

## **Genevieve Cleary**

Barrister

Francis Burt Chambers

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### **ACADEMIC QUALIFICATIONS**

1987 **Bachelor of Arts**, Monash University, Melbourne, Australia

1989 **Bachelor of Laws**, Monash University, Melbourne Australia

2013 **National Mediation Accreditation Training** (ADR for Professionals),  
University of Western Australia

2015 (commenced) **Masters in Law, Policy and Government**, part time, University  
of Western Australia

### **DESCRIPTION OF GENERAL PRACTICE**

My practice involves trial and appellate work in crime and traffic matters, including the Children's Court and Drug Court, violence restraining orders, family law, regulatory and disciplinary matters and in administrative law. I also provide advice and run matters relating to confiscation of profits and property applications, both state and federal and provide advice and representation to those called before vocational boards and tribunals in areas such as professional negligence and breaches of various regulatory enactments such as health and safety, dangerous goods control, local government and building control.

I have experience in building and construction disputes, including disputes involving architects and local government, and in general insurance advice and litigation. I have represented parties at coronial enquiries.

### **PROFESSIONAL POSITIONS AND PUBLICATIONS**

President, Criminal Lawyers Association of WA

Author Lawyers Practice Manual of WA Drug Offences Chapter (to be published 2016)

Author Manual for WA Justices of the Peace (published 2010)

Member, Committee for Women Lawyers of WA 2013 Review of the Chief Justice's Gender Bias Task Force Report, Chapter 8. Author Stalking Laws.

### **Papers and seminars presented**

#### **2014 – Legalwise Seminars**

The latest cases on S9AA Sentencing Act 1996

#### **International Association of Prosecutors Annual Conference, Dubai**

Presented a paper: *Juvenile Justice in Western Australia - the Tyranny of Circumstance*

#### **2015 - Legalwise Seminars**

Latest and Prospective Changes to Criminal Law (March)

Recent changes to the law of evidence, expert evidence and a round up of recent *Longman* appeals (November)

## **PROFESSIONAL EXPERIENCE**

**Admitted to practice in Victoria and Western Australia in 1990.**

**State Prosecutor, Office of the Director of Public Prosecutions for WA  
September 2008 – September 2015**

During this time I was a prosecutor in the Children's Court, appellate solicitor and counsel and prosecuted in adult courts and Drug Court. I also sat on the Strategic Management Committee and Operational Group Committee of the Drug Court.

I also prepared for and appeared in orders to review such as *Mathews v Greene* [2011] WASC 258 and *Purnell v Timms* [2012] WASC 122 and prepared for counsel the matter of *Director of Public Prosecutions v Peters* [2010] WASC 139.

**Consumer Representative Member, Builders' Registration Board 2005 to 2010  
Consumer Representative Member, Building Services Board - current**

**Acting Principal Legal Officer, Builders Registration Board WA August 2001 – December 2001**

**Duty Lawyer, Fremantle Court of Petty Sessions and Advice Bureau Solicitor, Legal Aid WA July 1999-December 2001**

Gave advice and represented those accused of criminal and traffic offences who appeared in court each day without a lawyer, and gave advice to those in restraining orders, other civil matters and family, wills and estates and property matters.

**1992 – 1993 and 1995-July 2000 Solicitor, Criminal Law Section, Legal Aid WA**

Performed all duties of solicitor and barrister in criminal law at all court levels. Also assisted as Duty Lawyer and at Advice Bureau. Considered appeals and reasons for decisions on behalf of clients and appeared as counsel and briefed counsel in appeals and trials in all courts and appeared at coronial enquires.

**1993 - 1995 Senior Associate, Messrs Talbot & Olivier, Senior Solicitor in Criminal Law**

**1991-1992 Senior Associate, Messrs Kay Goldstein**

Engaged in all aspects of civil litigation, predominately in Building and Construction Law. Prepared matters including instigating and responding to civil litigation in all courts and appeared as HomesWest representative in the Magistrates and Supreme Courts courts, and in insurance and general litigation and criminal law.

**1990- 1991 Restricted practitioner, Parker & Parker**

All aspects of building and construction litigation and general insurance law.

**1989 –1990 Articled Clerk and Solicitor, Dunhill Madden Butler, Melbourne**

Building and Construction Law, insurance and general civil litigation.

## **PROFESSIONAL COMMITTEES, ASSOCIATIONS AND OTHER EMPLOYMENT**

**Unit Coordinator of the elective unit Criminal Procedure since 2005, University of Western Australia, and tutor in Evidence Law since 2004.**

**2005 – 2008 Lecturer in Laws of Evidence, University of Western Australia**

**2004 to 2006 Lecturer and Associate Unit Co-coordinator in Criminal Law, University of Western Australia**

**2000-2001 Tutor and lecturer, Criminal Law and Procedure, University of Notre Dame, Fremantle**

**1999 to 2001 University of Notre Dame students visits to Fremantle Court of Petty Sessions**

**1999 Lecturer, Law of Evidence, Murdoch University**

**1998-1999 Lecturer, Criminal Law and Procedure and Restraining Orders Component of Justices of the Peace Course, Murdoch University**

**1998 Tutor in Criminal Law, Murdoch University, WA**

**Women Lawyers Association:** Committee member from 1992 to 1996, current member.

**LEADR:** 1989 to 1992 in Victoria and WA.

**PUBLIC SERVICE COURSES COMPLETED:**

Records Awareness Training 2006

Disability Awareness Training Workshop 2008

[Developing Performance and Managing Challenges Workshop for Senior Management 2009](#)

Managing Difficult People Workshop 2009

Embracing Change Workshop 2011

Aboriginal Cross-Cultural Awareness Workshop 2012