

Expert Witness Disclosure Statement

Acceptance as expert · Independence and overriding duty to the Court · Liability limits · Professional standards. Provided to instructing solicitors, parties and mediators before engagement.

Practice	FamilyLawSuper.com.au — independent actuarial consulting practice (Australia)
Author	Fellow of the Actuaries Institute of Australia (FIAA); Consulting Actuary of the Institute
Statement date	10 May 2026
Document	Public disclosure statement — version 1.0

1. Acceptance as expert witness

The author has been accepted as an expert witness in proceedings before the Federal Circuit and Family Court of Australia (FCFCOA) for the valuation of superannuation interests under Part VIII B of the *Family Law Act 1975* (Cth) and the *Family Law (Superannuation) Regulations 2001* (Cth).

Engagements have included single-expert appointments, party-appointed expert reports, conferences of experts conducted under rule 7.10 of the *Federal Circuit and Family Court of Australia (Family Law) Rules 2021*, and giving evidence under cross-examination at defended property hearings.

- Accumulation, defined-benefit and self-managed superannuation interests.
- Public-sector schemes including CSS, PSS, PSSap, MilitarySuper, GESB Gold State and equivalent corporate DB arrangements.
- Pension-in-payment matters and matters with multiple candidate valuation dates.

2. Independence and overriding duty to the Court

Every report is prepared on the basis that the author's paramount duty is to the Court, overriding any obligation to the party (or parties) by whom the author is engaged or paid. This is in accordance with Schedule 7 of the *Federal Circuit and Family Court of Australia (Family Law) Rules 2021* and the FCFCOA's Expert Witness Code of Conduct.

The practice does not accept ongoing referral fees, retainers, success-based fees or any form of contingent payment from law firms, parties, mediators, financial advisers or fund trustees. Engagement is on a fixed-fee basis disclosed in writing before any work commences.

- No financial interest in the outcome of the proceedings.
- No prior personal or professional relationship with either party in matters where instructions are accepted.
- Each report contains an explicit signed declaration of independence consistent with the FCFCOA Code.
- Materials relied upon are listed in full; assumptions and limitations are disclosed transparently.

3. Professional standards and qualifications

The author is a Fellow of the Actuaries Institute of Australia (FIAA) and a Consulting Actuary of the Institute. Reports are prepared in accordance with the Institute's Code of Professional Conduct and the relevant Practice Standards.

- **Practice Standard PS 200 — Actuarial Advice to a Court.** Mandatory standard governing actuarial evidence given to a court or tribunal, including independence, scope, methodology disclosure and qualification of opinions.
- **Code of Professional Conduct of the Actuaries Institute of Australia.** Continuing professional development obligations are met annually.
- **FCFCOA Expert Witness Code of Conduct (Schedule 7).** Compliance is declared on the face of every signed report.
- **Family Law (Superannuation) Regulations 2001.** Defined-benefit valuations follow the prescribed methodology in Schedule 2 (or approved scheme-specific factors where applicable).

4. Liability limits and professional indemnity

Liability is limited by a scheme approved under Professional Standards Legislation. The Actuaries Institute Professional Standards Scheme caps the practice's occupational liability at the level prescribed under the scheme as in force from time to time. A copy of the current scheme is published by the Professional Standards Councils.

The practice maintains professional indemnity insurance commensurate with the scope of family law actuarial work undertaken, as required for participation in the scheme. Details of the policy can be confirmed in writing on request prior to engagement.

- Liability cap applies in accordance with the scheme rules and Professional Standards Legislation in the relevant Australian jurisdiction.
- Limitation does not extend to liability arising from fraud or matters that the legislation excludes.
- Reliance on the report is limited to the parties to the proceedings and their legal advisers; the report is not to be relied upon for any other purpose.

5. Confidentiality and privacy

Information provided in connection with an engagement is held in confidence and used solely for the purpose of preparing and supporting the actuarial report. Personal information is handled in accordance with the Australian Privacy Principles in Schedule 1 of the *Privacy Act 1988* (Cth).

Documents are retained for the period required by professional and statutory record-keeping obligations and are then securely destroyed.

6. Scope, limitations and reliance

Reports address the actuarial valuation and, where instructed, the s.79(4)(a) initial-contribution component and indicative splitting outcomes. Reports do not give legal advice, do not determine the just-and-equitable assessment under s.79 of the *Family Law Act 1975*, and do not value non-superannuation property.

The figures presented are derived from the materials and assumptions disclosed in the body of the report. Where source documents are incomplete, the report identifies the gap and flags the affected sensitivity.

7. Verification and contact

Membership of the Actuaries Institute of Australia, Fellowship grade, and Consulting Actuary status can be verified directly through the Institute. Practising under a Professional Standards Scheme can be verified through the Professional Standards Councils.

Instructing solicitors are encouraged to verify these credentials before briefing. Written confirmation of insurance, scheme participation and recent engagements can be provided on request.

This statement is provided for transparency to instructing solicitors, parties and mediators. It does not constitute the signed expert report itself — every report carries its own declarations tailored to the matter and the questions on which the author has been instructed.

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