

Professional Experience

2014 - present	Barrister
August 2013 - April 2014	Senior Lawyer, Dispute Resolution, Australian Government Solicitor (AGS) <i>Australian Electoral Commission v Johnston</i> (2014) 251 CLR 463 (WA Senate Election Case)
August 2011 - August 2013	Counsel Assisting the Solicitor-General of the Commonwealth Working directly to Stephen Gageler SC and then Justin Gleeson SC in the preparation of advice to and in the conduct of litigation on behalf of the Commonwealth. Appearing as junior counsel in various High Court proceedings noted below. Assisting Solicitor-General in preparation of significant matters in the High Court and international courts, including matters such as <i>JT International SA v Commonwealth of Australia (Plain Packaging Case)</i> (2012) 250 CLR 1. Co-authoring opinions and assisting in researching and drafting advice to government at the highest levels. Assisting Solicitor-General as a member of the Australian delegation to the International Court of Justice in <i>Australia v Japan; New Zealand intervening (Whaling in the Antarctic Case)</i> .
May 2010 - August 2011	Senior Lawyer, Constitutional Litigation Unit, AGS (Canberra)
April 2009 - April 2010	Senior Legal Officer, Office of Constitutional Law, Attorney-General's Department (Canberra)
June 2005 - March 2009	Lawyer and Senior Lawyer, AGS (Adelaide)

Key Appearances

High Court of Australia

Commonwealth of Australia v Director, Fair Work Building Industry Inspectorate & Ors (2015) 258 CLR 482

- Led by Cameron Moore SC for the amici curiae (instructed by AGS)
- Whether *Barbaro v The Queen* (2014) 253 CLR 58 applies to civil penalty proceedings

Assistant Commissioner Michael James Condon v Pompano Pty Ltd (2013) 252 CLR 38

- Led by Justin Gleeson SC (Commonwealth Solicitor-General) and Nicholas Owens (now Nicholas Owens SC) for the Attorney-General (Cth) intervening on the constitutional question (instructed by AGS)
- Chapter III - incompatibility as repository of Commonwealth judicial power

TCL Air Conditioner Co Ltd v The Judges of the Federal Court of Australia (2013) 251 CLR 533

- Led by Justin Gleeson SC (Commonwealth Solicitor-General) and Michael O'Meara for the Attorney-General (Cth) intervening (instructed by AGS)
- Chapter III - whether institutional integrity impermissibly impaired

Director of Public Prosecutions v Keating (2013) 248 CLR 459

- Led by Justin Gleeson SC (Commonwealth Solicitor-General) and Ruth Higgins (now Ruth Higgins SC) for the Attorney-General (Cth) intervening on the constitutional question (instructed by AGS)
- Chapter III and retrospectivity

Stanford v Stanford (2012) 247 CLR 108

- Led by Peter Hanks QC and Richard Hooker for the Attorney-General (Cth) intervening (instructed by AGS)
- Scope of s 51(xxii) and (xxiii) of the Constitution; “marriage” and “matrimonial causes”

Public law / regulatory matters

Hocking v Director-General of the National Archives of Australia (NSD530/2018): ongoing proceedings

- Led by Solicitor-General of the Commonwealth and Craig Lenehan (instructed by AGS)
- Appeal from *Hocking v Director-General of the National Archives of Australia* [2018] FCA 340

Brett Cattle v Minister for Agriculture, Fisheries and Forestry & Anor (NSD1102/2014): ongoing proceedings

- Led by Neil Williams SC and Michael O'Meara (instructed by AGS)
- Misfeasance in public office; damages

Australian Competition and Consumer Commission v Kimberly-Clark Australia Pty Ltd (NSD2124/2016): ongoing proceedings

- Led by Simon White SC
- Consumer law; “flushable” wipes; false or misleading representations

Australian Competition and Consumer Commission v Pental Limited [2018] FCA 491

- Led by Simon White SC (instructed by AGS)
- Consumer law; contested penalty proceedings

Hocking v Director-General of the National Archives of Australia [2018] FCA 340

- Led by Tom Howe QC and Craig Lenehan (instructed by AGS)
- Judicial review - whether “Commonwealth records” under *Archives Act 1983* (Cth)

Construction Industry Training Board v Transfield Services [2017] SASCFC 103

- Led by Chris Horan QC for the Attorney-General (Cth) intervening (AGS)
- Section 52(i) of the Constitution, power over places acquired for public purposes

CLS15 v Minister for Immigration & Anor [2016] FCCA 2164

- Unled for the Respondents (instructed by AGS)

— Judicial review – protection visa

Yeap v Minister for Immigration and Border Protection & Anor [2016] FCCA 1173

- Unled for the Respondents (instructed by AGS)
- Judicial review – Employer nomination visa decision

Wang & Ors v Minister for Immigration [2016] FCCA 1033

- Unled for the Applicant (instructed by W & H Lawyers)
- Judicial review – visa cancellation decision – extension of time

AZAEY v Minister for Immigration and Border Protection [2015] FCAFC 193; (2015) 238 FCR 341

- Unled for the Respondent (instructed by AGS)
- Judicial review – procedural irregularity

Day v Sanders; Day v HRNSW (2015) 90 NSWLR 764

- Led by Andrew Bell SC and Sandy Dawson (now Sandy Dawson SC) for the Respondent (instructed by Cockburn & Co)
- Whether “absolute liability” offence within rule-making power

Day v Harness Racing New South Wales (2014) 88 NSWLR 594

- Led by Andrew Bell SC and Sandy Dawson (now Sandy Dawson SC) for the Respondent (instructed by Cockburn & Co)
- Rule making powers – principles of statutory construction and delegated legislation

Tribunals and regulatory bodies

Independent Liquor and Gaming Authority v Auld [2018] NSWCATAP 68

- Unled for the Respondent (instructed by NSW Crown Solicitor’s Office)
- Referral application

Ehrenfeld and Australian Securities and Investments Commission [2017] AATA 883

- Led by Mr David Healey (instructed by ASIC)
- Merits review – decision to disqualify from managing corporations – recusal application

Carter and Tax Practitioners Board (Taxation) [2017] AATA 528; (2017) 2017 ATC 10-454

- Unled for the Respondent (instructed by the Tax Practitioners Board)
- Merits review – decision to terminate tax agent registration – Code of Professional Conduct

Oliver and Comcare (Compensation) [2017] AATA 252

- Unled for the Respondent (instructed by Sparke Helmore)
- Commonwealth workers’ compensation – ongoing entitlement to treatment

Paxton & Child Support Registrar and Anor [2016] FamCAFC 116

- Unled for the First Respondent (AGS)
- Leave to appeal – extension of time – SSAT decision endorsing determination to register overseas maintenance liability under *Child Support (Registration and Collection) Act 1988* (Cth)

Strata Community Insurance Agencies Pty Ltd and ASIC [2016] AATA 768

- Unled for the Respondent (instructed by ASIC)

— Merits review – Australian Financial Services licence – refusal of cross endorsement

Parker and ASIC [2016] AATA 767

- Unled for the Respondent (instructed by ASIC)
- Merits review – freedom of information decision

Application for Authorisation of Acquisition of Macquarie Generation by AGL Energy Limited [2014] ACompT 1

- Led by Charles Scerri QC, Nicholas De Young and Clare Exell for the ACCC (instructed by DLA Piper)
- Application for authorisation – *Competition and Consumer Act 2010* (Cth)

Applications by Public Interest Advocacy Service Ltd and Ausgrid Distribution [2016] ACompT 1

- Led by Stephen Lloyd SC, Michael O’Byrne QC, Stefan Balafoutis, Anna Mitchelmore, James Arnott, Tamara Phillips, with Frances St John for the Australian Energy Regulator (instructed by Corrs Chambers Westgarth)
- National Electricity Law – review of distribution determination by AER

Muir and Comcare [2015] AATA 612

- Unled for the Respondent (instructed by Sparke Helmore)
- Commonwealth workers’ compensation – whether reasonable administrative action

Commercial law, equity and trusts

Chow v Chow [2016] NSWSC 908

- Led by Paul Blackburn-Hart SC for the Plaintiffs (instructed by Arnold Bloch Leibler)
- Format of estate accounts for the purpose of passing by a registrar

Chow v Chow (No 2) [2015] NSWSC 1348; (2015) 229 BPR 35,385

- Led by Paul Blackburn-Hart SC for the Plaintiff (instructed by Arnold Bloch Leibler)
- Whether “usual order” for all costs out of proceeds appropriate

Chow v Chow (No 1) [2015] NSWSC 1347; (2015) 229 BPR 35,381

- Led by Paul Blackburn-Hart SC for the Plaintiff (instructed by Arnold Bloch Leibler)
- Section 66G application, under the *Conveyancing Act 1919* (NSW) – dispute as to trustees

In the matter of JGS Investment Holdings Pty Ltd [2014] NSWSC 1532; (2014) 32 ACLC 14-063

- Unled for the Plaintiff (instructed by Clayton Utz)
- Amendment application – joinder – reflective loss – particularisation of loss and causation

Education

Honours Degree of Bachelor of Laws, 2004
Bachelor of Arts (International Studies), 2001
University of Adelaide

Master of Laws, 2011
Australian National University