

GEORGINA WESTGARTH

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Admissions

Called to the Bar	2018
Admitted as a Lawyer of the Supreme Court of New South Wales	2013

Professional Experience

Sixth Floor Selborne Wentworth Chambers

Barrister

May 2018—

I accept briefs in all areas of law.

Commonwealth Director of Public Prosecutions

Federal Prosecutor

February 2016 to April 2018

- Appeared for the Crown in sentence hearings in the New South Wales District Court for drug importation and human exploitation matters.
- Appeared for the Crown in bail applications in the Supreme Court of New South Wales, New South Wales District Court and Local Court.
- Instructed counsel in hearings in the Court of Criminal Appeal.
- Instructed counsel in jury trials relating to drug importation and human exploitation prosecutions.
- Appeared for the Crown in severity appeals, applications for non-publication orders and section 20BQ/section 32 applications.
- Appeared for the Crown in Commonwealth lists in the New South Wales District Court and the Local Court.

Jones Day

Solicitor

February 2014 to February 2016

While at Jones Day I worked as a solicitor in Global Disputes. I advised clients on a wide range of matters including contractual disputes, trade practices matters, negligence claims, breach of warranty claims, security of payment applications and investigations relating to bribery of foreign officials.

I worked on:

- *IBM Australia Ltd v State of Queensland* [2015] QSC 342 (breach of contract).
- *Commonwealth Bank Officers Superannuation Corporation Pty Ltd & Anor v Beck & Anor* [2016] NSWCA 218 (breach of trust deed, equity and superannuation law).
- *Commonwealth of Australia v Sanofi (formerly Sanofi-Aventis)* [2015] FCAFC 172 (usual undertakings given by patentees and the construction of the *Therapeutic Goods Act 1989* (Cth)).

The Honourable Justice Rein of the Supreme Court of New South Wales

Associate

January 2013 to December 2013

Justice Rein sits in the Equity Division of the Supreme Court of New South Wales.

Commonwealth Attorney-General's Department

Law Clerk

November 2011 to November 2012

I worked in the Administrative Law Unit and then the Office of International Law. In the Office of International Law, I undertook legal research for the litigation team for the investor-state arbitration *Philip Morris Asia v Australia* concerning whether the *Tobacco Plain Packaging Act 2011* (Cth) breaches Australia's obligations under the Australia-Hong Kong Bilateral Investment Treaty. I also worked in the litigation team for the WTO disputes concerning the *Tobacco Plain Packaging Act 2011* (Cth).

Education

Degree	Bachelor of Laws (First Class Honours) Bachelor of Arts (Art History)
University	Australian National University
Period	July 2007 to June 2012
Exchange Semester	University of Vienna (February 2010 – June 2010)

- Received a High Distinction for my thesis which analysed Australia's trafficking laws under the *Criminal Code (Cth)*.
- Winner of the Australian National University Law Society's Witness Examination Competition (2011).

Publications & Speaking Engagements

Presented at the 2018 Forced Marriage Network Meeting on the topic of prosecuting forced marriage offences.

Presented at 2017 ASEAN-Australia Immigration Workshop Combating Trafficking in Persons in Canberra on the topic of evidentiary issues in prosecuting trafficking in persons offences.

Presented at 2016 Commonwealth Director of Public Prosecutions Illegal Imports and Exports/ Human Exploitation Annual Conference on the topic of forced marriage laws.

Westgarth, G and Legg, M "Bank fees class action in Australia fails before Full Federal Court" (2015) 26 *Journal of Banking and Finance Law and Practice* 107, 111-117.

Emmerig J, Legg M and Westgarth G, "US Supreme Court Revises Fraud on the Market Presumption: Ramifications for Australian Shareholder Class Actions" (2015) 43 *Australian Business Law Review* 448.