# JOHN BIRRELL

#### ADMISSIONS

2023	Barrister, New South Wales
2013	Solicitor, Supreme Court of New South Wales and the High Court of Australia
PROFESSIONAL EXPERIENCE	
2023 -	Barrister, Sixth Floor Selborne Wentworth Chambers
2020 - 2023	<b>Arnold Bloch Leibler, Dispute Resolution &amp; Litigation, Sydney NSW</b> Senior Associate (2021 – 2023) and Solicitor (2020 – 2021)
2016 - 2020	North Australian Aboriginal Justice Agency, Civil Law Section, Darwin NT Senior Solicitor (2017 – 2020) and Solicitor (2016 – 2017)
2015 – 2016	Office of the Solicitor Assisting the Royal Commission into Institutional Response to Child Sexual Abuse, Sydney NSW Senior Solicitor (2016) and Solicitor (2015 – 2016)
2012 - 2014	Solicitor, MinterEllison, Dispute Resolution & Litigation, Sydney NSW
EDUCATION	
2015	Master of Laws (Harlan Fiske Stone Scholar), Columbia Law School
2012	Bachelor of Economics and Bachelor of Laws (First Class Honours), Australian National University

#### ADDITIONAL EXPERIENCE

2018 - 2020	Sessional Academic, College of Business & Law, Charles Darwin University, Darwin NT
Summer 2015	Summer Fellow, Judicial Branch of the Little Traverse Bay Bands of Odawa Indians, Petoskey, Michigan USA
Spring 2015	Intern, Tribal Justice, Centre for Court Innovation, New York, New York USA
2014 - 2016	Legal Practice Mentor (Tutor), Graduate Diploma of Legal Practice, Australian National University
2012 – 2014	Volunteer Solicitor, Homeless Persons' Legal Service, Public Interest Advocacy Centre, Redfern NSW

## SELECTED MATTERS AS SOLICITOR

#### Commercial

- *McAssey v Nemo (BC) HoldCo Pty Limited* (2021): Acted for the founder of a premium childcare provider in proceedings in the Commercial List of the NSW Supreme Court seeking payment of debts of more than \$100 million involving allegations of breach of contract, directors' duties, and misleading and deceptive conduct. Settled after commencement of trial.
- Zircodata Information Holdings Pty Limited v Iron Mountain Global Holdings, Inc (2023): Acted for the purchaser of a records and information management business in proceedings in the Commercial List of the NSW Supreme Court involving allegations of breach of warranty under a share sale agreement. Ongoing.

## Regulatory investigations and enforcement action

• ASIC v Bekier & Ors (2022-23): Acted for six former non-executive directors of Star Entertainment Group Limited in relation to an ASIC investigation and proceedings before the Federal Court involving allegations of breach of directors' duties. Ongoing.

## White collar crime

• *R v Savage* (2021-23): Acted for a former senior executive of Leighton Holdings in NSW Local Court committal proceedings in relation to criminal charges under the *Corporations Act 2001* (Cth) in the context of foreign bribery allegations. Ongoing.

## Public inquiries

- *Review of The Star Pty Limited* (2022): Acted for five non-executive directors of Star Entertainment Group Limited in relation to the inquiry into The Star's suitability to hold a NSW casino licence.
- *Royal Commission into the Protection and Detention of Children in the Northern Territory* (2016-17): Acted for vulnerable witnesses AA, AB, AC, AY and another young person not issued with a pseudonym.
- *NSW Independent Commission Against Corruption* (2014): Acted for Australian Water Holdings Pty Limited in relation to investigations into its dealings with Sydney Water Corporation and NSW Liberal Party funding for the 2011 State election campaign (Operations Credo and Spicer).

# Intentional torts

- *Binsaris v Northern Territory* (2020) 270 CLR 549 (and related proceedings) Acted for four young people in proceedings concerning, inter alia, the use of CS (tear) gas at Don Dale Youth Detention Centre. Instructing solicitor from costs argument in the Northern Territory Supreme Court to successful appeal before the High Court. Solicitor advocate in *JB v Northern Territory* (*No 2*) [2019] NTCA 3 (led by Kathleen Foley SC prior to her appointment as senior counsel).
- *Petersen v New South Wales* (2021): Acted for the plaintiff in proceedings before the District Court alleging malicious prosecution, battery, assault and false imprisonment by officers of the NSW Police Force. Judgment entered for the plaintiff on settlement.

# PUBLICATIONS AND CONFERENCE PAPERS

- 'The Recognise Campaign and Constitutional Relationships Between Indigenous Peoples and the State', *Public Law Review* (2016)
- 'The Recognise Campaign and Constitutional Relationships Between Indigenous Peoples and the State', Paper presented at the ANU Public Law Weekend, Australian National University, Canberra, ACT (2015)
- Foreword, *Higher Education and the Law*, Federation Press (with Pamela Madafiglio) (2015)