



Hon Greg Smith SC MP

Attorney General
Minister for Justice

MEDIA RELEASE

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STATE'S LONGEST-SERVING JUDGE RETIRES

The NSW Attorney General, Greg Smith SC, today praised the State's longest-serving judge, John O'Meally AM RFD, for his exceptional service to victims of asbestos-related diseases over 32 years on the bench.

Judge O'Meally will retire as the President of the Dust Diseases Tribunal today following a ceremonial sitting of the Tribunal at John Maddison Tower in Sydney's CBD.

"Since hearing the Dust Diseases Tribunal's first case in 1989, Judge O'Meally has determined the compensation claims of many people who contracted mesothelioma and other deadly dust-related conditions," Mr Smith said.

"Prior to the creation of the Tribunal, sufferers of asbestos diseases frequently died before their case was heard, but urgent compensation claims are now routinely fast tracked," he said.

Mr Smith said Judge O'Meally's determination to finalise the compensation claim of social justice campaigner, Bernie Banton, prior to his death in 2007 was just one example of his dedication to his role.

"Judge O'Meally took evidence from a critically ill Mr Banton at his bedside and vowed to sit in court until 10pm on consecutive nights in order to reach a conclusion," Mr Smith said.

It is not uncommon for a Tribunal judge to travel to a plaintiff's bedside at a home, hospital or hospice to take evidence. The Tribunal will sit at any hour of the day or night on any day of the week.

Judge O'Meally has been President of the Dust Diseases Tribunal since 1998. During a legal career that has spanned almost half a century, he has also served as an Acting Judge of the Supreme Court and as a Judge of the Compensation Court of NSW, the Workers Compensation Commission of NSW, the Eastern Caribbean Supreme Court and the High Court of Antigua and Barbuda.

Judge O'Meally was renowned for his fairness and compassion," Mr Smith said. "I wish him well in his retirement and thank him for his significant contribution to the NSW justice system. "

The retirement of Judge O'Meally coincides with the completion of new facilities for the Dust Diseases Tribunal at John Maddison Tower.

The Tribunal is now equipped with more advanced audio-visual facilities than any civil court in NSW. The technology will enable:

- digital recording of witness testimony (including evidence given via videoconferencing from a remote location);
- high definition displays of X-rays and MRI scans; and
- lap top computers to be connected to the Tribunal's audio-visual system to display electronic evidence.

"Judges, witnesses and legal representatives will be able to view exhibits simultaneously on the large monitors within each court, which will save time and lead to smoother hearings," Mr Smith said.

Infra-red hearing aid technology has been installed in all of the Tribunal's courtrooms. Three courtrooms also feature an oversized witness box to enable two expert witnesses to take the stand at the same time to discuss evidence and narrow issues in dispute.

The development of a new headquarters for the Dust Diseases Tribunal is part of a redevelopment of John Maddison Tower and the Downing Centre that is expected to cost a total of \$26.5 million over five years.