

## Rebecca Davern



Rebecca Davern practises in a wide range of commercial matters including major tort class actions, corporations law, administrative law and employment and discrimination law.

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### QUALIFICATIONS

Bachelor of Laws  
Bachelor of Jurisprudence

### CORRESPONDENCE

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### CHAMBERS

Castan Chambers  
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### COMMERCIAL LAW

Appellate | Class Actions | Contractual Disputes | Corporations & Securities | Insurance

### EMPLOYMENT & INDUSTRIAL

Appellate | Discrimination | Employment Contracts | Industrial Disputes | Restraint of Trade | Statutory Employment Rights

### TORT LAW

Appellate | Class Actions | Commissions & Inquiries | Major Torts | Negligence

### PUBLIC LAW

Administrative Law | Aged Care | Appellate | Civil & Human Rights | Commissions & Inquiries | Discrimination

Most recently, Rebecca has been described by Chambers and Partners in 2023, as “delightfully warm and easy to work with, always available, and is extremely hard-working. She's an excellent litigation strategist with a great level of commercial acumen in her approach”.

Rebecca is also one of Australia's leading employment and discrimination law specialists. She is regularly instructed on employment, industrial and discrimination law matters, primarily by employers, in the Federal Court. Given her particular expertise in employment, industrial and discrimination matters, Rebecca is also recognised by Doyle's Guide and the Chambers and Partners Asia-Pacific rankings for her outstanding expertise in employment law.

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## Recent Cases

### COMMERCIAL AND CLASS ACTIONS

*Rowe v AusNet Electricity Pty Ltd and Ors* (the Murrindindi Bushfire proceeding) (led by John Karkar QC, Wendy Harris QC, Paul Anastassiou QC and James Gorton QC, acting for all three State Parties)

*Asahi Holdings (Australia) Pty Ltd v Pacific Equity Partners Pty Limited* (VID 87/2013) (with Andrew McClelland)

*Regent Holdings Pty Ltd v State of Victoria and Southern Ocean Mariculture Pty Ltd* [2013] VSC 601 (the Victorian Abalone case)(led by Charles Scerri QC and with Claire Harris)

*Newtronics Pty Ltd (in liquidation) v Gjerga and Ors* (led by Michael Heaton QC and with Stephen Waldren, on behalf of the liquidator)

*Oce Australia Pty Ltd v Big Print Pty Ltd* (led by Michael Heaton QC and with Trevor Rosen)

*National Australia Bank v Norman* [2010] HCATrans 134 (High Court- application for special leave)(led by Wendy Harris QC)

*National Australia Bank v Norman* [2009] FCAFC 152 (Full Federal Court appeal) (led by Wendy Harris QC)

### EMPLOYMENT AND DISCRIMINATION

*Winters v Fogarty and ors* [2017] FCA 51

*Hazledine v Wakerley* (2017) 266 IR 118 (led by Steven Moore QC)

*Hazledine v Arthur J Gallagher & Co Ltd (No 3)* [2017] FCA 1271

*Hazledine v Arthur J Gallagher & Co Ltd (No 2)* [2017] FCA 1153 (led by Steven Moore QC)

*Duggan v Metropolitan Fire and Emergency Services Board* [2017] FCAFC 112 (led by Justin Bourke QC)

*Fox v Royal Women's Hospital* (appeared in substantive proceeding, Federal Court Proceeding 668/2017 led by Chris O'Grady QC)

*Chen v Monash University (2016) 337 ALR 525* (unled in the Full Federal Court)

*Chen v Monash University* [2015] FCA 130 (led by Justin Bourke QC and previously by Debbie Mortimer SC as she

then was)

*Chen v Monash University No 2* [2015] FCA 552 (led by Justin Bourke QC)

*CFMEU v Grocon Constructors (Victoria) Pty Ltd and Ors* [2015] HCATrans 24 (with Patrick Wheelehan)  
(successfully opposing an application for special leave for Grocon)

*McPherson v The Commissioner of Australian Federal Police* (FCC Proceedings No. MLG203/2015) (confidentially settled)

*Burnett v Eastern Health* [2015] FCA 1247

*Toyota Motor Corporation Australia v Marmara* ([2014] FCAFC 84) (led by Harry Dixon SC acting for the Minister for Employment intervening in the appeal)

## Memberships

Victorian Bar - Commercial Bar Association