

JADE MARR

BARRISTER

CURRICULUM VITAE



OVERVIEW

Called to the Bar 2016.

Admitted as a solicitor of the Supreme Court of Queensland 1999.

Admitted as a solicitor of the High Court 1999.

Bachelor of Laws (QUT); Master of Laws (Bond) (candidate).

Senior Teaching Fellow at Bond University lecturing in Evidence.

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AREAS OF PRACTICE

Contract disputes, employment, anti-discrimination and sexual harassment, professional negligence and misconduct, civil penalty proceedings, enforcements and regulatory actions, administrative law, property law, corporations law, competition and consumer law, coronial inquests.

PROFESSIONAL EXPERIENCE

Barrister

I have appeared as advocate at all levels of the State Courts and various tribunals, including regular appearances in the Queensland Industrial Relations Commission. I have also appeared in various matters in the Federal Court, Federal Circuit Court and Fair Work Commission. I have appeared as counsel representing next of kin in coronial inquests.

My practice is of a broad commercial nature, but with a particular focus on both regulatory and enforcement matters, including civil penalty proceedings, and also employment and industrial-related matters, including anti-discrimination and sexual harassment.

I have acted on behalf of clients at compulsory examinations with government agencies (such as the Australian Securities and Investments Commission) and advised in respect of the enforcement of warrants and other compulsory evidence gathering powers.

Recent cases include:

- *Australian Securities and Investments Commission v Bettles* [2023] FCA 975, led by Paul McQuade KC. This was a complex action brought by ASIC under s 45-1 of the *Insolvency Practice Schedule (Corporations)*. ASIC alleged that Mr Bettles, a liquidator, was directly and accessorially liable for various breaches of director's duties under the *Corporations Act*, as well as alleged liquidator's duties at common law. ASIC sought the cancellation of Mr Bettles' registration as a liquidator and a lifetime prohibition on applying for registration. The application was dismissed in its entirety.
- *Loveridge v State of Queensland (Queensland Ambulance Service) (No 2)* [2023] QIRC 207: successfully defended a reinstatement application by an Advanced Care Paramedic who was dismissed for serious misconduct following a disciplinary process where it was found the paramedic struck an elderly dementia patient across the face whilst securing the patient into a stretcher at an aged care facility.
- *Solar Panel Xpress Pty Ltd v Wallandale Pty Ltd & Ors* [2021] QDC 31; *Solar Panel Xpress Pty Ltd v Wallandale Pty Ltd & Ors* [2021] QDC 45, acting for an accountant in successfully defending a professional negligence and misleading and deceptive conduct claim, and also obtaining an indemnity costs order in respect of the seven days of trial.
- *O'Connor v State of Queensland (Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships)* [2021] QIRC 154, led by Chris Murdoch QC, successfully defending a reinstatement application by a former employee.
- *Goddard v Legal Aid Queensland* [2021] QIRC 154 successfully defending a reinstatement application by a former employee.
- *Tax Practitioners Board v Hacker* [2020] FCA 1047; *Tax Practitioners Board v Hacker (No 2)* [2020] FCA 1047; *Tax Practitioners Board v Hacker (No 3)* [2020] FCA 1814, a civil penalty prosecution involving more than 3000 alleged instances of providing unregistered tax agent services and unregistered BAS services for fee or reward in breach of the *Tax Agent Services Act 2009 (Cth)*, and a related contempt proceeding involving 28 charges of contempt. More recently, I also acted in a subsequent contempt proceeding involving additional charges of contempt: *Tax Practitioners Board v Hacker (No 4)* [2021] FCA 940.
- *Australian Securities and Investments Commission v Bettles* [2020] FCA 1568, led by Paul Freeburn QC, acting for Mr Bettles, a liquidator, in successfully obtaining an order to strike out the entirety of the Concise Statement and Supplementary Concise Statement filed by ASIC.

- *Morgan v State of Queensland (Queensland Health)* [2020] QIRC 184 successfully resisting an application for an interim injunction within a proceeding to permanently stay a disciplinary process under the *Public Service Act 2008* (Qld).
- *Saric v Commonwealth* (2018) 206 FCR 469, led by Mark McCarthy, in which a declaration was sought on behalf of Mr Saric that the automatic forfeiture of his vessel by the Commonwealth under s 261A of the *Migration Act 1958* (Cth) was invalid, and orders were sought for the recovery of the vessel. The success of the application relied on being able to establish certain defences under the *Migration Act 1958* and the *Criminal Code Act 1995* (Cth) including 'stress of weather' and 'sudden or extraordinary emergency'.

Senior Associate, Minter Ellison (Gold Coast), Dispute Resolution Team

I acted for a range of top and mid-tier clients including Gold Coast City Council; Gold Coast Airport; and V8 Supercars as well as a number of other private clients, including both publicly listed and private companies.

I acted in a variety of contested commercial matters including:

- corporate disputes involving breach of directors' duties, shareholder disputes and ASIC investigations;
- breaches of joint venture arrangements in respect of development projects;
- retail tenancy disputes acting on behalf of a major shopping centre;
- land subsidence claims acting on behalf of the Gold Coast City Council;
- compensation for compulsory resumption of land by the Department of Main Roads.

Solicitor, DibbsBarker, Commercial Litigation Team

I acted in a range of commercial disputes including:

- for Bank of Queensland as panel solicitor responsible for debt recovery, enforcement of securities and restructuring of the security position; enforcement of judgment debts; providing advice in relation to compliance with the then Consumer Credit Code (now National Credit Code);
- for various liquidators, receivers and administrators in relation to recovery and insolvency management procedures including instituting Supreme and Federal Court recovery proceedings against directors and the public examination of directors. I also acted for creditors in wind-up applications and preference payment claims;
- on behalf of a PhD student who sought judicial review of Griffith University's decision to exclude her for academic misconduct in a case ultimately determined by the High Court.

Senior Lawyer, ASIC, Enforcement Division

- I conducted major civil litigation instigated by ASIC on behalf of investors against the directors of a collapsed superannuation fund involving the misappropriation of over \$22 million. ASIC alleged fraudulent misrepresentations, negligence, breach of fiduciary duties and breach of directors' duties. There were concurrent criminal proceedings also on foot.
- I provided various legal advices regarding compliance with the *ASIC Act* and *Corporations Act* (particularly, disclosure requirements and breach of director's duties).

Inhouse Legal Officer, Edinburgh Fringe Festival

- I reviewed and negotiated all entertainer contracts, contracts with major venues and insurance contracts.

Paralegal, Norton Rose Fulbright (London), Corporate Finance Team

- I assisted with major mergers and acquisitions, including advising on compliance with the Listing Rules and prospectus disclosure requirements. Seconded to Fox Kids Ltd for two months to assist with a major share issue.

Solicitor, Robbins Watson

- I completed two year articles whilst also undertaking my LLB.

ACADEMIC EXPERIENCE

Senior Teaching Fellow, Bond University

- Lecturer in Evidence.
- Other subjects taught include: Civil Procedure, Civil Remedies, Equity, Taxation Law.

Course Co-ordinator, Griffith University

- Lecturer in Civil Procedure.
- Online co-ordinator of Civil Litigation in the PLT course.

EDUCATION

Master of Laws (Bond) (candidate)

5 of 8 subjects completed. Awarded '*first in class*' for each subject.

Bachelor of Laws (QUT)

Graduate Diploma in Applied Corporate Governance (Governance Institute of Australia)

PRO BONO EXPERIENCE

Member of LawRight

Member of Referral Panel; involved in the enforcement hearing scheme.

Women's Legal Service

Acting on behalf of the aggrieved party in contested domestic violence hearings.

Caxton Legal Centre

Acting on behalf of next of kin in coronial inquests.

Graham Stafford: Miscarriage of justice case

I assisted Doug Savage QC and Joe Crowley of counsel in preparing the legal petition for pardon to the Attorney General regarding Mr Stafford's earlier conviction for murder.

REFEREES

Peter Hastie KC, Burnett Lane Chambers

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Mark McCarthy, 8 Petrie Terrace Chambers

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