

JAMES KING

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EXPERTISE

- **Public law**—including all areas of federal and State administrative and constitutional law.
- **Commercial law**—including consumer, contracts, corporations, equity, property, and insolvency.
- Briefs are accepted in all areas of law.

PROFESSIONAL

- **Solicitor at Blake Dawson**—litigation, insolvency, corporate, construction Feb 2008 - Apr 2010
- **Associate to the Hon Justice Perram**—Federal Court of Australia Aug 2008 - Jun 2009

SELECTED MATTERS

- ***Australian Competition and Consumer Commission v Jetstar Airways Pty Ltd* [2015] FCA 1263**
Consumer law proceedings against Jetstar and Virgin for misleading conduct involving 'drip pricing' where initial cheap headline fares were incrementally increased by undisclosed charges. Led by Simon White SC.
- ***Plaintiff S297/2013 v Minister for Immigration and Border Protection* (2015) 255 CLR 231**
First and only case in which an Australian court has issued a peremptory writ of mandamus commanding the grant of a permanent visa. Whether a national interest criterion permitted refusal of a protection visa on the sole ground that the applicant is an unauthorised maritime arrival. Led by Stephen Lloyd SC.
- ***Polo Enterprises Australia Pty Ltd v Shire of Broome* (2015) 49 WAR 134 (CA); [2014] WASC 120**
Whether commercial competitors who applied for the same event permit were "*affected persons*" in relation to separate decisions to grant and refuse it. Led by David Higgs SC; unled at first instance.
- ***Commissioner of Taxation v Arnold (No 2)* [2015] FCA 34**
Civil penalty proceedings against promoters of tax exploitation schemes. Led by Des Fagan SC.
- ***Plaintiff S4/2014 v Minister for Immigration and Border Protection* (2014) 253 CLR 219**
Circumstances in which detention for the purposes of refugee status assessment is lawful; whether detention could be prolonged arbitrarily by the exercise of discretionary powers. Led by Stephen Lloyd SC.
- ***Plaintiff S297/2013 v Minister for Immigration and Border Protection* (2014) 255 CLR 179**
Whether ministerial power to 'cap' visas extended to protection visas. Led by Stephen Lloyd SC.
- ***De Blac v Lo* [2014] NSWSC 142**
Succession dispute in which issues were raised as to equitable estoppel; part performance; constructive trusts; and whether a beneficial interest in real property formed part of the notional estate. Unled.

- **Minister for Immigration and Border Protection v SZSRs [2014] FCAFC 16**

Whether a failure to refer to important evidence involved jurisdictional error. Led by Stephen Lloyd SC.

- **Magaming v The Queen (2013) 252 CLR 381; Karim v The Queen (2013) 83 NSWLR 268**

Constitutional validity of 5-year mandatory minimum sentence for the offence of people smuggling where accused was an Indonesian fisherman who helped steer a boat of asylum seekers. Led by Neil Williams SC.

- **SZQBN v Minister for Immigration and Citizenship [2013] FCAFC 94**

Circumstances in which constitutional writs can be refused on the ground of bad faith. Unled.

- **Plaintiff S10/2011 v Minister for Immigration and Citizenship (2012) 246 CLR 636**

Four applications under s 75(v) raising the question whether certain non-compellable ministerial powers of intervention are regulated by the requirements of procedural fairness. Led by Stephen Lloyd SC.

- **Le Meilleur Pty Ltd v Jin Heung Mutual Savings Bank Co Ltd [2011] NSWSC 1115**

Validity of deed of company arrangement where the terms of the executed instrument were not in conformity with the resolution passed at the second meeting of creditors. Led by David Pritchard SC.

- **Waller v Hargraves Secured Investments Ltd (2012) 245 CLR 311 (FC); [2011] HCATrans 153 (SLA)**

Validity of “enforcement action” taken, and the legal effect of a mediation certificate issued, under the *Farm Debt Mediation Act 1994* (NSW). Led by David Higgs SC; unled on special leave application.

EXTRACURRICULAR

- Founded Curial—curial.com 2016 - 2017
- NSW Bar Association—Public Law Section; New Barristers Committee 2011 - 2014
- Coach—Philip C Jessup International Law Moot; Shine Lawyers National Torts Moot; Manfred Lachs International Space Law Moot; National AAT Moot 2009 - 2013

EDUCATION

- Bachelor of Laws (Hons) from UNSW 2007
- Bachelor of Science (Computer Science) from UNSW 2007

PAST ACHIEVEMENTS

- Dean’s List for Academic Excellence 2008
- Prizes—first place in evidence and advocacy; first place in remedies 2007
- Henry Davis York Trial Advocacy Competition—winner 2007
- Stetson University International Environmental Law Moot—co-authored best memorial 2007
- Philip C Jessup International Law Moot Court Competition—ranked amongst top oralists 2007
- UNSW Senior Mooting Competition—winner 2006
- Sir Harry Gibbs National Constitutional Law Moot—grand-finalist 2005