

Curriculum Vitae

REBECCA JANE LEE

Current Employment

Barrister

Francis Burt Chambers
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PERTH WA 6000

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Qualifications & Awards

Awarded Senior Woman Lawyer of the Year 2016
- for being an inspirational role model for other women within,
or aspiring to, the legal profession and providing leadership in
the legal profession over a long period of time
Women Lawyers of WA (Inc)

Advanced Trial Advocacy Course
Australian Bar Association – January 2015

Advanced Negotiation: Difficult Conversations, and
Essentials for Lawyers and Working Professionals
Harvard Negotiation Institute Workshops – June 2011

Certificate in Foundation Tax
The Tax Institute – May 2011

Mediation Workshop
LEADR – February 2011

Bar Readers' Course
Western Australian Bar Association – 2004
- Awarded inaugural
Chief Justice's Prize for Outstanding Reader
- Awarded Advocacy Prize
- Awarded Jurisdiction/Procedure Prize

Master of Laws – 1999
Batchelor of Laws – 1992
- Awarded Procedure Prize (compulsory unit) 1992
- Awarded Anita & Meyar Davis Prize (Jurisprudence) 1991

Bachelor of Science (majoring in pure mathematics) – 1992
The University of Western Australia

Admission

Supreme Court of Western Australia 2 February 1994
High Court of Australia 28 February 1994
Supreme Court of New South Wales June 1997

Elected to the Western Australian Bar 12 August 2003

Professional Activities

Junior Vice-President and Treasurer from Jan 2019 (ongoing)
Law Society of Western Australia

Also serving on Finance & Audit; Public Purposes Trust
Investment and Joint LSWA/WLWA Committees
Elected member of Law Society Council Jan 2016-Dec 2017

Secretary of **angelhands Inc** from 18 Dec 2019 (ongoing)

Chair of Diversity Subcommittee Dec 2015 to May 2020
including running Indigenous Clerkships 2017 and 2018
Western Australian Bar Association

Member of the Equal Opportunity Committee 2012 to 2017
representing the Western Australian Bar Association
Law Council of Australia

Elected member of Bar Council Oct 2016 to Oct 2017
Western Australian Bar Association

Alumni - 2016 Signature Leadership Program
Leadership WA

Member of ***The Law Society of Western Australia***
- served as Editor of *Brief* 2012 - 2014
Journal of ***The Law Society of Western Australia***
- served on the *Brief* Editorial Committee 2003 - 2015
- previously served on the Joint Women Lawyers/Law
Society; Courts; Commercial Litigation CLE; Professional
Liability; and the Administrative Law Committees

Member of ***Australian Women Lawyers***
- served as President 14 August 2011 – 12 August 2012
- served as Vice-President August 2010 – 14 August 2011
- served as Secretary December 2008 – August 2010
- commenced on national board 15 March 2008

Member of ***Women Lawyers of Western Australia Inc***
- served as President 2006 – 2008
- served as Vice-President August 2004 – 2006
- joined committee October 2002

Formerly elected to the ***Legal Practice Board*** 2004 to 2007
- on the Complaints Committee
- on the Professional Affairs Committee

Nature of Practice My practice is one of Advocacy, Negotiation, Strategy and Legal Advice

- generally in the areas of general commercial litigation, resolution of construction issues, employment law hearings, taxation disputes, family provision and wills & estate matters

Selection of Matters (last 9 years)

- a selection of matters and decisions follow, from provision of opinions, negotiations and settlements, and advocacy before courts, arbitrators, tribunals and boards – where I am acting or have acted or appeared as sole counsel, except one where indicated (I have not included my appearances as junior counsel in other matters)

2020 Ongoing Supreme Court Matter – Acting for plaintiff in construction matter (quantum meruit claim for nearly \$3 million dollars), including appearing for plaintiff in mediation in early 2018

2020 (decision reserved) Federal Court Matter – Acting for respondent in defending adverse action claim

[2020] WASC 84 Brown v Barber – Acting for plaintiff in seeking to prove a will in solemn form and unsuccessfully defending equitable claim for alleged assets of the estate

18 September 2019 Supreme Court Matter – Acted for executors and some beneficiaries in successfully negotiated outcome of a family provision claim, including provision of opinion for Order 70 Rule 10(1) of the *Rules of the Supreme Court (WA) 1971*

19 February 2019 Federal Circuit Court Matter– Acted for respondents in successfully defending unfair dismissal application

[2018] WASC 75 Miller v Taylor (CIV 1311/2014) – Appeared for plaintiff in successfully claiming provision from her deceased de facto partner’s estate, under the *Family Provision Act (WA) 1972* (defeated defences that plaintiff was not de facto and had engaged in disentitling conduct)

9 November 2017 Dickman v Johnson (CIV 3007/2015) – Acted for plaintiff in successfully seeking court orders in estate matter, following court-based mediation and ongoing negotiations, declaring assets and non-assets of an estate and transferring assets between parties

[2017] FCA 1024 Uber Australia Pty Ltd et al ats Mike Oze-Igiehon (WAD216/2017) – Appeared for fourth respondent in

	successfully setting aside writ, on the basis of self-represented applicant having no standing to recover superannuation
August 2016	Chair of Review Panel, which provided an accepted recommendation to the State Training Board on an appeal against a decision of the Training Accreditation Council, under the <i>Vocational Education and Training Act (WA) 1996</i>
2016 WAIRC 00866	<u>Forrest Personnel Inc ats Alison Palmer</u> – Acted for respondent company in unsuccessfully defending unfair dismissal application
May 2016 (appeal discontinued)	<u>Mineralogy Pty Ltd ats Sino Iron Pty Ltd & Korean Steel Pty Ltd</u> (CACV131 of 2015) – Appeared and acted as junior counsel for respondent on appeal against dismissal of application for a mandatory injunction after trial at which declaration of contractual terms sought and obtained. The respondent was not called on to address Martin CJ, Newnes JA and Murphy JA, and, on the next business day, the appeal was discontinued
2016	Provided opinion to company on dealings with state authorities, involving statutory and contract interpretation – companies’ position successfully advanced
2016 (decision reserved)	<u>Agnew Gold Mining Company Pty Ltd ats Norbert Fluri</u> – Appeared for company in defending unfair dismissal application - decision reserved
[2015] AATA 661	<u>Trustee for Starbrake Holdings Trust & Guce Holdings Pty Ltd and Commissioner of Taxation, Re</u> – Appeared for successful taxpayers in staying applications for review pending Federal Court proceedings being determined
[No 2] [2015] WASCA 151	<u>Collins ats Dean</u> – Appeared for respondents in unsuccessfully defending appeal against decision dismissing application under <i>Family Provision Act 1972 (WA)</i>
2014	Acted for applicant companies in successful arbitration involving interpretation of what is a ‘proposal’ under a State Agreement (opposing counsel was Mr RM Mitchell SC, as he then was)
[2013] WASC 194	<u>Mineralogy Pty Ltd v Sino Iron Pty Ltd & Korean Steel Pty Ltd</u> – Appeared for successful plaintiff in construction of contract matter
[2012] FCAFC 90	<u>LVR (WA) Pty Ltd & CZ Holdings Pty Ltd v Administrative Appeals Tribunal & Commissioner of Taxation</u> - Appeared for successful appellants before Full Court of Federal Court seeking review of decision of AAT

[2012] WASC 104

Mirvac (WA) Pty Ltd ats Bontempo – Appeared for defendant in successfully defending application to extend interim injunction to trial

2011

Negotiated on an urgent basis on behalf of option holder to successfully seek an extension of time in which to exercise option

Recent Publications, Papers and Conferences (2009 to present)

2020

Ethics of Dealing with Your Opponent
Presentation to Law Firm, 11 February 2020

2019

Business Clients: 20 Answers to Their Most Asked Questions
Chair, Legalwise morning session 21 November 2019

Property Law Update: New Law, New Strategies
Chair, Legalwise morning session 13 March 2019

2018

Wills and Conflicts of Interest
Seminar presented to STEP 21 March 2018

2017

Practice and Ethics when you Brief Counsel
Seminar presented to corporate counsel for Francis Burt Chambers 26 July 2017

WABA Autumn CPD Judicial Review
Chair for Western Australian Bar Association 21 March 2017

Mandatory Injunctions: A 2016 journey with Mineralogy v CITIC parties

Seminar presented for Law Society of WA 16 March 2017

The Good Wife? An Unethical Lawyer
Seminar presented to Government Lawyers 2 March 2017
Article published in *Brief* Vol 40 No 8 September 2013

Staying Applications for Review – Taxpayers and Criminal Proceedings
Seminar presented to Ernst & Young 7 February 2017
Previously presented at the UWA Law School Federal Tax Litigation: Current Developments - 3 December 2015

2016

CPD Mandatories Made Easy for All Lawyers
Chair for Legalwise 31 March 2016

2013

Ethical Considerations and Evidence Gathering
Seminar presented for Legalwise, 14 March 2013

2012

Effective Verbal Communication Skills
Seminar presented for Women Lawyers of WA, 7 June 2012

- 2010 *Plain Language: Making Your Court Documents Easier to Use*
Seminar presented for Legalwise, 29 July 2010
- 2009 *Conflicts of Interest: Recent Developments*
Seminar presented for Wojtowicz Kelly, 25 November 2009

Academic Positions

- May 2012 Lecture of *Getting Up for Trial and Briefing Counsel*
Murdoch University, School of Law
- April-May 2011 Tutor at Drafting Workshop in Civil Procedure
Murdoch University, School of Law

Legal Career

- Feb 2004 to present Barrister
- Sept 1997 – Jan 2004 Minter Ellison (Perth)
Senior Associate (from July 2000)
- Apr – Aug 1997 Minter Ellison (Melbourne)
Solicitor (based in client's office in Perth)
- Aug 1993 – Apr 1997 Messrs Jackson McDonald – Articled Clerk, Solicitor
- Feb – July 1993 Mr Eric M. Heenan QC (as he then was) – Articled Clerk
- 1992 Assistant Student Editor for the UWA Law Review
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