

# DANIEL WARD

## BARRISTER

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### EDUCATION

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Bachelor of Civil Law (Distinction) (University of Oxford)

Advanced Property and Trusts prize | Civil Procedure prize

Bachelor of Laws (Hons I and University Medal) (University of Sydney)

1<sup>st</sup> of 305 students | Convocation Medal | 14 academic awards

Bachelor of Arts (Advanced) (Hons I and University Medal) (University of Sydney)

Graduate Diploma in Economics (University of New England)

### SELECTED CASES

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#### High Court of Australia

- *McNamara v R* (2023) 98 ALJR 1 (joint criminal trial – *Evidence Act* s 135 – exclusion of exculpatory evidence)
- *Plaintiff S111A/2018 v Minister for Home Affairs* [2023] HCATrans 114 (migration – adverse security assessments) (**unled**)
- *Plaintiff S111A/2018 v Director-General of Security* [2023] HCATrans 137 (migration – adverse security assessments)
- *Gatto v Australian Broadcasting Corporation* [2022] HCATrans 197 (defamation – appellate standard of review – single meaning rule)
- *Camenzuli v Morrison* [2022] HCATrans 60 (voluntary associations – justiciability)
- *Alameddine v R* [2021] HCATrans 198 (sentencing – terrorism – statutory construction)

#### Federal Court of Australia

- *Director-General of Security v Plaintiff S111A/2018* [2023] FCAFC 33 (appeal – administrative law – legal unreasonableness – evidence produced by torture)
- *Deputy Commissioner of Taxation v Miraki* [2022] FCAFC 96 (appeal – mandatory injunctions – *Real Property Act* (NSW) – powers of Registrar-General)
- *Atanaskovic Hartnell Corporate Services Pty Ltd v Kelly* (NSD306/2022) (appeal – equitable set-off – workplace entitlements – negligence – judgment reserved)
- *Deripaska v Minister for Foreign Affairs* [2024] FCA 62 (constitutional and administrative law – autonomous sanctions – validity of regulations)
- *Burrows v Macpherson and Kelley Lawyers (Sydney) Pty Ltd* [2023] FCA 622 (appeal – bankruptcy – service of bankruptcy notices) (**unled**)
- *Burrows v Macpherson and Kelley Lawyers (Sydney) Pty Ltd* [2023] FCA 875 (security for costs – costs of self-represented incorporated legal practice) (**unled**)

#### NSW Court of Appeal

- *State of NSW v McLaughlin* (arrest and detention – false imprisonment – reasons reserved)
- *Li v Liu* [2022] NSWCA 67 (restitution – defence of illegality – misleading and deceptive conduct)
- *Camenzuli v Morrison* [2022] NSWCA 51 (voluntary associations – justiciability)
- *Camenzuli v Morrison (No 2)* [2022] NSWCA 62 (costs – multiple successful parties)
- *Demex Pty Ltd v McNab Building Services Pty Ltd* [2023] NSWCA 261 (security of payments adjudication – procedural fairness)

- *Maurtray Pty Ltd v Pillemer Pty Ltd* (2022/292007) (misleading/deceptive conduct – breach of contract – settled)

### **NSW Court of Criminal Appeal**

- *Gould v R* [2023] NSWCCA 103 (pervert course of justice – adequacy of summing up – sufficiency of evidence)

### **NSW Supreme Court**

- *Smith v State of New South Wales* [2024] NSWSC 507 (pre-trial suppression and non-publication orders – *ex parte*) (**unled**)
- *Walker Corporation Pty Ltd v The Owners – Strata Plan No 61618* [2022] NSWSC 1246 (leasehold strata scheme – by-laws – uncertainty – inconsistency with statute) (**unled**)
- *G H Varley Pty Ltd v GCG Distribution Pty Ltd* [2022] NSWSC 514 (notices to produce – discovery)
- *G H Varley Pty Ltd v GCG Distribution Pty Ltd* (2017/164947) (misleading and deceptive conduct – contract – business acquisition negotiations – settled)

### **WA Supreme Court**

- *Cockman v Gorman* [2022] WASC 125 (voluntary associations – contract)

### **NSW District Court**

- *Burrows v Macpherson & Kelley Lawyers (Sydney) Pty Ltd* [2024] NSWDC 68 (summary dismissal) (**unled**)
- *R v Guven* (2019/008158) (plea traversal – drug importation – deal with proceeds of crime)
- *Confidential* (2021) (sexual assault trial – evidence – *Criminal Procedure Act* (NSW) s 293)
- *Acuil v Lazro* (2020/234719) (defamation – imputations concerning sexual assault – settled) (**unled**)

### **Fair Work Commission**

- *Roebuck v Shopping Centres Australasia Property Group Ltd* [2021] FWC 6517 (adverse action – jurisdictional objection) (**unled**)

### **Royal Commission into the Robodebt Scheme**

- Represented the Hon Michael Keenan