

# JULIA ROY

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## PRACTICE

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- **Areas:** Commercial (corporations, conflict of laws, class actions, equity); Competition (civil and criminal); Public (administrative, inquests and inquiries); Criminal (trials and appeals).
- **Panels:** Specialist Barrister Indictable Appeals (Legal Aid), Counsel Assisting Inquests and Inquiries (NSW Department of Justice); 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

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### High Court

- *Bogan v Est. of Smedley (Deceased)* [2025] HCA 7; test case concerning the significance of group cost orders to jurisdiction transfer of shareholder class action. Led by P Herzfeld SC.
- *Cook (A Pseudonym) v The King* [2024] HCA 26; appeal concerning admissibility of evidence of complainant's history. Speaking role, led by T Game SC.
- *KPMG (A Firm) v Bogan* [2022] HCATrans 208; removal application Led by P Herzfeld SC.
- *Palmer v State of Western Australia* [2021] HCATrans 87, contempt proceedings in the original jurisdiction, representing Premier and AG of WA, led by B Walker SC, unled on costs.
- *Berry v CCL Secure Pty Ltd* [2020] HCA 27. Alleged misleading and deceptive conduct by fraudulent misrepresentation. Led by G Rich SC.
- *Jackmain (A pseudonym) v The Queen* [2020] HCATrans 149. Construction and validity of s 293 of the *Criminal Procedure Act 1986* (NSW). Led by T Game SC.
- *Attorney General (NSW) v XX* [2019] HCATrans 52. Test case on 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 proceedings. 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

- Recent Court of Criminal Appeal matters, unled: *Barker v R* [2024] NSWCCA 227; *Nicholas v R* [2024] NSWCCA 144; *Whipp v R* [2024] NSWCCA 79; *Robertson v R* [2024] NSWCCA 22; *Pender v Rex* [2023] NSWCCA 291; *Miles v R* [2023] NSWCCA 90.
- Arrium Class Action: *Bogan v Estate of Smedley (decd)* [2023] VSCA 256; Victoria shareholder class action in connection with the collapse of the Arrium Group, led by P Herzfeld SC.

- *Ming v DPP (NSW)* (2022) 109 NSWLR 604. Judicial review from NSWDC. For DPP, unled.
- *Gregg v R* (2020) 355 FLR 348; 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. First use of double jeopardy exception, application to retry accused of “Bowraville Murders”. Speaking role, led by M Ierace SC.
- *Kazal v Thunder Studios Inc (California)* (2017) 256 FCR 90. Appeal against liability and imprisonment for contempt. Led by B Walker SC, instructed by Clayton Utz.
- *Ashton v Pratt* (2015) 88 NSWLR 281. Contract, estoppel and beneficiaries’ interests in chose in action. 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.

### **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 and other listed entities and executives, IPOs, compulsory examinations, witness prep, and appeal merit.
- Jury trials in Supreme and District Courts of NSW. Current briefs include alleged *Corporations Act* offences re: Irexchange capital raising, war crimes, foreign bribery and money laundering.
- Downer EDI Shareholder Class Action (*Lidgett v Downer EDI and KPMG S ECI 2023/01835*) in the Supreme Court of Victoria. Led by P Herzfeld SC for KPMG, instructed by Ashurst.
- ASIC v Terracom Ltd (NSD176/2023), Federal Court civil penalty proceedings concerning whistleblower allegations, for CEO, led by R Forman SC, instructed by Mangioni Biggs + Co.
- ASIC v Diamond Wheels (NSD 1326/2024), Federal civil penalty, instructed by Mills Oakley.
- 2024 Independent Inquiry into The Star, led by J Renwick SC, speaking and examination role.
- Savage ats CDPP (2020/00282221). Alleged *Corporations Act* offences in the context of Unaoil bribery scandal and Leighton Holdings. Led by Neil Clelland KC and unled, instructed by ABL.
- *CDPP v Bingo Industries Ltd; CDPP v Tartak* [2024] FCA 121; cartel offences in connection with Bingo Industries, led by T Game SC and R Higgins SC.
- 2022-2023 Inquiry into the convictions of Kathleen Folbigg. Counsel Assisting Inquirer Tom Bathurst AC KC. Led by Sophie Callan SC, speaking and examination role.
- *Elwood v DPP* [2023] NSWSC 772; judicial review of committal decision. For the DPP, Unled.
- *ACCC v Meta Platforms, Inc (Formerly Facebook, Inc.) (No 2)* [2023] FCA 1234. Alleged breaches of *Competition and Consumer Act* and *ASIC Act*, application for stay of proceedings. Led by K Stern SC with F Roughley, instructed by Corrs Chambers Westgarth.
- *Racing NSW v Racing Victoria Ltd (No 2)* [2023] NSWSC 576. 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 (NSD1324/2020). Alleged capital raising cartel offences. Led by M Thangaraj SC and J Kirk SC for Deutsche Bank, instructed by King and Wood Mallesons.
- *[Decision Restricted]* [2019] NSWSC 1892, first prosecution of offences for breach of United Nations Sanctions directed to preventing 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 SC, instructed by Gilbert + Tobin.
- *Allco Finance Group Ltd (in liq) ats Blairgowrie Trading Ltd*, shareholder class action in the Federal Court. 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.

## **PROFESSIONAL BACKGROUND**

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

## **EDUCATION**

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

## **SELECTED 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; 2<sup>nd</sup> Ed 2017; 3<sup>rd</sup> 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).