



Emma Beechey

NEW/CHAMBERS

Bachelor of Civil Law (University of Oxford), 2009
Bachelor of Laws with First Class Honours (University of Queensland), 2007
Bachelor of Arts with Honours (University of Sydney), 1997

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Admitted to the legal profession	2008
Admitted as a barrister in NSW	2013
Also entitled to practise in	All Australian jurisdictions (Commonwealth, State and Territory)

Principal areas of practice

Appellate	Cross-border Insolvency
Banking and Financial Services	Equity and trusts
Bankruptcy and Insolvency	Property
Commercial Law	Technology
Conflict of Laws	
Corporations and Securities	

Previous professional experience

- 2019: Lecturer in Australian insolvency law for INSOL International's Foundation Certificate in International Insolvency Law
- 2014: Lecturer in Evidence, University of Sydney
- 2010 – 2013: Lawyer and Senior Associate, Henry Davis York, Banking, Restructuring and Insolvency Group
- 2008 – 2009: Supervising Editor, Oxford University Commonwealth Law Journal
- 2007 – 2008: Associate to the Honourable Justice S M Kiefel, High Court of Australia
- 1999 – 2003: Senior Music Librarian, Symphony Australia

Awards or professional recognition

Best Lawyers in Australia, 12th edition (2019), Insolvency and Reorganization Law
Doyle's Guide 2017. Listed as a recommended Insolvency and Reconstruction Junior Counsel in New South Wales
Doyle's Guide 2016. Listed as a leading Insolvency and Reconstruction Junior Counsel in Australia
Doyle's Guide 2015. Listed as a recommended Insolvency and Reconstruction Junior Counsel in Australia

Publications

'Blockchain and cryptocurrency for barristers' (2019) Summer 2018-19 *Bar News* 25
'Extending the period to commence voidable transaction proceedings' (2015) 27(2) *Australian Insolvency Journal* 22
'Patents for methods of medical treatment' (case note) (2014) Autumn 2014 *Bar News* 23
'Barristers and the Fidelity Fund' (case note) (2013) Summer 2013-14 *Bar News* 13
'Set-off of uncommercial transactions - Buzzle Operations v Apple Computer' (2012) 24(3) *Insolvency Law Journal* 20
'Case Comment: Osland v Secretary to the Department of Justice' (2010) 29(1) *Civil Justice Quarterly* 27

Professional memberships

Professional Member of the Australian Restructuring Insolvency & Turnaround Association (ARITA, formerly the Insolvency Practitioners Association of Australia)
Fellow of the International Association of Restructuring, Insolvency and Bankruptcy Professionals (INSOL International)
International Women's Insolvency & Restructuring Confederation (IWIRC)
Commercial Law Association of Australia

Additional Information

Emma practises primarily in the areas of domestic and cross-border insolvency, banking and regulation, and commercial litigation. She regularly advises and acts for local and foreign liquidators, major financial institutions including each of Australia's big four banks, corporations, investors and regulators. Emma appeared for APRA in the Financial Services Royal Commission throughout 2018 and continues to act for APRA in superannuation-related matters. Her briefs have included: acting for receivers in contested litigation with the Commonwealth regarding the PPSA and the FEG scheme; for the Cayman Islands liquidators of the Centaur Group (an international fundraising and litigation funding group with foreign liquidators recognised in Australia under the cross-border insolvency regime); for court-appointed receivers in a complex debt recovery claim involving a Diocese of the Anglican Church and for an equipment finance company unled in the Court of Appeal.

Emma is a Fellow of INSOL International and a lecturer in Australian insolvency law for INSOL International's Foundation Certificate in International Insolvency Law. Emma also has a detailed understanding of cryptocurrencies, smart contracts, blockchain technology and their regulation.

Selected cases

Commissions of Inquiry

- Acted for APRA in the Financial Services Royal Commission (2018, led by R Dick SC)

Bankruptcy and Insolvency

- *In the matter of Capitalcorp Alpha Investments Limited* [2019] NSWSC [tba] (unled, liquidators' remuneration and special leave to distribute a surplus)
- *Re Dan Phillips Holdings Pty Ltd* [2017] NSWSC 954 (unled; winding up of company in voluntary administration)
- *Re Anglican Development Fund Diocese of Bathurst Board (Recs and Mgrs Apptd)* [2017] NSWSC 967 (unled; retirement and remuneration of court-appointed receivers)

Cross border insolvency

- *In the matter of Anke Smart City (HK) Limited*, Supreme Court of New South Wales No 2015/339528 (unled; winding up of foreign company)
- *Ackers as joint foreign representative of Saad Investments Company Ltd (in official liquidation) (a company registered in the Cayman Islands) v Deputy Commissioner of Taxation* [2014] HCATrans 231 (led by B A Coles QC; application for special leave, cross-border insolvency)
- *In the matter of Centaur Litigation SPC (in liquidation) (a company registered in the Cayman Islands)*, Federal Court of Australia No NSD114/2016 (led by A G Bell SC; foreign liquidators' public examinations, freezing orders)

Corporations and Securities

- *Blue Visions Management Pty Ltd v Chidiac & Ors* [2019] HCATrans 15 (led by D F Jackson QC, A J McInerney SC; fiduciary duties; successfully resisted grant of special leave to appeal)
- *Gunasegaram v Blue Visions Management Pty Ltd; Blue Visions Management Pty Ltd v Chidiac* (2018) 129 ACSR 265; [2018] NSWCA 179 (led by A J McInerney; fiduciary duties)
- *Centaur Litigation Limited (in liquidation) (a company registered in the Cayman Islands) & Ors v Strong & Ors*, Federal Court of Australia, Proceedings No NSD1421/2016 (hearing October/November 2018, led by A G Bell SC, S Aspinall; *Barnes v Addy* claim against accountants)
- *Guo v Xinwei Song; SG Capricorn Investments Pty Ltd (subject to deed of company arrangement), Re; Dameng Developments Pty Ltd* [2018] NSWSC 12 (led by Philip Durack SC, termination of DOCA)

Contracts

- *Anglican Development Fund Diocese of Bathurst (in its own capacity and in its capacity as trustee of the Anglican Development Fund Diocese of Bathurst (receivers and managers appointed)) v Right Reverend Ian Palmer (Bishop of the Diocese of Bathurst)* [2015] NSWSC 1856 (led by A G Bell SC; complex debt recovery claim)
- *Electric Life Pty Ltd v Unison Finance Group Pty Limited* [2016] HCASL 100 (unled; successfully resisted grant of special leave to appeal, on the papers)
- *Electric Life Pty Ltd v Unison Finance Group Pty Ltd* [2015] NSWCA 394 (unled; successfully resisted appeal from decision below)
- *Unison Finance Group Pty Ltd v Electric Life Pty* [2015] NSWSC 170 (unled; mistake, contractual interpretation, restitutionary relief, successful appeal from decision of Local Court)