors.

Examples of projects led by James include:

- **Establishing the new Victorian Department of Transport:** this was an 8-month engagement during 2019 advising senior Victorian Government transport senior executives and senior Ministers on the largest reorganisation of the Victorian transport portfolio in almost 40 years – the merger of VicRoads, Public Transport Victoria and the Department of Transport – to create an integrated mega-agency.

The aim of the project, which is ongoing, is to unify Victoria's transport network and provide one public face dedicated to making travel easier for all Victorians. James and his team were initially engaged to advise senior Victorian Government Ministers on the potential scope of integration. This led to a further significant engagement designing the future structure, operating model, systems, processes, governance, accommodation and tech strategy for the new agency.



- **Victorian Department of Treasury and Finance - Organisational and Governance Review of Accident Compensation and Conciliation Service (ACCS):** James led the project to review the institutional and operational governance arrangements for Victoria's Accident Compensation and Conciliation Service, an organisation which provides alternative dispute resolution services for injured workers, their employers and WorkSafe insurance agents with disputes over injured workers' compensation payments. The review involved intensive consultation with external and internal stakeholders. It resulted in carefully targeted recommendations in connection with functions, powers and associated institutional governance arrangements. James was subsequently engaged by ACCS to assist with the implementation of the review recommendations and set up of the new ACCS statutory authority.
- **Queensland Department of Transport and Main Roads - Institutional, Organisational and Governance Design for Cross River Rail Delivery Authority:** James led the project to establish and design the organisational, governance and operating models for the Authority which will deliver the \$5 billion Cross River Rail Project in Brisbane. Establishment and design of the new Authority involved intensive stakeholder consultation with Directors-General of relevant Queensland departments, and working closely with the Project CEO to design and develop functional operating model options, organisational structure options, relevant executive positions descriptions, transition plans, governance arrangements, and board and executive committee structures. The Queensland Government allocated \$50 million towards initial set up of the new Authority.

Stakeholder engagement, consultation and facilitation

James has significant skills in stakeholder engagement, consultation and facilitation that he has utilised in leadership of large multi-disciplinary teams. Examples of projects led by James where these skills were particularly critical include:

- **Court Services Victoria – Bendigo Court Development Program:** James led multi-disciplinary team to deliver a large engagement for Court Services Victoria to develop a detailed program for development of the new \$152 million regional headquarter court complex in Bendigo. This is the currently one of the largest justice-sector projects in Victoria. The engagement involved developing a plan for all aspects of the program, including design and construction of the court, its operating model, and management of stakeholder interfaces. The engagement involved extensive engagement with justice-sector (and other) stakeholders. The ultimate program plan arising from the engagement incorporated full sub-plans relating to change management, stakeholder engagement, management of interfaces with courts and justice-sector stakeholders, development of a new court operating model, strategy for recruitment of new staff, procurement and construction, budget management, communications, project governance and risk assurance.
- **Commonwealth Department of Education and Training - Governance Review and Training for New Industry Reference Committees:** James led a two year-long engagement with the Department assisting it to establish and induct 70 new Industry Reference Committees (IRCs). IRCs are the key reference point for industry to provide input into VET system training courses. The project involved an on-site component working with the client in Canberra on issues of committee governance, membership, appointment and industry structure. The other main component involved extensive stakeholder engagement with the new IRCs and the VET sector nationally. It included provision of induction training for the new committees across Australia, and then support for the new committees over a six-month period following their establishment.

Policy/reform

During his time in the infrastructure and transport portfolios, James led the Victorian Transport Legislation Review, which over a number of years developed and successfully implemented a national-leading transport strategic policy and legislation reform program, including:

- Overhaul of Victoria's legislative framework to integrate Victorian transport and land use planning and to implement a new principles-based policy framework for transport in Victoria. This resulted in the delivery of the Transport Integration Act 2010, which is now the principal transport statute for the State of Victoria. The policy framework embodied in the new statute is the result of an extensive state-wide public consultation process, including stakeholder forums, a detailed discussion paper and Government policy position statement.
- In the projects arena, development of policy and legislation to reform and streamline project approvals and delivery for large capital projects in the transport portfolio and now more broadly across government (Major Transport

Projects Facilitation Act 2009 and the Major Transport Projects Facilitation Amendment (East West and Other Projects) Act 2013).

- Development of major new regulatory schemes for each transport mode, including new transport safety statutes (Rail Safety Act 2006, Bus Safety Act 2009, Marine Safety Act 2010), accreditation and licensing regimes for taxi and hire car and authorisation and sanction and enforcement regimes for transport-related criminal offences.
- Australia's first hoon boating regime, including reform of the culpable driving offences to include culpable operation of a marine vessel.

James also led the project to develop policy for the Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013 following the Victorian Fels Taxi Inquiry. By removing barriers to proper industry competition, this legislation implemented what were, at the time, the most significant taxi industry reforms in Australia since the industry was first regulated by licensing in the Great Depression.

Government, public law and administrative law/litigation

During his time in the infrastructure and transport portfolios, in the litigious sphere, James was the departmental senior executive responsible for complex public law and commercial litigation, including High Court, Federal Court, Supreme Court, Coronial and Tribunal jurisdictions, including:

- High Court GST litigation - worth in excess of \$15 million - against the ATO
- politically sensitive and complex Supreme Court administrative law litigation against local councils regarding clearways.