

GREENS LIST

BARRISTERS



RICHARD ANTILL

BAR ROLL: 2003 | ADMITTED: 2003

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Greens List

EXPERTISE

Appellate | Banking & Finance | Bankruptcy Law & Insolvency Law | Commercial Law | Common Law | Competition Law & Consumer Law | Corporations Law & Securities Law | Equity & Trusts Law | Inquests, Inquiries, Tribunals & Commissions | Property Law

PROFILE

Richard signed the bar roll in 2003 and has an established practice in general commercial law with expertise in:

- professional negligence;
- personal property securities;
- insolvency;
- property matters;
- planning matters;
- equity & trusts;
- wills and estates; and
- contractual disputes.

From 2010 to 2012, Richard took leave from the bar to take up the position of Risk Manager at the Legal Practitioners Liability Committee (the LPLC), the leading professional indemnity insurer

of Australian lawyers. In this role Richard assisted solicitors and barristers in managing the risks of practice. This involved talking to insured solicitors, reviewing and analysing claims data, helping to deliver a comprehensive education program, authoring various publications, monitoring how changes to the substantive law or practice in general may effect risks and claims. In particular, Richard was responsible for educating practitioners about the new personal property securities regime. He thereby gained a great deal of practical knowledge about the new PPS regime and developed relationships and a reputation with the various other experts in this area.

Below is a sample of other matters in which Richard has advised or acted and successfully resolved via mediation or in unreported decisions:

- Issuing Supreme Court proceedings to pursue a claim based on a resulting trust and/or partnership dispute of rural property, and successfully negotiating a settlement during the subsequent trial including providing tax advice in relation to various settlement proposals (CGT, income tax, stamp duty).
- Defending Supreme Court proceedings brought against the purchaser of a property based on a failure to agree to a rectification of a completed contract for the sale of land. Successfully resolved at mediation.
- Advising a limited owners corporation in relation to a dispute with the unlimited owners corporation regarding the responsibility for maintenance of common property.
- Issuing Supreme Court proceedings to pursue a claim on behalf of two beneficiaries of a discretionary trust to impugn the decisions of trustees to vest trust and exclude beneficiaries from any distributions of capital or income. Claim successfully resolved at mediation notwithstanding the high hurdles imposed by the leading cases in similar circumstances. Settlement also involved providing complex tax advice (CGT, income tax, stamp duty) in relation to the various settlement proposals.
- Advising a purchaser in an assignment and subsequent exercise of an option to purchase real estate including the provision of detailed tax advice (CGT, stamp duty)
- Negotiating a settlement of various co-ownership disputes in VCAT.
- Conducting various retail lease disputes in VCAT.
- Acting for a mortgagee in successfully obtaining orders from the Supreme Court for possession of a rural property.
- Acting for a vendor of land in successfully resisting a Supreme Court application by a purchaser for an injunction to prevent the release of the deposit to the vendor.
- Acting for one of five defendants in a complex estate matter in the Supreme Court involving allegations of professional negligence on the part of an accountant, a solicitor and executors of an estate, and allegations that various property was held on resulting trust. Matter successfully resolved at mediation.
- Several County Court and Supreme Court cases involving both adjustment of property

between former de facto couples (Part IX claims) and claims of resulting/constructive trusts

- Several Testator Family Maintenance Claims

Prior to coming to the Bar, Richard:

- graduated from the University of Sydney in 1991 with first class honours,
- worked as the Research Assistant to the NSW Court of Appeal during 1992
- worked for several law firms in Melbourne and Sydney, including Maddocks, Mallesons, Blake Dawson Waldron and Gilbert and Tobin.

To get in touch with Richard Antill | or for more information please contact the

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