

Jann Gardner - Senior Reviewer - New South Wales

Jann's career spans three decades during which she has worked in private practice as a lawyer and she now conducts workplace investigations and associated activities in the public sector. Jann has also held both executive and executive board positions in a national law firm and her non-executive board positions cover the water, superannuation and finance industries in both the government and private sectors, particularly in tightly regulated areas. In a voluntary capacity, she has been a member of committees covering the university, local government, medical research and local community sectors. These roles provided her with an insight into the operation of government departments and authorities at various levels.

Jann has a deep understanding of workplace behaviour and the obligations on individuals to adhere to values and conduct requirements at all times. A number of her cases involve bullying and harassment and the implications in workplaces, and she brings a strong combination of the understanding of administrative law and common sense to reviews.

The bulk of Jann's legal career was spent at Sparke Helmore, a national law firm, where she was a partner for 15 years. As a senior lawyer with 28 years' experience, Jann has practiced exclusively in the litigation field. This involved the gathering of evidence, interviewing witnesses and reviewing documents, assessing the strength of that evidence and preparing detailed written reports with recommendations for action, for clients. The quality of her reports resulted in clients requesting her to perform broader portfolio reviews, provide advice on statutory interpretation and draft submissions on their behalf to peak bodies and regulators.

As the senior litigation partner in her field, Jann planned the approach, oversaw the investigation and signed off on the final reports of pre litigation factual investigations conducted by staff.

In more recent years, Jann conducted administrative law matters involving procedural fairness, natural justice and merits issues. She has drafted policies for public and private sector organisations to guide their decision making processes and ensure fair process and legislative compliance, in contentious areas, particularly in employment, whistleblowing and outsourcing. In addition, Jann developed a specialty in fraud investigations and has successfully conducted a number of cases in this area.

As well as running a busy practice, Jann also managed a large team of lawyers and held several managerial positions within Sparke Helmore. She has practical experience in drafting employment policies, managing conflicts of interest, investigating complaints, managing performance of staff and resolving complex personnel issues. She developed a framework for the assessment of candidates for promotion to senior levels, conducted the assessment of candidates against those criteria and prepared written assessment and recommendation reports to the partnership. Jann sat on governance committee at Sparke Helmore, to establish a framework for a new structure, and then sat on the inaugural board. Her governance expertise led to her appointment to a local government committee to ensure appropriate governance of a major project and she was appointed Chair of the governance committee of a not for profit organisation.

Jann's legal, managerial and director experience over many years, along with her calm, congenial and empathetic style have resulted in her developing expertise in assessing allegations, gathering evidence and preparing reports based on a sensible, fair and impartial assessment of that evidence. Having developed frameworks and policies in a number of areas, for both government and private sector clients, and conducted administrative law litigation, she understands the need for robust processes, compliance with those processes and for procedural fairness in their application, while ensuring people are treated with dignity at all times.

Providing Reviews of Decisions and Actions, Workplace Investigations
and Related Strategic Advice to the Public Sector and Other Organisations