

CELIA G WINNETT

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PROFESSIONAL

BARRISTER, SIXTH FLOOR SELBORNE WENTWORTH CHAMBERS

June 2016–

Principal areas of practice: public law (including administrative law, migration, constitutional law, native title, discrimination and human rights); commercial law (including corporations, intellectual property, contracts, tax, competition and consumer law); international law.

Select matters:

High Court of Australia

Amaca Pty Ltd v Latz, A7 and A8/2018 (negligence, damages; led by Justin Gleeson SC and Dominic Villa)

Construction, Forestry, Mining and Energy Union v Australian Building and Construction Commissioner [2017] HCATrans 190 (civil penalties; led by Neil Williams SC)

Family Court

Tomaras & Tomaras [2017] FamCAFC 216 (statutory interpretation, tax; led by Neil Williams SC)

Federal Court

ASIC v Vocation Ltd (in liq), No. NSD1679/2016 (misleading and deceptive conduct, directors' duties; led by John Halley SC, Anna Mitchelmore and Joanna Davidson)

Commissioner of Taxation v Tamarama Fresh Juices Australia Pty Ltd [2017] FCAFC 154 (statutory interpretation, tax; led by James Hmelnitsky SC)

DFS Australia Pty Ltd v Comptroller-General of Customs [2017] FCA 547 (statutory interpretation; led by Neil Williams SC)

Eve Hemp Pty Ltd v Secretary, Department of Health [2017] FCA 1051 (administrative law; led by Jeremy Kirk SC)

El-Ossman v Minister for Immigration and Border Protection [2017] FCA 636 (administrative law; led by Neil Williams SC)

NSW Court of Appeal

Attorney-General (NSW) v Gatsby; Attorney-General (NSW) v Johnson (constitutional law; led by Geoffrey Kennett SC)

Kaldas v Barbour [2017] NSWCA 275 (constitutional law, statutory interpretation; led by Jeremy Kirk SC and Perry Herzfeld)

NSW Supreme Court

DIF III – Global Co-Investment Fund LP v BBLP LLC (misleading and deceptive conduct, negligence; led by Garry Rich SC) (settled)

Kaldas v Barbour [2016] NSWSC 1880 (interlocutory injunction, administrative law; led by Jeremy Kirk SC and Stephen Free)

Re Order of AHEPA NSW Inc [2018] NSWSC 458 (incorporated associations; led by Robert Hollo SC)

Obeid v Ipp [2016] NSWSC 1376 (misfeasance, administrative law; led by Jeremy Kirk SC and Anna Mitchelmore)

Punnadi v Hytech Seals Pty Ltd, No. 257387/2016 (cross-vesting; unled) (settled)

NSW Civil and Administrative Tribunal

Johnson v Dibbin [2018] NSWCATAP 45 (constitutional law; led by Geoffrey Kennett SC)

(Restricted) v Department of Family and Community Services, 2017 (freedom of information, privilege; unled) (settled)

McKay v Transport for NSW [2017] NSWCATAD 212 (freedom of information; unled)

Wordsworth v RMS [2017] NSWCATAD 201 (freedom of information; led by Neil Williams SC)

Other

ACCC compulsory examinations in a merger investigation, led by Naomi Sharp (discontinued)

COUNSEL ASSISTING THE SOLICITOR-GENERAL OF AUSTRALIA June 2014–Dec 2015

Commonwealth Attorney-General's Department

Key responsibilities: drafting legal opinions; assisting Solicitor-General in preparing cases for hearing in domestic and international tribunals, including preparation of written submissions and outlines of oral submissions; conducting research; and assisting in preparation of papers and speeches. Areas of law included tax, constitutional law, native title law, international law, conflicts of law and statutory interpretation.

Appearances as junior counsel for the Commonwealth:

- *Ghazel & Ghazel* [2016] FamCAFC 31 (statutory interpretation; private international law)
- *D'Arcy v Myriad Genetics Inc* [2015] HCA 35 (constitutional law; conditional intervention, written submissions only)

COUNSEL, OFFICE OF GENERAL COUNSEL

Australian Government Solicitor, Canberra

Canberra, Australia

Nov 2011–June 2014

AMERICAN CIVIL LIBERTIES UNION

Legal intern

Honolulu, USA

May–Aug 2013

HIGH COURT OF AUSTRALIA

Associate to the Hon Justice Susan Crennan AC

Canberra, Australia

Oct 2010–Oct 2011

MALLESONS STEPHEN JAQUES (KING & WOOD MALLESONS)

Solicitor (Banking & Finance; International Arbitration)

Sydney, Australia

July 2009–Sept 2010

Pro bono: Mallesons Lawyers in Schools Program
Mallesons Human Rights Law Group Steering Committee

YAMATJI MARLPA ABORIGINAL CORPORATION*Legal intern, Aurora Project***Geraldton, Australia**

June–July 2008

ADMISSIONS

Barrister, New South Wales

2016

Solicitor, New South Wales

2010

EDUCATION

COLUMBIA LAW SCHOOL**New York, USA***Master of Laws*, received May 2013

Awards: Fulbright Postgraduate Scholarship
Charles B. Bretzfelder Constitutional Law Scholarship
James Kent Scholar (highest academic honours)
Best in class, L6132 American Constitutional Law, Autumn 2012

Activities (sample): LLM Representative, Civil Rights Law Society
Tutor, Harlem Tutorial Project

AUSTRALIAN NATIONAL UNIVERSITY**Canberra, Australia***Bachelor of Laws with First Class Honours and University Medal*, received July 2009*Bachelor of Arts in French and Philosophy*, received July 2009

Awards: Australian Capital Territory Supreme Court Judges' Prize for best overall result in ANU Law Honours program
India Australia Association of Canberra Prize for most outstanding Honours result in ANU College of Law
ANU Honours Scholarship
ACT Bar Association Prize for Evidence
ANJeL Akira Kawamura Prize for Japanese Law and Society
Holding Redlich Prize for Property Law
Thomson Prize for Contemporary Issues in Constitutional Law
George Knowles Memorial Prize (best overall results in ANU undergraduate law program in 2005)
ACT Baha'i Community Prize for International Law
Daphne Olive Prize for Legal Theory
ANU National Undergraduate Scholarship

Activities (sample): Student editor, *Federal Law Review*
Sub-editor, *Australian Journal of Legal Philosophy*
Citations editor, Leslie Zines, *The High Court and the Constitution* (5th ed, 2008)
President, ANU Debating Society

PUBLICATIONS AND SPEECHES

Celia Winnett, “*Kaldas v Barbour* [2017] NSWCA 275”, Australian Association of Constitutional Law seminar, 19 April 2018

Justin Gleeson SC and Celia Winnett, ‘The Rule of Law and the Crown’ in Martin Hinton and John Williams, *The Crown* (forthcoming, 2018)

Naomi Sharp and Celia Winnett, BenchTV presentation, ‘Procedural Fairness in Multi-Stage Decision-Making Processes’ (2017)

Celia Winnett, ‘*Cunningham v Commonwealth* [2016] HCA 39: Acquisition of Property and Politicians’ Retirement Benefits’ (paper presented at the Gilbert + Tobin Constitutional Law Conference, Sydney, 17 February 2017)

Celia Winnett, “‘Just Terms’ or Just Money? Section 51(xxxi), Native Title and Non-Monetary Terms of Acquisition’ (2010) 33 *University of New South Wales Law Journal* 776

OTHER LANGUAGES

French (medium fluency level)