

SHAYNE GRAHAM LESLIE

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EDUCATION/PROFESSIONAL QUALIFICATIONS

1979 - 1981 University of Western Australia
Bachelor of Jurisprudence

1982 University of Western Australia
Bachelor of Laws

1983 Admission to the Western Australia bar

EMPLOYMENT HISTORY

I commenced my articles in 1983 in a medium sized law firm which then partook in a number of mergers to become one of Perth's largest law firms and a significant national legal firm. I became a partner of the firm in 1988.

From 1997 to 2007 I was a partner of Wilson & Atkinson, leading their litigation practice.

After short stints in a medium and a small legal practice from 2007 to 2013, I returned to Wilson & Atkinson in mid-2013, and Zafra Legal.

MY PRACTICE

I have exclusively practiced commercial litigation; for 25 years as a partner or principal. This has involved most areas of litigation with the exception of criminal law, family law, personal injuries and industrial relations. Although I have sound general experience in other areas of law, my practice has been predominately in the areas of dispute resolution, contract, tort, finance, property, construction, injunctions and insolvency.

My practice includes both advice and advocacy. Other than particularly large or complex matters, I appear as counsel when matters I am running go to trial or on appeal.

I am a trained LEADR mediator. My focus is to provide timely commercial advice to resolve disputes.

Examples of significant matters or appearances:

Owner v State of Western Australia, builder and designer

I acted for the owner of a waste water treatment plant which failed to operate properly. The parties agreed to mediate the dispute in a multiparty 3 day mediation before Sir Lawrence Street. The dispute settled subsequent to the mediation.

Contractor v sub-contractor

I acted for a road construction contractor in a claim against its sub-contractor for damages for breach of contract and defending a substantial cross-claim by the sub-contractor. The sub-contractor capitulated 3 weeks into a 6 week arbitration.

Dalecoast Pty Ltd v Guardian International Pty Ltd (Full Court of Western Australia 990208) and [1999] WASCA 103

I appeared for Guardian International and successfully resisted an appeal by Dalecoast against an order that Dalecoast provide inspection of documents referred to in an affidavit sworn by one of its directors.

In the same proceedings I also successfully resisted a further appeal by Dalecoast to the Full Court against an order refusing its application for leave to administer further interrogatories.

Midland Brick Company Pty Ltd v Welsh (2006) 32 WAR 287

I acted for Midland Brick in this matter. I appeared as counsel on the successful application for an interlocutory injunction to extend the operation of Midland Brick's absolute caveat and then in the 4 day Supreme Court trial. Judgment was entered in favour of Midland Brick. The decision was reported because of its significance in relation to equitable restrictive covenants and absolute caveats.

Rio Tinto Exploration Pty Ltd v Graphite Holdings Pty Ltd [2007] WASCA 276

I appeared as counsel for Graphite Holdings on the successful hearing of its action for damages for loss of kaolin samples following termination of a contract for the sale of exploration licences. The trial ran for 6 days in the Supreme Court. I also appeared as junior counsel for Graphite Holdings, successfully resisting an appeal by Rio Tinto. The case involved some important issues on damages.

Perrinepod Pty Ltd v Georgiou Building Pty Ltd [2011] WASCA 217

In this matter I appeared as counsel for Perrinepod on its appeal to the Court of Appeal against the decision of the State Administrative Tribunal dismissing its application to review the decision of an adjudicator under the Construction Contracts Act. The appeal was dismissed, on the proper construction of the word "decision" under the Act, but the Court of Appeal confirmed aggrieved parties have rights of prerogative review under the Construction Contracts Act.

ADDITIONAL INFORMATION

Personal achievements

- Happily married for 25 years with 3 great children.
- Completing two 10-day 1,000 kilometre cycling tours across Italy and France.
- Success in sailing – Club champion, State team
- Playing more than 50 first grade games of Rugby League

Memberships

- Law Society of Western Australia
- Board member (chairman) of St John Ambulance Australia (Western Australia) Inc
- Commander and Lieutenant of the Priory of St John Ambulance

Interests

- Cycling
- Camping
- Theatre
- Yoga
- Scuba diving and snorkelling