

# LOUISE COLEMAN

Sixth Floor Selborne Wentworth Chambers

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## EMPLOYMENT

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May 2016 – present	<b>Barrister</b> Sixth Floor Selborne Wentworth Chambers
Mar 2015 – April 2016	<b>Herbert Smith Freehills</b> Solicitor (Disputes)
Jan 2014 – Jan 2015	<b>NSW Court of Appeal</b> Tipstaff for the Hon. Justice Robert Macfarlan
2014 – 2017	<b>Sydney Law School, University of Sydney</b> Examiner / tutor for Federal Constitutional Law

## EDUCATION

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2013	<b>Bachelor of Laws (Hons I), ranked 2<sup>nd</sup> place overall in 2013 graduating class</b> University of Sydney
2012	<b>Bachelor of Arts (History)</b> University of Sydney

## AWARDS, PRIZES AND SCHOLARSHIPS

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2013	Sir Dudley Williams Prize for Graduating in Second Place Nancy Gordon Smith Prize for Honours at Graduation University of Sydney Academic Merit Prize Australian Law Students' Association Competitors' Scholarship
2012	Best Oralist in the Philip C. Jessup International Law Moot (Australian Rounds) Winner, Sir John Peden Contract Law Moot Winner, Nicholas Cowdery QC Criminal Law Moot Zoe Hall Scholarship University of Sydney Academic Merit Prize
2011	Winner, Allens Arthur Robinson Torts Moot Winner, Shine Lawyers National Torts Moot Winner, Sydney University Law Society Criminal Law Moot Walter Reid Memorial Prize for an Arts/Law Student University of Sydney Academic Merit Prize Dean's List of Excellence in Academic Performance Josiah Symon Scholarship No. II for Second Year English Australian Federation of Australian Women Prize for an English Essay
2010	AE (Tony) Cahill History Prize Maud Stiles Prize for a Woman Student in First Year English Walter Reid Memorial Prize for an Arts/Law Student University of Sydney Academic Merit Prize
2009	First prize in <i>LLB170 Contract Law B</i> First prize in <i>LLB197 Lawyers and Australian Society</i> Dean's Merit List Award for Outstanding Achievement Overall in First Year Law

## SELECTED APPEARANCES (current to May 2025)

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### **High Court of Australia** (excluding special leave applications)

<i>CD v Commonwealth of Australia</i> (No. A2 of 2025), judgment reserved	Constitutional law – ANOM – whether <i>Surveillance Legislation (Confirmation of Application) Act 2024</i> (Cth) infringed Ch III	Led by S Robertson SC, for the NSW Attorney-General (intervening)
<i>Commonwealth of Australia v Yunupingu</i> [2025] HCA 6; (2025) 99 ALJR 519	Constitutional law – whether the “just terms” requirement in s 51(xxxi) applies to laws made for the territories under s 122 – whether extinguishment of native title by exercise of radical title is an “acquisition of property” within s 51(xxxi)	Led by ACT Solicitor-General and H Younan SC, for the ACT Attorney-General (intervening)
<i>BA v The King</i> [2023] HCA 14; (2023) 275 CLR 128	Criminal law – proper construction of s 112 <i>Crimes Act 1900</i> (NSW) – break and enter by co-tenant	Led by T Game SC with M Millward, for the Crown
<i>Hobart International Airport Pty Ltd v Clarence City Council</i> [2022] HCA 5; (2022) 276 CLR 519	Constitutional law – Ch III – standing, “matter” and justiciable controversy	Led by K Stern SC, for the Appellants
<i>Plaintiff S113/2018 v Honourable Justice Farrell &amp; Ors</i> [2018] HCATrans 195; [2018] HCATrans 204	Original jurisdiction – application for an order to show cause why certiorari and associated relief should not issue	Unled, for the Minister
<i>State of NSW v DC</i> [2017] HCA 22; (2017) 91 ALJR 681	Tortious liability of public bodies – scope of duty – compatibility with statutory powers	Led by N Williams SC, for the State of NSW

### **Federal Court of Australia**

<i>VII v Purcell &amp; Anor</i> (Full Court, No. VID445/2025), ongoing	Constitutional law – ss 7C(2), 28(3) of the <i>Australian Crime Commission Act 2002</i> (Cth)	With W Mickan, for VII
<i>ASIC v AustralianSuper Pty Ltd</i> (No. VID 289/2025), ongoing	Corporations law – payment of members’ benefits – ss 912A(1)(a), (c)	Led by D Thomas SC, for AustralianSuper
<i>Yong v Westpac Banking Corporation</i> (No. VID 1373/2019), ongoing	Class action – AML / CTF – continuous disclosure – misleading or deceptive conduct	Led by M Darke SC and J Arnott SC, for Westpac

<i>Ligon 158 Pty Ltd (in liq) &amp; Ors v Binetter</i> (No. SAD 205/2024), ongoing	Corporations law – fiduciary duties – entry into Deed of Release	Led by J Stoljar SC, for Binetter
<i>Brickworks Ltd v BGC (Australia) Pty Ltd</i> (No. NSD 949/2023), settled	Competition law – s 50 of the <i>Competition and Consumer Act 2010</i> (Cth)	Led by M Hodge SC, A Shearer SC and T O’Brien, with D Farinha and C Beshara, for BGC
<i>Seadragon Offshore Wind Pty Ltd v Minister for Climate Change and Energy</i> [2024] FCA 1290; (2024) 306 FCR 69	Administrative law – proper construction of the <i>Offshore Electricity Infrastructure Act 2021</i> (Cth)	Led by S Lloyd SC with J Birrell, for Seadragon
<i>ASIC v Macquarie Bank Ltd</i> [2024] FCA 416	Corporations law – agreed contravention of s 912A re systems for detecting fraud	Led by D Thomas SC with S Speirs, for Macquarie
<i>ASIC v Commonwealth Bank of Australia</i> [2023] FCAFC 135; 299 FCR 604	Corporations law – conflicted remuneration provisions	Led by N Young KC and P Kulevski, for CBA
<i>ASIC v Commonwealth Bank of Australia</i> [2022] FCA 1422	Corporations law – failure to waive monthly account fees	Led by B Walker SC and P Kulevski, for CBA
<i>ASIC v Rio Tinto Ltd (No 2)</i> [2022] FCA 184	Corporations law – continuous disclosure obligation	Led by J Halley SC, M Darke SC, Y Shariff SC, J Arnott SC, T Kane and S Patterson, for ASIC
<i>DBB16 v Commonwealth of Australia</i> [2022] FCA 783	Migration – unlawful detention	Led by C Lenehan SC, for the Commonwealth
<i>DLJ18 v Minister for Home Affairs</i> [2019] FCAFC 236; (2019) 273 FCR 66	Migration – mandatory relevant considerations – legal consequences of non-revocation under s 501CA(4)	Led by C Lenehan SC, for the Minister
<i>CDO19 v Minister for Immigration, Citizenship and Multicultural Affairs and anor</i> [2019] FCA 890	Interlocutory injunction – application for order requiring Respondents to transfer Applicant from Nauru to Australia for medical treatment	Led by C Lenehan, for the Applicant
<i>Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs v CPJ16</i> [2019] FCA 2033	Migration – scope of review by AAT – mandamus	Led by C Lenehan SC, for CPJ16
<i>Clarence City Council v Commonwealth of Australia &amp; Anor</i> [2019] FCA 1568, [2020]	Declaratory relief – proper construction of lease agreements	Led by K Stern SC and (subsequently) N Owens SC, for the Second Respondents

FCAFC 134 and [2024] FCAFC 8	in respect of Hobart and Launceston Airports	(Hobart and Launceston airports)
<i>Andrwas v Minister for Home Affairs</i> [2018] FCA 1996	Judicial review – decision of Tribunal not to revoke cancellation decision	Unled, for the Minister
<i>SZQPY v Minister for Immigration and Border Protection</i> [2018] FCA 359; 74 AAR 343	Judicial review – refusal to grant Protection (Class XA) visa – adverse credibility findings	Unled, for the Minister
<i>Mir v Minister for Immigration and Border Protection</i> [2018] FCA 697	Application for leave to appeal – failure to meet cl 485.213 of Schedule 2 to the <i>Migration Regulations 1994</i> (Cth)	Unled, for the Minister
<i>A v Commissioner of Taxation</i> [2016] FCA 1307	Practice and procedure – suppression and non-publication orders	Led by S Lloyd SC, for the Commissioner

### **Supreme Courts**

<i>Fox v Westpac; O'Brien v ANZ; Nathan v Macquarie</i> (Supreme Court of Victoria, ongoing)	Class actions – failure to disclose “flex commissions” paid to car dealers – unfair conduct	Led by J Stoljar SC and D Fahey with S Hogan, for the Plaintiffs
<i>Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd &amp; Ors</i> (Supreme Court of Western Australia, judgment reserved)	Trusts – partnership law – claim for relief regarding interest in Hope Downs mining tenements and royalties	Led by K Stern SC (prior to appointment), J Rowland KC and J Taylor SC, with C McKay and N Wootton, for WPPL
<i>Wright v Lemon</i> [2024] WASCA 19	Breach of fiduciary duty – fraud – claim for relief regarding sale of shares by plaintiff in Wright Prospecting Pty Ltd	Led by K Stern SC and J Taylor SC, for the Respondents
<i>Hancock Prospecting Pty Ltd v Wright Prospecting Pty Ltd</i> [2023] WASCA 88	Stay of curial proceedings pending arbitral award	Led by K Stern SC and T Mehigan SC, for WPPL
<i>DFD Rhodes Pty Ltd v Hancock Prospecting Pty Ltd</i> [2022] WASCA 97	Separate questions – leave to appeal – claim for relief regarding interest in mining tenements	Led by K Stern SC with N Wootton, for WPPL
<i>Malek Fahd Islamic School Limited v Minister for Education and Early Childhood Learning</i> [2022] NSWSC 1176	Administrative law – discretion of Minister to recover financial assistance	Led by H Younan SC, for the Minister

<i>Wright v Lemon</i> [2021] WASC 159	Breach of fiduciary duty – fraud – claim for relief regarding sale of shares by plaintiff in Wright Prospecting Pty Ltd	Led by K Stern SC and J Taylor SC, for the Defendants
<i>Leung as Executrix of the Estate of the Late Robert Ho v Fordyce</i> [2019] NSWSC 18	Costs agreements – usual practice evidence – onus of proof	Led by T Alexis SC, for the Defendant
<i>AB v Judicial Commission of NSW (Conduct Division) &amp; Anor</i> [2018] NSWCA 264; (2018) 365 ALR 163	Judicial review – decision of Conduct Division of Judicial Commission to conduct a public hearing	Led by A Mitchelmore SC, for the Attorney General
<i>Hawcroft v Jamieson</i> [2017] NSWSC 1478	Corporations law – whether binding shareholders’ agreement entered into – amendment of articles of association	Led by T Alexis SC, for the Plaintiff
<i>MG v The Queen</i> [2017] NSWCCA 14	Criminal law – appeal against conviction – inconsistent verdicts	Led by A Mitchelmore, for the Appellant
<i>BlueScope Steel (AIS) Pty Limited v Illawarra Coal Holdings Pty Limited</i> (NSW Supreme Court Proceedings No. 2015/190735), settled	Alleged breach of coal supply contract between the Plaintiff and First Defendant	Led by R Dick SC and J Williams, for the First Defendant
<i>Costa Asset Management Pty Ltd in its capacity as trustee of the Baxter Hill Unit Trust v Chief Commissioner of State Revenue</i> (NSW Supreme Court Proceedings No. 2015/360451 and 2016/236186), settled	Applications for review of duties notices of assessment issued by the Commissioner	Led by J Hmelnitsky SC, for the Plaintiff
<i>Minister Administering the Environmental Planning and Assessment Act 1979 v Ayres Grove Pty Ltd &amp; Anor</i> (NSW Supreme Court Proceedings No. 2016/259513), settled	Contempt – failure to comply with court orders	Unled, for the Plaintiff
<b><u>Inquests and inquiries</u></b>		
<i>Inquest into the disappearance of Melissa Caddick</i> (Coroner’s Court of NSW, 2023)	Coronial law – whether the person has died – manner and cause	Counsel Assisting the Coroner, led by J Downing SC

<i>Inquest into the death of GS</i> (Coroner's Court of NSW, 2023)	Coronial inquest – hanging death of inmate at correctional facility	Counsel Assisting the Coroner, unled
<i>Inquest into the death of Anzac Sullivan</i> (Coroner's Court of NSW, 2023)	Coronial law – manner and cause	Counsel Assisting the Coroner, unled
<i>Inquiry by a Conduct Division of the Judicial Commission of NSW in relation to Magistrate Dominique Burns</i> (2018, led by the Hon Payne JA)	Judicial officers – complaints concerning ability or behavior of judicial officer	Counsel Assisting the Conduct Division, led by K Stern SC and K Edwards
<i>Inquest into the death of Jesse Drabsch</i> (Coroner's Court of NSW, 2021)	Coronial law – manner and cause – undetected collapse at Anytime Fitness from non-prescribed insulin use	Counsel Assisting the Coroner, unled
<i>Inquest into the deaths of Moses Kellie, Milad Aljaberi and others</i> (Coroner's Court of NSW, 2023)	Coronial inquest – hanging deaths of Villawood detainees	Counsel Assisting the Coroner, led by A Casselden SC

### **Other Courts and Tribunals**

<i>CWT19 and CWU19 v Minister for Immigration, Citizenship and Multicultural Affairs</i> (Federal Circuit Court No. SYG1883 and SYG1884/2019), judgment reserved	Judicial review – refusal to grant protection visa	Unled, for the Minister
<i>JMWX and CVDK and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</i> [2023] AATA 526	Application for Australian citizenship – entitlement to acquire Sri Lankan citizenship	Led by S Lloyd SC, for the Minister
<i>XAE v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</i> [2022] FedCFamC2G 19	Migration – revocation of bar lift under s 46A – jurisdiction – parliamentary privilege	Led by S Lloyd SC, for the Minister
<i>Health Care Complaints Commission v Dr John Joseph Grygiel</i> [2019] NSWCATOD 123; [2020] NSWCATOD 53; [2021] NSWCATOD 28	Professional disciplinary proceedings – chemotherapy dosing – consent	Led by K Stern SC, for the Commission

<i>BPN16 v Minister for Immigration and Border Protection &amp; Anor</i> [2019] FCCA 916	Judicial review – refusal to grant Protection (Class XA) visa	Unled, for the Minister
<i>HQNW and Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</i> [2021] AATA 87	Migration – refusal to grant protection visa – “danger to the Australian community” under s 36(1C)(b) Migration Act 1958	Unled, for the Minister
<i>Apotex Pty Ltd v Minister for Health</i> (AAT Proceedings No. 2015/3826), settled	Application for registration of therapeutic goods	Led by K Stern SC, for the Applicant
<i>DRM17 v Minister for Immigration and Border Protection</i> (Federal Circuit Court, No. SYG2582/2017)	Migration – refusal to grant Protection (Class XA) visa	Unled, for the Minister

## OTHER

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### NSW Bar Association

- Member of Inquests and Inquiries Committee (2022 – present)
- Member of a Professional Conduct Committee (2023 – present)

### Publications and presentations

- A review of *Commonwealth of Australia v Yunupingu* (High Court of Australia No. D5 of 2023), ‘Dashing through the Constitution: a review of some of 2024’s most interesting constitutional cases’, Australian Association of Constitutional Law chaired by the Hon. Justice Kennett, Sydney, 11 December 2024
- ‘An overview of the Report of the Special Commission of Inquiry into LGBTIQ hate crimes’, BarNews, Winter 2024 edition
- ‘Lessons of the crooked pantomime: corporate residency following *Bywater Investments*’ (2018) 47(3) *Australian Tax Review* 231 (co-authored with Dr Kristina Stern SC)
- ‘Tortious liability and public law: an international comparison’, Administrative Law Review chaired by David Bennett AC QC, Sydney, 28 March 2018
- ‘Resolutions of company directors: validity & effect’, BenchmarkTV, Sydney, 10 May 2018