

JULIA ROY

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PRACTICE

- **Areas:** Commercial (corporations, conflict of laws, class actions, equity); Competition (civil and criminal); Public (administrative, inquests and inquiries); Criminal (trials and appeals).
- **Panels:** Counsel Assisting Inquests and Inquiries (NSW Department of Justice); Specialist Barrister Indictable Appeals (Legal Aid), Junior Counsel (Cth Director of Public Prosecutions).
- **Professional Associations:** Four years as Councillor of NSW Bar Association and Member of Professional Conduct Committee; two years Education Committee, Bar Exams Working Group.

SELECTED CASES

High Court

- *KPMG (A Firm) v Bogan* [2022] HCATrans 208; removal application concerning transfer of proceedings in the context of group costs orders. Led by P Herzfeld SC, instructed by Ashurst.
- *Palmer v State of Western Australia* (withdrawn), contempt proceedings in the original jurisdiction, representing Premier and AG of WA, led by B Walker SC, unled on costs.
- *Cook (A Pseudonym) v The Queen*, special leave (pending) and *Jackmain (A pseudonym) v The Queen* [2020] HCATrans 149; special leave. Concerning construction and validity of s 293 of the *Criminal Procedure Act 1986* (NSW). Led by T Game SC.
- *Berry v CCL Secure Pty Ltd* [2020] HCA 27. Concerning misleading and deceptive conduct by fraudulent misrepresentation. Led by G Rich SC, instructed by Arnold Bloch Leibler.
- *Attorney General (NSW) v XX*, special leave. Concerning first use of double jeopardy exception, application to quash acquittals and retry accused of “Bowraville Murders”. Led by T Game SC.
- *RP v The Queen* (2016) 259 CLR 641. First consideration of *doli incapax*. Led by H Dhanji SC.
- *Inner West City Council ats Geitonia Pty Ltd*. LEC Class 5 special leave. Led by T Game SC.
- *Sio v The Queen* (2016) 259 CLR 47. Concerning the operation of hearsay provisions of the *Evidence Act 1995* (NSW). Led by T Game SC.
- *Filippou v The Queen* (2015) 256 CLR 47. Concerning the proper approach to conviction appeals and nature of an appeal from judge alone trial. Led by T Game SC with G Bashir SC.
- *Kentwell v The Queen* (2014) 252 CLR 601 and *O’Grady v The Queen* (2014) 252 CLR 621. Regarding the correct approach to sentence appeals. Led by T Game SC with G Bashir SC.
- *Gillard v The Queen* (2014) 88 ALJR 606; (2014) 308 ALR 190. Construction of s 67(1) *Crimes Act 1900* (ACT). Led by T Game SC.
- Various other special leave applications, including in respect of above listed appeals.

Intermediate Appellate and Full Courts

- *Bogan v Estate of Peter John Smedley*; shareholder class action in connection with the collapse of the Arrium Group, transfer application removed to the VCA in the context of extant group costs orders, led by P Herzfeld SC, instructed by Ashurst.
- *Miles v R* [2023] NSWCCA 90. Appeal on incompetence of legal representatives. Unled.
- *Ming v DPP (NSW)* [2022] NSWCA 209; (2022) 109 NSWLR 604. Judicial review of decision to dismiss appeal in the District Court. Unled. Instructed by DPP.
- *Gavellas v R* [2022] NSWCCA 229. Appeal against sentence. Unled. Instructed by DPP.

- *Gregg v R* [2020] NSWCCA 245; appeal against conviction for *Corporation Act* offences, concerning law of sham. Speaking role, led by T Game SC, instructed by Webb Henderson.
- *Bombardier Inc v AVWest* [2020] WASCA 2. Conflict of laws, contract and estoppel claims. Speaking role, led by N Hutley SC, instructed by Freehills for AVWest.
- *Lelikan v R* [2019] NSWCCA 316. Crown appeal concerning membership of terrorist organisation (PKK) where committed to international humanitarian law. Led by P Boulten SC.
- *Attorney General (NSW) v XX* (2018) 98 NSWLR 1012. Concerning first use of double jeopardy exception, application to quash acquittals and retry accused of “Bowraville Murders”. Speaking role, led by M Ierace SC.
- *Kazal v Thunder Studios Inc (California)* (2017) 256 FCR 90; [2017] FCAFC 111. Appeal against liability and imprisonment for contempt arising from defamation proceedings. Led by B Walker SC, instructed by Clayton Utz.
- *Ashton v Pratt* (2015) 88 NSWLR 281; (2015) 318 ALR 260; [2015] NSWCA 12. Contract, estoppel and beneficiaries’ interests in chose in action; defending claims brought against the Pratt estate. Led by M Henry SC for the Pratt estate, instructed by Arnold Bloch Leibler.
- *Sinkovich v Attorney General New South Wales* (2013) 85 NSWLR 783. Judicial review of administrative decision of the Supreme Court (bench of five). Led by T Game SC.
- *Appeals in the Court of Criminal Appeal*. Various unled appeals of conviction and sentence for convicted persons and NSW and Commonwealth Directors of Public Prosecutions.

First Instance & Misc.

- I regularly advise in relation to regulatory (ACCC, ASIC, etc), liquidator and criminal investigations and proceedings for Big Tech, Big Four banks, Big Four accounting firms and other listed entities and executives, initial public offerings, compulsory examinations and witness preparation, and appeal merit.
- Inquiry into the convictions of Kathleen Folbigg. Counsel Assisting Inquirer Tom Bathurst AC KC. Led by Sophie Callan SC, speaking and examination role.
- *Savage ats CDPP*. Alleged *Corporations Act* offences in the context of Unaoil scandal in connection with Leighton Holdings. Led by Neil Clelland KC, instructed by ABL.
- *Greenfield ats CDPP*. Alleged bribery offences contrary to the *Fair Work Act* in connection with the CFMMEU NSW Construction Branch. Led by S Buchen SC, instructed by Mills Oakley.
- *Meta (formerly Facebook Inc) ats ACCC*. Alleged breaches of *Competition and Consumer Act* and *ASIC Act* and application for stay of proceedings pending resolution of criminal prosecution. Led by K Stern SC with F Roughley, instructed by Corrs Chambers Westgarth.
- *Tartak ats CDPP*; cartel offences in connection with Bingo Industries, sentencing proceedings ongoing, led by Tim Game SC and Ruth Higgins SC.
- *Racing NSW v Racing Vic*. Preliminary discovery application in connection with allegations of breaches of directors duties, tort of lawful conspiracy etc.; led by P Herzfeld SC, instructed by Clayton Utz (for Racing Qld).
- *Deutsche Bank AG ats CDPP* (charges withdrawn). Allegations of cartel offences in the context of a capital raising, contrary to the *Competition and Consumer Act 2010*. Led by M Thangaraj SC and J Kirk SC, instructed by King and Wood Mallesons.
- *[Decision Restricted]* [2019] NSWSC 1892, first prosecution of offences contrary to the *Charter of the United Nations Act 1945* (Cth) concerning breach of UN Sanctions directed to stopping nuclear proliferation in Iran. Led by S Buchen SC.
- *AVWest Aircraft Pty Ltd v Bombardier Inc* [2018] WASC 139. Conflict of laws, contract and estoppel claims. Led by A Bell SC, instructed by Herbert Smith Freehills for AVWest.

- *Commonwealth DPP v Kawasaki Kisen Kaisha Ltd* [2019] FCA 1170. Cartel offences contrary to the *Competition and Consumer Act 2010*. Led by C Moore SC and D Jordan, instructed by Gilbert + Tobin.
- *Allco Finance Group Ltd (in liq) ats Blairgowrie Trading Ltd*, representative (class) action in the Federal Court relating to alleged disclosures and non-disclosures to the market and ASX. Led by D Studdy SC with R Foreman for AFG, instructed by Webb Henderson.
- *Inquest into the Lindt Café Siege*. Unled and led in different segments by P Boulten SC, A Sullivan QC, M Thangaraj SC or M O’Connell SC (Vic) for the family of Katrina Dawson.
- *DIF Capital Partners Ltd ats Accretion Investment Management Pty Ltd* (2014, NSWSC). Directors’ duties and related party transactions. Led by T Payne SC with K Barrett for DIF.
- Prosecuting (for the Commonwealth DPP) and defending criminal proceedings in the District Court of NSW (various, led and unled).

PROFESSIONAL BACKGROUND

Research Director to the Hon Chief Justice Bathurst , Supreme Court NSW	Sept 2011 – 2012
Tipstaff to the Hon Justice Hodgson , Court of Appeal NSW	Jan – Aug 2011
Adjunct Lecturer , Faculty of Law, University of New South Wales	2010-2011
Associate Lecturer , Faculty of Business, University of New South Wales	2010
Director of Advocacy , Asia-Pacific Centre for R2P, University of Queensland	2008
Advocacy and Policy Officer for Genocide Prevention , Act for Peace	2007-2008

EDUCATION

Bachelor of Laws (First Class Hons, 4 th in Year), University of New South Wales	2009
Bachelor of Arts (History and Philosophy of Science) University of New South Wales	2009
<ul style="list-style-type: none"> • Best Performance in Industrial and Intellectual Property; Dean’s List • Goldman Sachs Global Leadership Social Entrepreneurship Fund grant recipient • Julius Stone Prize for Legal Theory; Dean’s List • Clayton Utz Scholarship for academic achievement • Best Performance in Strategic Public Advocacy; Dean’s List • Lucinda Adamovich Scholarship for academic achievement • Law Book Co. Scholarship for academic achievement • Goldman Sachs Global Leadership Scholarship and Title • Norman and Elma Hunt Memorial Prize for Public Law • Dorothy Allison-Fergus Prize for Women’s and Gender Studies 	<ul style="list-style-type: none"> 2009 2008 2008 2008 2007 2007 2007 2006 2006 2005

SELECTED RECENT PUBLICATIONS & PAPERS

Richard Weinstein SC DCJ, John Anderson, Judith Marychurch and Julia Roy (previously Williams SC et al), *Uniform Evidence in Australia* (LexisNexis AU, 2015; 2nd Ed 2017; 3rd Ed 2020).

B Baker and J Roy, “The Wire: The Admissibility of Intercepted Conversation under State and Federal Legislation”, presented at NSW Bar Association Conference Series, 30 March 2019.

The Hon M Ierace SC and J Roy, “Retrials After Acquittal: Abolishing Double Jeopardy”, presented at Rise 2018: NSW Bar Association National Conference, 17 November 2018.

The Hon A J Payne SC and J Roy, “Privileges in Regulatory and Criminal Proceedings”, presented at Sword of Damocles Conference, Federal Court at Sydney, 16 March 2018.

T Game SC and J Roy, “Unifying Principles in Administrative and Criminal Law”, in Neil Williams SC (ed) *Key Issues in Public Law* (Federation Press 2017).