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| Jennifer Flinn BA, LLB, LLM, GAICD |
| Murray Chambers – EB Johnston House, 259 Adelaide Terrace, Perth WA 6000 |
| jflinn@mchambers.com.au (m) 0437 554 040 |

# Qualifications and appointments

Bachelor or Laws (First Class Honours), University of Wollongong, 1995

Bachelor of Arts, University of Wollongong, 1995

Graduate Diploma in Legal Practice, University of Wollongong, 1998

Admitted to Practice as a Lawyer, Supreme Court of NSW, 1998

Admitted to Practice, High Court of Australia, 1999

Master of Laws, University of New South Wales, 2003

Admitted to Practice as a Lawyer, Supreme Court of Queensland, 2005

Graduate, Insolvency Practitioners Association of Australia, 2011

Graduate, Australian Institute of Company Directors, 2016

Admitted to Practice as a Barrister, Western Australian Bar Association, 2023

Security Clearance NV1, until 2031

# Biography

Jennifer joins the independent bar with over 20 years’ legal experience as a trusted advisor and advocate.

Prior to joining the Bar, Jennifer worked in private practice, in-house and with government in a variety of senior legal roles, requiring a diverse workplace relations, commercial and administrative law practice.

Jennifer worked in the workplace relations teams with Minter Ellison, Herbert Smith Freehills, Toomey Pegg, Henry Davis York and Australian Industry Group, advising employers and senior executives in a broad range of employment and industrial relations matters. These included:

* advocating before the Fair Work Commission and Federal courts in industrial disputes concerning the application and interpretation of enterprise agreements, and claims of unfair dismissal, adverse action and unlawful discrimination
* enforcing confidentiality and non-compete obligations applying to former employees in the Supreme and Federal courts
* undertaking workplace investigations into misconduct and prepared advice on outcomes.
* advising in relation to public sector employment

Jennifer worked with the commercial and civil litigation teams with Herbert Smith Freehills, Henry Davis York, and Australian Government Solicitor, on a variety of litigated matters. Her experience includes:

• prosecuting public companies for failure to comply with continuous disclosure obligations under the Corporations Act

• prosecuting and defending claims against directors of publicly listed companies for breach of director duties

• prosecuting claims on behalf of the Fair Work Ombudsman for breaches of the *Fair Work Act 2009*

• defending a claim for malicious prosecution brought in the Supreme Court of WA

• negotiating settlement of a $1 billion insurance claim for an Australian mining company

• defending a claim determined by international arbitration over a large mineral supply contract with a foreign government

• as part of a team, representing a national bank in Supreme Court proceedings relating to a $1 billion claim for damages for breach of contract

• prosecuting a trade practices claim in relation to Australian mineral tenements

• working with corporate creditors and professional administrators to turnaround or liquidate financially stressed businesses, including enforcement proceedings

• advising the Commonwealth in the Robodebt Royal Commission

Jennifer has also gained proficiency in the practice of administrative law while acting as General Counsel of a public university and as Director and Senior Executive Lawyer of the Perth office for Australian Government Solicitor. Her experience includes:

* representing agencies before State and Federal administrative tribunals
* advising on reporting obligations concerning corrupt conduct, maladministration, breach of privacy laws and the provision of public access to information
* advising agencies on decision making, legislative powers, functions and obligations

# Practice Areas

## Administrative Law

* Judicial review of administrative decisions
* Freedom of information
* Merits review
* Vocational regulation | professional disciplinary proceedings
* Privacy law

## Workplace Relations and Employment

* [Discrimination](https://www.francisburt.com.au/barristers/area-of-practice/discrimination/)
* [Employment contract disputes](https://www.francisburt.com.au/barristers/area-of-practice/employment-contracts-disputes/)
* [Industrial disputes](https://www.francisburt.com.au/barristers/area-of-practice/industrial-union-disputes/)
* Workplace [investigations](https://www.francisburt.com.au/barristers/area-of-practice/investigations-inquiries/)
* Breach of confidence and [restraint of trade](https://www.francisburt.com.au/barristers/area-of-practice/restraint-of-trade-industrial-and-employment/)
* [Statutory employment rights (unfair dismissal; general protections)](https://www.francisburt.com.au/barristers/area-of-practice/statutory-employment-rights-unfair-dismissal-general-protections-etc/)
* [Workplace bullying and sexual harassment](https://www.francisburt.com.au/barristers/area-of-practice/workplace-bullying-and-sexual-harassment/)

## Commercial

* Arbitration
* Contractual disputes
* Corporate insolvency
* Corporations law and corporate regulation
* Corporate governance
* Equity
* Insurance
* Mining and resources
* Trade practices

## Inquiries

* Royal Commissions
* Corruption Commissions

## Alternative dispute resolution

* Mediation

# Employment History

## Director and Senior Executive Lawyer, Australian Government Solicitor

Perth, January 2021 to June 2023

Areas of practice: civil regulation and penalties, workplace relations, civil litigation, insolvency, administrative law, public inquiries

## Special Counsel, Minter Ellison

Perth, October 2018 to July 2020

Areas of practice: workplace relations, civil litigation

## General Counsel, University of Newcastle

Newcastle NSW, September 2013 to September 2018

Areas of practice: commercial and contract, administrative law, workplace relations, corporate governance, civil litigation

## General Counsel, Hastings Deering Group

Brisbane QLD, February 2012 to September 2013

Areas of practice: commercial and contract, corporate governance, commercial litigation

## Senior Associate, Herbert Smith Freehills

Brisbane QLD, August 2006 to January 2012

Areas of practice: workplace relations, insolvency, commercial litigation

## Senior Workplace Relations Advisor, Australian Industry Group

Brisbane QLD, August 2005 to August 2006

Areas of practice: workplace relations

## Senior Associate, Toomey Pegg Lawyers

Sydney NSW, December 2002 to July 2005

Areas of practice: workplace relations

## Solicitor, Henry Davis York

Sydney NSW, October 1999 to December 2002

Areas of practice: workplace relations, commercial litigation, banking and insolvency

## Associate to the Hon Justice Madgwick, Federal Court of Australia

Sydney NSW, January 1996 – December 1998, Sydney