

# NEW MEMBERS

November 2015

# FOLEY'S LIST

Our new Readers reflect the diversity of backgrounds and the breadth of legal knowledge of Foley's List. Commercial Law, Construction Law, Criminal Law, Family Law, Human Rights, Insolvency, Insurance Law, Planning, Public Law, Workplace Relations.

Please contact our experienced clerking team by calling (613) 9225 7777 or emailing [foleys@foleys.com.au](mailto:foleys@foleys.com.au) to brief a Foley's List barrister.

John Kelly CEO Foley's List

## BRENDAN AVALLONE LLM, LLB (Hons), BCom (Hons)

Brendan Avallone comes to the Victorian Bar with over fifteen years' experience in employment, industrial relations and discrimination law.

With a solid reputation as a leading expert in this practice area, Brendan Avallone has an extensive and impressive client list, having acted for and advised Commonwealth and Victorian Government Departments and agencies, and private sector employers in some of the most high profile industrial disputes in Australia in recent times.

He has appeared in the Fair Work Commission and its predecessors, and the Courts, in matters regarding industrial action, protected action ballot

applications, industrial disputes, unfair dismissal applications and underpayment claims.

Matters in which Brendan previously acted as a solicitor include Australia Post enterprise bargaining, Victorian public hospital nurses dispute, Victorian Government school teachers' enterprise bargaining, and industrial action involving Boeing.

Prior to the Bar, Brendan was Special Counsel in the Human Resources and Industrial Relations group of a major law firm. He is a regular presenter on topics such as enterprise bargaining, industrial action, bullying, social media for employers and sham contracting.



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### AREAS OF PRACTICE

- Industrial/employment (appellate, discrimination, employment contracts and restraint of trade, industrial disputes and statutory employment rights, public sector appeals)
- Public/administrative (disciplinary proceedings and discrimination)
- Commercial (contractual disputes)

# MICHAEL SHARKEY

Juris Doctor (Melb), Post Grad Dip CA (Melb), B.Teach, BA (Deak)

Michael comes to the Bar with experience in Building & Construction, Insurance and Disciplinary matters.

Prior to coming to the Bar, Michael was a Solicitor at Lander & Rogers Lawyers in the Insurance team. In that capacity Michael acted on a series of disputes relating to the failure of key infrastructure.

Prior to joining Lander & Rogers, Michael was a Solicitor with TressCox Lawyers in the Building & Construction team. In that capacity, Michael acted on behalf of parties in significant contract disputes and defects disputes.

Michael also acted on behalf of builders involved in disciplinary proceedings, security of payment matters, defended

prosecutions by the Legal Services Commissioner and has advised in relation to the Australian Standard series of construction contracts.

Michael is a co-author of the 5th Edition of *Brookings on Building Contracts*. He has published a number of articles, including in relation to substituted service, builder's duties and matters relating to the *Owners Corporations Act*.

Prior to coming to the Law, Michael was a secondary Drama and English teacher and was Head of Arts at the MacRobertson Girls' High School.

Michael is reading with Scott Stuckey and his senior mentor is Fiona McLeod SC.



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## AREAS OF PRACTICE

- Breach of Contract
- Negligence
- Building and Construction
- Insurance
- Disciplinary proceedings
- Local government
- Owners Corporations

# ALISON BURT

BA (Cantab), LLM (Monash)

Alison Burt is available to accept briefs in all areas of family law and related jurisdictions, including appearing at court and providing advice in matters involving parenting disputes, property cases, de facto cases, and child support.

Alison comes to the bar with twenty years' experience as a solicitor in the UK, where she was admitted to practice in 1993. Her practice consisted exclusively of family matters, and she conducted most of her own advocacy including trials before the Family Division of the High Court. In 2010 she was appointed as a Deputy District Judge with a broad civil jurisdiction. She was a regular presenter at family law conferences and training events on topics including same-sex

parenting, non-accidental injuries to children, family violence and disputes over medical treatment of children. She was ranked by Chambers and Partners UK as a top-rated family lawyer until she relocated to Australia in 2013.

Alison studied law as an undergraduate at Queens' College, Cambridge. Since moving to Australia, Alison has undertaken a Master of Laws degree at Monash University where she was awarded postgraduate prizes for the top marks in Advocacy and Family Law.

Alison is reading with Marylyn Smallwood and her senior mentor is Geoff Dickson QC.



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## AREAS OF PRACTICE

- Family Law and Guardianship
- Appellate
- Care and Protection
- Parenting Orders
- Property

# ROSE CAMERON

LLM, LLB (Hons), BCom

Rose Cameron welcomes briefs to appear in all areas of criminal law, in metropolitan and regional courts. She has extensive experience appearing in summary and indictable criminal matters in the Magistrates', Children's and County Courts. She also welcomes briefs to advise.

Immediately prior to joining the Bar, Rose worked as a solicitor advocate for the Victorian Aboriginal Legal Service. In that role she appeared regularly in pleas, County Court appeals, mentions and bail applications. She frequently appeared in the Koori Court in the Magistrates' and County Court jurisdictions.

Rose began her legal career as a solicitor at the Victorian Office of Public Prosecutions where she gained experience prosecuting complex indictable matters. She also gained specialised legal knowledge in the fields of Sexual Offences and Proceeds of

Crime, and drafted legal advice for the Director of Public Prosecutions.

Rose also worked at the Supreme Court of New South Wales as Associate to the Honourable Justice David Kirby and then as a legal researcher. In 2012 she worked at the International Tribunal for the Former Yugoslavia in The Hague.

In 2014 Rose graduated from the University of Cambridge with a Master of Laws, focused on international criminal law, where she ranked 6th in the order of merit. Rose also holds a Bachelor of Laws from Monash University (with first class Honours). She completed her secondary education in France and speaks fluent French.

Rose also practises in family law and migration.

She is reading with Scott Johns, and her senior mentor is Lesley Taylor QC.



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## AREAS OF PRACTICE

- Criminal Law
- Extradition
- Immigration Law
- Judicial review and administrative law
- Proceeds of Crime
- Family Law

# CARLY ROBERTSON

LLB, BA

Carly comes to the bar with experience in planning and environmental law. Her practice covers all aspects of environment, planning and native title matters, with a focus on environmental prosecution matters.

Prior to coming to the Bar, Carly was the Associate to the Honourable Justice Osborn and the Honourable Justice Cavanough of the Supreme Court of Victoria where she gained significant exposure to planning matters.

Before moving to the Supreme Court, Carly worked as a solicitor at Blake Dawson (now Ashurst) after completing her articles at that firm.

At Blake Dawson, Carly worked in the environment team where she specialised in all aspects of environment, Crown land and native title law. Carly worked with a range of corporate clients and government departments on a variety of land access, commercial property transactions and due diligence concerning environmental risk issues.

Carly accepts briefs in planning, land acquisition, native title matters, environmental offences and civil and human rights matters.

Carly is reading with Marita Foley. Her senior mentor is Susan Brennan SC.



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## AREAS OF PRACTICE

- Compulsory acquisition of land and compensation
- Environmental and planning offences
- Native Title
- Local government
- Merit appeals
- Mining
- Valuation of land - rating and tax appeals
- Appellate
- Civil enforcement
- Civil and human rights

# OLIVIA THOMPSON

LLM, MA, LLB (Hons), BA

Olivia has recently returned from London, to join the Victorian Bar. Whilst in London, she completed a Master of Laws with Distinction at University College London with a specialism in Criminal Justice, Family Law and Human Rights. Her dissertation on the comparative laws on fitness to be tried was used as an exemplar for future Masters students. The other subjects she studied were Criminal Procedure and Human Rights, Judges and Judicial Decision making, Prisoners and Prisoners' Rights, International Criminal Law and Modern Advocacy and Classical Rhetoric. Olivia also

volunteered with the Death Penalty team at Reprieve UK.

Prior to leaving for the United Kingdom, Olivia was working at Victoria Legal Aid in the Advocacy Team of Criminal Law Melbourne, where she gained advocacy experience in the Magistrates' and County Courts. Olivia did her training with Victoria Legal Aid and remains committed to providing access to justice.

Olivia completed her LLB with honours at The University of Melbourne.

Olivia is reading with Julian McMahon.



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## AREAS OF PRACTICE

- Commissions and Inquiries
- Criminal Law
- Coronial inquests
- Human Rights

# PATRICK MILLER

LLB, BA

Patrick Miller practises in commercial litigation, common law and equity, with a focus on insolvency.

Before coming to the Bar, Patrick was a solicitor for five years at Gadens Lawyers and Kalus Kenny Intalex. In 2014 – 15, Patrick was Associate to the Honourable Justice Croft and Senior Associate to the Honourable Justice Judd in the Supreme Court of Victoria.

At Kalus Kenny Intalex, Patrick practiced in commercial litigation for three years in a range of areas including property, equity and contractual disputes, insolvency, commercial and retail leasing, personal injury and testator family maintenance.

Prior to Kalus Kenny Intalex, Patrick practiced for two years at Gadens Lawyers in banking and finance

litigation, where he managed recovery proceedings for the ANZ and Perpetual Trustees.

During 2014, Patrick was Associate to Justice Croft where he worked on a variety of matters, including the Great Southern class action. During 2015, Patrick was Senior Associate to Justice Judd where he assisted in the management of List B in the Commercial Court, and worked on a variety of matters including the Timbercorp recovery proceedings.

Patrick holds degrees in laws and arts from Monash University. He is currently undertaking a Master of Laws at the University of Melbourne.

Patrick is reading with Jonathan Evans, and his senior mentor is Ted Woodward SC.



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## AREAS OF PRACTICE

- Common Law
- Intentional Torts
- Professional Negligence
- Defamation
- Commercial
- Banking
- Bankruptcy
- Corporate Insolvency
- Consumer Protection Law
- Real Property
- Equity
- Trusts
- Wills and Probate

# KIMBERLEY PHAIR BPod, LLB (Hons), GDLP

Kimberley Phair comes to the Bar with varied experience as a Solicitor Advocate, Associate at the County Court of Victoria and the District Court of South Australia, and as a Podiatrist.

Kim has a Bachelor of Laws (Hons) from Adelaide University and a Graduate Diploma of Legal Practice. Further, she has a Bachelor of Podiatry from LaTrobe University which includes studies in Anatomy, Physiology and Pharmacology.

Kim accepts briefs in all litigious matters with a focus on Criminal law, Confiscation matters, Coronial Inquests, Disciplinary; and Family Law proceedings.

Prior to coming to the Bar, Kim worked as a Solicitor Advocate at a small law firm, where she managed a large file load of criminal, family and commercial cases enabling her to be well placed to understand the needs of and demands placed upon Solicitors.

As a Solicitor, Kim prepared and instructed in complex briefs in criminal trials, particularly drug offences utilising her knowledge of pharmacology.

Kim also prepared briefs and instructed in civil trials (general commercial) which has enabled her to consolidate the necessary preparation and research skills to be an effective advocate and given her the confidence to deal with matters that span various areas of law.

Kim has appeared in the Magistrates' Court in numerous criminal matters (including drug offences), intervention order matters, fencing disputes, infringement matters. Kim has appeared in Administrative Appeals at VCAT and Winding Up Applications in the Federal Court.

Kim has developed a particular interest in Confiscation matters, as a result of being an Associate in the Confiscations List in the County Court and also in her practice as a Solicitor. She has drawn documents for and appeared in the Confiscations List in both the Supreme and County Courts.

Kim is currently reading with Anthony P Lewis and her senior mentor is Neil Clelland QC.



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## AREAS OF PRACTICE

- Criminal Law(Appellate)
- Criminal Law
- Confiscation/Proceeds of Crime
- Inquests/Inquiries
- Licensing and Disciplinary Tribunals
- Professional Negligence
- Intervention Orders
- Family Law/Defacto

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FOLEY'S LIST

## DR ADAM MCBETH PhD, LLB (Hons), BA, Grad Cert Higher Ed

Adam comes to the Bar from a distinguished career in academia. He is an Associate Professor at the Monash University Law Faculty and a Deputy Director of the Castan Centre for Human Rights Law.

Adam has strong expertise in public law, having taught both administrative law and public international law throughout his 12 years in academia. He also has expertise in litigation and alternative dispute resolution, having taught civil procedure and run the moot and advocacy programme at Monash.

Adam accepts briefs in all areas of public law, including merits review, judicial review, human rights, immigration, constitutional and appellate matters, inquiries, and matters involving international law or extradition. He is

also available for other litigious matters, with a particular focus on matters involving government departments, local government and statutory authorities.

Adam is an accomplished author, with three books to his credit, including Australia's leading human rights text, *The International Law of Human Rights* (with Justine Nolan and Simon Rice), as well as numerous book chapters and articles in scholarly journals. He has conducted training on international human rights law for Australia's Department of Foreign Affairs and Trade and for representatives of governments and civil society from Iraq and Indonesia. He has also conducted training for government on the Victorian Charter of Human Rights, and for business on corporate social responsibility and human rights litigation.



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### AREAS OF PRACTICE

- Consumer Protection Law
- Civil Appeals
- Civil and human rights
- Constitutional law
- Disciplinary proceedings
- Discrimination
- Extradition
- Immigration law
- Judicial review and administrative law
- Privacy/freedom of information
- Proceeds of Crime
- Criminal Appeals
- Inquests / Inquiries
- International Law
- Alternative Dispute Resolution

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