

AJ&CO

Heather Richardson

Special Counsel

Employment & Workplace
Litigation & Dispute Resolution

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My thorough understanding of a client's business coupled with my strategic and collaborative approach and a focus on the bigger picture helps me to understand a client's "why" in order to deliver optimal results for clients.

Heather is a commercially focused lawyer with over two decades experience in litigation, negotiation and dispute resolution, with a focus on employment law.

Introduction

Heather has successfully managed complex and large scale commercial litigation and employment cases in most primary and appellate jurisdictions across Victoria and Australia and in Employment Tribunals and Appeal Courts in the United Kingdom.

Heather provides strategic advice to a wide variety of clients. Her experience spans a broad range of industries including motor car traders, medical and allied health practices, manufacturing, FMCG, the education and not-for-profit sectors and private clients.

AJ&CO

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Expertise

Complex commercial litigation and dispute resolution

- Director statutory and fiduciary duties
- Restraint of trade
- Director disputes
- Shareholder disputes and oppression proceedings
- Trust disputes
- Sale of business disputes
- Commercial and retail lease disputes
- Complex contractual disputes
- Owners corporation disputes
- Claims under the *Domestic Building Contracts Act 1995* (Vic)
- Misleading and deceptive conduct claims under the Australian Consumer Law
- Search orders
- Intellectual property
- Managing voluntary recalls and obligations to consumers

Employment law

- Employment contracts and workplace policies
- Advice on Awards and Enterprise Agreements
- Restraints
- Protection of confidential information and intellectual property
- Engagement and termination of employees and contractors
- Redundancy and restructuring
- Executive restructuring
- Performance management and disciplinary procedures
- General protections and adverse action
- Advice on anti-discrimination laws, bullying and harassment
- Unfair dismissal

Experience

Recent significant matters include:

- Application for a search order, which was granted by the Supreme Court.
- Represented an employer to successfully defend a general protections claim in the Federal Circuit and Family Court of Australia.
- Successful application on behalf of a creditor for payment as a secured creditor under the terms of a foreign exchange contract.
- Successfully pursued a claim in the Federal Court of Australia under ss. 18, 29 and 236 of the Australian Consumer law regarding loss arising from the unauthorised use of a mark prescribed under the *National Measurements Act 1960* (Cth).
- Appearing before an international sporting disciplinary tribunal in relation to allegations regarding conduct.
- Proceedings in relation to commercial and retail leases
- Claims under the *Domestic Building Contracts Act 1995* (Vic)
- Successful application for preliminary discovery in the Supreme Court of Victoria.
- Applications (numerous) for judicial advice in the Supreme Court of Victoria.
- Ongoing advice in relation to the obligations and management of a voluntary product recall.
- Early employment advice to minimise employer risk.
- Advice regarding senior executive restructuring.
- Early resolution of numerous matters to avoid the costs and risks associated with litigation.

Qualifications

- Bachelor of Arts (Hons) – Monash University
- Bachelor of Laws – Monash University

Board & Committee Memberships

Heather sits on the following boards and committees on a voluntary basis:

- St Leonard's College Council (Board of Directors) (a Not-for-Profit entity)
  - Council's overarching duty is to ensure the highest standards of corporate governance prevail in all aspects of the College's operation, from strategic planning to daily activities.
  - Council's responsibilities include reviewing regulatory compliance and reviewing risk management and mitigation procedures of the College.
- Victorian Paediatric Clinical Network
- Royal Children's Hospital Children's Cancer Centre Carers Network

Awards and Recognitions

- Finalist – 2024 Dispute Resolution /–Litigation Team of the Year – Australian Law Awards
- Finalist – 2022 Partner of the Year – SME Law, Women in Law Awards

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