

CURRICULUM VITAE

John Bottoms

Bottoms English Lawyers, Cairns

- Name:** John Raymond Reis Bottoms, BA., LL.B.
- Occupation:** Bottoms English Lawyers, Cairns
- Address:** 63 Mulgrave Road, Cairns, Queensland
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Email: JohnBottoms@belaw.com.au
- Parents:** Dr R.W.A. Bottoms MBBS L.R.C.P FRCS; FRACS (Deceased)
Dr S.L. Reis MBBS L.R.C.P (Deceased)
- Secondary Education:** Scott's School, Albury, New South Wales
- Degrees:** Bachelor of Arts, Australian National University (1973)
Bachelor of Laws, Australian National University (1974)
- Professional Qualifications:** Barrister and Solicitor of the Supreme Court of the Northern Territory – admitted 1976
Barrister and Solicitor of the Supreme Court of the Australian Capital Territory - admitted 1976
Practitioner of the High Court of Australia - admitted 1976
Solicitor of the Supreme Court of Queensland – admitted 1979
Registered Migration Agent No 0533886
- Professional Memberships:** Fellow of Taxation Institute of Australia
Far North Queensland Law Association
Queensland Law Society
Australian Lawyers Alliance
Migration Institute of Australia
- Other Experience:** I was a Committee member for 23 years and Secretary for 20 years of the Yorkeys Knob Boating Club and have been actively involved in the Club's \$12 million marina development at Half Moon Bay.
- I assisted with negotiations with Cairns Port Authority to obtain the lease for the marina, organising the approvals with some 18 government and semi-government departments, and arranging constructions contracts, the dismissal of the initial developer, the defence and settlement of five District and Supreme Court actions arising out of the project, the original finance and subsequent re-finance of the project.
- More recently upon the successful completion of the project I have been involved in the negotiations necessary to achieve a doubling of the Club's lease from 40 years to 80 years.

The Club has a turnover of approximately \$6 million per annum and an active and enthusiastic board of local businessmen managing six profit centres:

- Liquor
- Gaming
- Restaurant
- Fuel
- Marina
- Dry storage

As a community aquatic Club we are very much involved in community affairs at the Northern Beaches.

I am also on the Board of the Cape York Community Financial Project Ltd which entity is a facilitator for indigenous financial services in Cape York.

Cape York Community Financial Project Ltd has entered into a Memorandum of Understanding with Bendigo Bank to Cape York wide community sponsored bank to be known as Cape Bank. Two branches have been opened at Aurukun and Yarrabah.

I am the solicitor for the Cape York Sustainable Futures (CYSF).

I am the President for 2011 of the Lions Club of Cairns Business.

**Professional
Experience:**

In 1974 I graduated in Arts and Law from the Australian National University and commenced work in the Commonwealth Attorney Generals Department, Canberra before entering private practice as a Solicitor with Barker & Martin, Alice Springs (the principal partners of which were Mr Ian Barker QC, formerly president of the New South Wales Bar Association, and His Honour Mr Justice Martin, Chief Justice of the Supreme Court of the Northern Territory – the recently retired). I subsequently joined the Northern Territory Crown Solicitors Office as a Crown Prosecutor. I participated in the Northern Territory Land Claims in the 1970's (Tanami land claim and Alyawarra land claim) and am now involved in advising Aboriginal corporations in Cape York on commercial and charitable structures and ventures. I managed the Aboriginal Legal Aid Office in Townsville specialising in criminal defence work in the Supreme Court and District Court before moving to Cairns 29 years ago.

As Senior Partner of the firm, I concentrate on the areas of commercial litigation, trust and company law, business and succession and estate planning.

I am also a registered Migration Agent, No. 0533886

The firm has handled many ordinary migration applications and was involved in briefing the Honourable John Greenwood QC in the successful matter of Jurassic in the Refugee Review Tribunal.

I also co-ordinate the firm's litigation group.

Other experience includes:

- Junior Counsel in the Ayers Rock land claim on behalf of the Northern Territory Government in 1978;
- author of a report on Aboriginal crime to the Crown solicitor of the Northern Territory in 1979;
- principal solicitor in the Aboriginal & Torres Strait Islander Legal Service in Townsville in 1980;
- Instructing Solicitor in **Rosendale & ors v the State of Queensland** being action No. 1 taken under the then new Judicial Review Act injuncting the Minister for Family Services from issuing title under the Queensland Aboriginal Land Act to certain historical people and failing to include dispossessed traditional owners in the grant (The Quinkan reserves at Laura);
- advisor to Mr Noel Pearson of the Cape York Land Council in the Cape Melville National Park Land, being Claim No 1 under the Aboriginal Land Act, and generally;
- instructing Solicitor in the Wik case, for the Thayorre speaking people of Pormpuraaw, Cape York, in relation to pastoral lease extinguishment of Native Title in the High Court of Australia where Sir Maurice Byers QC (former Solicitor General of the Commonwealth of Australia), the Honourable John Greenwood QC, Mr Graham Hiley QC, Mr Peter McDermott (UQ Law Lecturer) were the trial team (**Thayorre Peoples v the State of Queensland & ors**)
- successfully conducted the Alice/Mitchell Rivers National Park Aboriginal Land claim (Queensland), Malanbadda Native Title Claim (Commonwealth), Kowanyama Native Title Claim (Commonwealth) and the Wik Native Title Claim (Commonwealth);
- candidate for Master of Laws at the University of Queensland by research thesis (part written) in Native Title issues;
- contributor to Butterworths publication "the Wik case: Issues and Implications" (published March 1997);
- contributor to the Australian Institute of Aboriginal and Torres Strait Islander Studies, Native Title Research Unit "Working with Native Title: An Overview" (published June 1998) on intra-indigenous disputes;
- instructing solicitor with Mr A J Glynn SC for the successful defence in **R -v- Nairn** manslaughter trial arising out of the disappearance of Thomas and Eileen Lonergan on the Great Barrier Reef off Cairns in 1998;

- instructing solicitor for the successful defence in **R –v- Gater** murder trial in October 2005 arising out of the disappearance of Brad and Bevan Simmonds off the Western Cape.
- instructing solicitor with Mr Richard Lily SC for the people of Hope Vale and Wujal Wujal in the successful application in the Under Award Wages case in the full Federal Court.
- instructing solicitor with Mr Richard Lily SC in the successful application by the Badu Island Foundation and Others against the Minister for Natural Resources and Water for the transfer of the Badu Island Deed of Grant in Trust to the Foundation.
- Instructing solicitor with Mr Douglas Campbell SC in an application in the Australian Human Rights Commission on behalf of certain aboriginal ladies under the Queensland Redress Scheme.
- Instructing solicitor with Mr Douglas Campbell SC in Hopevale Foundation and ors v State of Queensland in relation to Trustee and land issues covering the Hopevale Deed of Grant in Trust.
- I have established Public Charitable Trusts for a number of Aboriginal and Islander Communities including Hope Vale, Kowanyama and Badu Island. This has involved negotiations with the Australian Taxation Office in relation to establishing Public Benevolent Institution status for the relative entities. It has also included briefing Counsel in relation to settling the Deeds of Trust/Foundation documents and drawing and preparing the same myself.

Interests:

Sailing, camping, writing, wine, reading and jazz.