

Patricia Lawson

Barrister

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Curriculum Vitae

Patricia is a Barrister specialising in a range of areas of law including:

- Administrative
- Civil & Human Rights / Discrimination
- Commercial / Equity
- Disciplinary Proceedings
- Family Provision
- Industrial / Employment
- Inquests and Commissions of Inquiry
- Occupational Health and Safety Prosecutions
- Statutory Tribunals
- Trade Practices and Competition
- Wills and Probate

In 1996, Patricia was admitted in Victoria as solicitor and barrister. She was subsequently admitted to the New South Wales Bar in 1997 and has been actively practicing as a barrister since then.

With her chambers in Sydney, Patricia practices cross a range of courts and tribunals including the Supreme Court of New South Wales, the NSW Civil and Administrative Tribunal (in Sydney and regional NSW) and the Federal Circuit Court.

LEGAL EXPERIENCE

- **1995-1996**

Articled Clerk then admitted Solicitor, HOLDING REDLICH LAWYERS, Melbourne

Commercial Litigation department led by Jonathan Kramersh, Partner. Patricia instructed in litigation involving Farrow Mortgage and related companies and provided litigation advice in a range of commercial and administrative matters.

EDUCATION

- **1986**

BA HONS, AUSTRALIAN NATIONAL UNIVERSITY

- **1995**

LLB HONS, UNIVERSITY OF MELBOURNE

SKILLS

- Litigation
- Dispute Resolution
- Mediation

EXPERIENCE AS A BARRISTER

Various briefs before the NSW Coroner, including as Counsel Assisting, and representing employees, employers and WorkCover at inquests into workplace deaths.

Counsel assisting in:

- *Death of Jinesh Dani* – 1082 of 2002 – 28 July 2011
- *Death of Michael Parsons* – 20 April 2012
- *Death of Marcus Wilson* – August 2012

REPRESENTING defendants in a personal injury claim in prosecuting cross claims against the insurer and broker, with a successful outcome at first instance currently under appeal.

- *Rian Lane v Dive Two Pty Ltd* [2012] NSWSC 104

- *Rian Lane v Dive Two Pty Ltd* (No 2) [2012] NSWSC 209

APPEARING for the Medical Council of New South Wales in proceedings involving medical practitioners seeking reviews of suspension from or conditions imposed on registration.

- *Khan v Medical Council of NSW* [2016] NSWCATOD 88 *Hanna v Medical Council of NSW* [2016] NSWCATOD 108
- *Bahramy v Medical Council of New South Wales* [2015] NSWCA 384 *Goh v Medical Council of New South Wales* [2016] NSWCATOD 92 *Ismail v Medical Council of NSW* [2015] NSWCATOD 12
- *Medical Council of NSW v Lee* [2017] NSWCA 282

APPLICATIONS and appeals in the Industrial Relations Commission of New South Wales, the Government and Related Employees Appeal Tribunal (now part of the jurisdiction of the Industrial Relations Commission), the NSW Administrative Decisions Tribunal/Civil and Administrative Tribunal, the Federal Court, Fair Work Commission and its predecessor, the Australian Industrial Relations Commission, internal disciplinary tribunals, the NSW Supreme Court and Court of Appeal and the High Court in employment related matters, including matters involving administrative law, and matters brought pursuant to the *Trade Practices Act 1974*, anti-discrimination legislation, and industrial and workplace law.

RECENT CASES:

- *Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales v Secretary of the Treasury* [2014] NSWCA 112
- *BKE v Office of Children's Guardian & Anor* [2015] NSWSC 523
- *Children's Guardian v BQJ* [2016] NSWSC 869
- *Health Services Union NSW -v- Peter Mylan* [2014] NSWSC 1026
- *Public Service Association and Professional Officers Association Amalgamated Union of NSW (on behalf of Rosanna Ganino) and Roads and Maritime Services* [2012] NSWIRComm 1014 and numerous related previous decisions, including on appeal.
- *Commissioner of Police for New South Wales v Lawrance & Anor* [2011] NSWCA 377 (and two earlier proceedings in the Industrial Relations Commission)
- *Commissioner of Police v. Eaton* [2013] HCA 2NSWCA 30 (and earlier proceedings in the Court of Appeal and industrial Relations Commission)

- *State of New South Wales v Amery & Ors* [2006] HCA 14
- *Commission for Children and Young People v 'Ag'* [2002] NSWSC 582
- *Bahramy v Medical Council of New South Wales* [2014] NSWCATOD 116
- *Chetwynd v. Armidale Dumaresq Council* (on behalf of the applicant, Supreme Court injunctive and administrative review proceedings resulting in urgent interlocutory injunction (2007) and consent orders (2008))

REPRESENTING the applicant unions in the first Pay Equity case under the Federal *Fair Work Act* 2009, with orders made in June 2012 delivering pay increases up to 45% over eight years in the Social and Community Services Industry and related previous decision.

- *Equal Remuneration Case* [2012] FWAFB 5184

DEVELOPING practice in family provision, commercial and family law matters. See for example:

- *Bank of Western Australia Limited v Leila El-Khoury & Ors* [2013] NSWSC 157
- *Official Trustee in Bankruptcy & Galanis and Anor* [2014] FamCA 832
- *Estate Kouvakas; Lucas v Konakas* [2014] NSWSC 786

REPRESENTING inspectors of the WorkCover Authority of New South Wales before the NSW Industrial Court, the Chief Industrial Magistrates Court and the NSW Supreme Court in prosecutions of individuals and corporations for breaches of legislation, including the first prosecution involving psychological injury to an employee

- *WorkCover Authority of New South Wales (Inspector Tuckley) v. NSW Department of Community Services* (1999) 96 IR 1

and prosecutions involving fatalities – for example:

- *Inspector Mason v. Namoi Cotton Co-operative Ltd* [2003] NSWIRComm 412

RETAINED by the Legal Representation Office to act on behalf of the injured passengers and families of deceased in the second phase of the Special Commission of Inquiry into the Waterfall Rail Accident (2004).

APPEARING on behalf of individuals being examined by the Ombudsman under the Ombudsman Act 1974, and appearing as junior counsel in Supreme Court proceedings concerning same

- (*K v. NSW Ombudsman and Anor* [2000] NSWSC 771)

APPEARING on behalf of the University of Technology Sydney before ICAC in both private and public hearings concerning an employee who had amended student records (2002). This brief included making substantial submissions concerning appropriate (and inappropriate) conclusions and proper treatment of evidence.

APPEARING in the Trade Union Royal Commission in 2014.

REPRESENTING authorised officers of the NSW Food Authority in prosecutions before the Local Court, and appearing for defendants in food safety prosecutions.

APPEARING in corporate and equitable proceedings on behalf of shareholders and corporations in the NSW Supreme Court.

ACTING as junior counsel to Counsel Assisting in the Pay Equity Inquiry in the Industrial Relations Commission in 1998.

ADVICE work in the areas described above, and additionally in other areas such as:

- advising a client in relation to Insurance Premium Orders and the Claims Estimation Manual
- advising clients on statutory interpretation, judicial review, discrimination law, superannuation claims, privacy law, restraint of trade, misleading and deceptive conduct in employment, freedom of association, and contract law.

ADVISING clients on shareholder oppression and related corporations law matters.

ACTIVITIES

- Sydney University Law Society “Baker & McKenzie National Intervarsity Women’s Mooting Tournament” (2013)
- LegalWise Wills & Estates Conference – Wills and Blended Families (March 2015)

- Union Lawyers' Annual Labour Law Conference – Equal Pay Test Cases (March 2017)
- Sydney University Law Society “Baker & McKenzie National Intervarsity Women’s Mooting Tournament” (2017)