

**MICHELLE PAINTER SC
CURRICULUM VITAE**

Contact details

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Education

LLB, University of Adelaide 1989

BA (History) University of British Columbia 1985

Legal Admissions and appointments

Senior Counsel, NSW October 2013

Barrister, NSW February 1998

Solicitor, NSW December 1990

Practice areas

- Equity
- Commercial
- Corporations
- Insolvency
- Land acquisition compensation
- Building and construction
- Succession
- Commissions of Inquiry
- Competition

Experience

Ms Painter has appeared in every significant civil jurisdiction. She has appellate experience in the NSW Court of Appeal, the Full Court of the Family Court and the Full Court of the Federal Court of Australia. Her trial work is conducted primarily (but not exclusively) in the Supreme Court of New South Wales and the Federal Court of Australia.

Ms Painter's first instance trial work primarily involves commercial law across a range of subject areas including commercial, corporations, equity, trusts and family provision. She is known for her attention to detail, her preparation, her ability to quickly master complex and voluminous briefs, and her ability to think laterally and find solutions.

She has appeared for and advises:

- State government agencies (resumption of land and valuation disputes);
- Manufacturers, retailers and importers (disputes concerning anticompetitive conduct; large contractual disputes, consumer protection and restraint of trade);
- Corporations (directors duties, unfair preferences, oppression suits, disputes between shareholders, winding up proceedings, appointment of receiver and administrator);
- Professionals and individuals (range of actions, including appearing for senior executives in various Inquiries, including the RSL Commission of Inquiry, Trade Union Royal Commission and HIH Royal Commission; restraint of trade, professional disputes; family provision, equitable relief);
- Builders and subcontractors (contractual and other disputes in the NSW Supreme Court, including proceedings brought under the *Security of Payment Act*, NSW);
- Developers (building disputes, a successful challenge to refusal of consent, operation of easements and covenants, removal of restrictive covenant, alteration of easement);
- Financial services providers (injunctive relief, defending ASIC proceedings, restraint of trade, mortgages and guarantees, recoveries, share agreements, freezing orders);
- Franchisors and franchisees (diverse range of disputes including appearances in the Federal Court of Australia, the NSW Supreme Court and the NSW Industrial Court);
- Parents and adolescents (treatment for gender dysphoria) within a contested and uncontested context;
- Deceased estates and beneficiaries (usually advising and appearing for the executors to defend proceedings for provision under the Succession Act);

- Australian Competition and Consumer Commission (a wide range of matters) as well as proceedings in the specialist Competition Tribunal); and
- Australian Prudential Regulation Authority (including AAT proceedings).

Committees

NSW Bar Association, Professional Development Committee (2012 – present)

NSW Bar Association, Wellbeing Committee (2020 - present)

NSW Bar Association, Professional Conduct Committee (1999 – 2001 and 2013 – 2014)

NSW Bar Association, Equal Opportunity Committee (1999 to 2007)

Professional Memberships

Society of Trust and Estate Practitioners

Women Lawyers Association of NSW

Other Professional Activities

- Chair, Women Barristers Forum, NSW Bar (2014 – 2017).
- Member, Selection Panel for the appointment of the NSW Crown Solicitor (2015).
- Finalist in four categories 2017 Women Lawyers NSW Awards.
- Keynote speaker as “Ms Senior”, May 2017 Bench and Bar Dinner.
- Recognised by Doyle’s Guide as a Leading or Recommended Silk in Wills and Estate Litigation – NSW in every year since 2015.
- Advocacy instructor for the NSW Bar Readers Course and for the Family Court.
- Regular speaker at conferences, Bar Association CPDs and other seminars.
- Director, College of Law (2004 – 2006).

Previous employment

1993 – 1997	Solicitor, Office of the Australian Government Solicitor, Trade Practices Unit, Canberra, ACT
1992 – 1993	Solicitor, Office of the Australian Government Solicitor, Civil Litigation Unit, Canberra, ACT
1991-1992	Solicitor, Office of General Counsel, Commonwealth Attorney General’s Department, Canberra, ACT
1991	Solicitor, Freehill Hollingdale and Page, Canberra, ACT

1990 Legal clerk, Freehill Hollingdale and Page, Sydney, NSW

1990 Legal clerk, Fisher Jeffries, Adelaide, SA

Referees Will be provided on request