

GREENS LIST

BARRISTERS



PETER CROFTS

BAR ROLL: 2001 | ADMITTED: 1982

PHONE: +61 3 9225 8917

MOBILE: 0418 388 703

EMAIL: pcrofts@vicbar.com.au

Owen Dixon Chambers West, Room 0403, 525 Lonsdale Street, Melbourne VIC 3000

EXPERTISE

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PROFILE

After over 15 years at the Victorian Bar Peter's practice is now centred around what he calls "Familial Law" – the legal problems experienced by families. These include:

- Restructuring associated with family businesses, trust and partnership disputes including minority shareholder oppression, removal of trustees etc.;
- Superannuation problems;
- Issues arising from wills and estates;
- Powers of attorney, guardianship and personal administrations;
- Family law and relationship breakdown;
- The commercial problems associated with family businesses including particularly farming disputes;

Peter is uniquely placed to advise and appear in these matters having enjoyed previous careers as a psychologist (psychiatric hospital, alcohol and drug treatment, aged care and private practice) and as an accountant (becoming a partner with mid-tier firm Duesburys and then with international firm Deloitte practising particularly in forensic accounting) in addition to his work as a solicitor (articles in London, then suburban and city practice before serving as a principal legal officer with the National Crime Authority).

Peter was named as a mediator in the mid 1990's as part of the then Chief Justice of Victoria's mediation initiatives. He has undertaken mediation training with AIFLAM and the Victorian Bar. He regularly practices as a mediator and has accepted appointments as an arbitrator, particularly on disputes requiring resolution of business accounts or the valuation of family operated businesses.

Since coming to the Bar in 2001 Peter has appeared in all Victorian jurisdictions and in the Federal and Federal Circuit Courts as well as non-court forum's such as University Disciplinary Boards and interstate. His work often involves supporting senior counsel with sound accounting and commercial analysis. Important decisions include:

- Couch v Couch [2002] VSC 502 - the courts power to award non- monetary relief in testator's family property disputes involving farming interests;
- VW v EW & Ors [2006] FamCA 269 - the admissibility of evidence of an offer as evidence of value;
- Morris v Smoel & Ors [2014] VSC 31 - the liability of a sole director of a corporate trustee for costs in a self managed superannuation fund/estate dispute

Peter has a particular interest in facilitating negotiated outcomes in appropriate cases asserting that *"in Familial Law, understanding the people is often as important as understanding the law"*.

Peter has been regularly involved in a range of conference papers and continuing education. He lectures on quantification of loss, expert evidence and other subjects at Melbourne University in the Master of Accounting – Business Forensics, and has previously taught at Monash and Victoria Universities Law Faculties. He has been a contributing author on expert evidence to CCH's Family Law Service and served as Deputy Chair of the Marine Parks Compensation Tribunal.

Peter maintains a practical interest in small businesses through a range of private interests and

as member of the Board and later Chairman of the Bar's "Essoign Club" of which he is a life member.

To get in touch with Peter Crofts | or for more information please contact the

Clerk on: +61 3 9225 7222 or clerkb@greenslist.com.au