JOHN BIRRELL

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OVERVIEW

John has a diverse practice across commercial, public, and criminal law. He has appeared led and unled in New South Wales, Federal and Northern Territory courts, as well as tribunals and inquiries.

Before coming to the Bar, John was a Senior Associate at Arnold Bloch Leibler. He acted for companies and individuals on a wide range of commercial disputes, regulatory investigations and enforcement action, white collar criminal matters, and public inquiries.

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	Arnold Bloch Leibler, Dispute Resolution & Litigation, Sydney NSW 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, Minter Ellison, Dispute Resolution & Litigation, Sydney NSW			
EDUCATION				
2015	Master of Laws (Harlan Fiske Stone Scholar), Columbia Law School			
2012	Bachelor of Laws (First Class Honours) and Bachelor of Economics, 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			
2014 – 2016	Legal Practice Mentor (Tutor), Graduate Diploma of Legal Practice, Australian National University, Canberra ACT			
2012 – 2014	Volunteer Solicitor, Homeless Persons' Legal Service, Public Interest Advocacy Centre, Redfern NSW			

SELECTED MATTERS	With	Instructors
Commercial, class actions and regulatory		
R and N Hunter Pty Ltd v Count Financial Ltd [2025] FCA 544: Appeared for the successful respondent in a class action involving allegations that financial advice was provided, and grandfathered commissions were received, contrary to fiduciary and statutory duties.	E Collins SC, P Meagher, M Sherman	Clayton Utz
Zulic v CMC Markets Asia Pacific Pty Ltd (2024-25, Federal Court): Advising and appearing for the applicants in a class action against CMC Markets in relation to its sale of contracts for different and binary option products. Ongoing.	E Collins SC, T Kane, A Lyons, L Muir	Johnson Winter Slattery
Aberdeen Bear Pty Ltd v MJJK Investments Pty Ltd [2024] NSWCA 272 and [2024] NSWSC 722: Appeared for the cross-defendant solicitors in first instance and appeal proceedings involving the proper construction of a commercial agreement effecting a transfer of ownership of a family business. Successful at first instance and on appeal.	D Mitchell	Moray & Agnew
As solicitor:		
McAssey v Nemo (BC) HoldCo Pty Limited (2021, NSW Supreme Court): Acted for the founder of a premium childcare provider 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.	R Newlinds SC, N Bender, E Ball	Arnold Bloch Leibler
Administrative and public law		
Cooper v Minister for Environment and Water [2025] FCA 1009: Appeared for the applicant seeking an order compelling the Minister to determine her application to protect rock art located on Murujuga (Burrup Peninsula) under s 10 of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth). Findings of unreasonable delay made. Relief in the nature of mandamus not granted on discretionary grounds, but liberty to apply for further relief granted if application not determined.	E Muston SC	Johnson Legal
Seadragon Offshore Wind Pty Ltd v Minister for Climate Change and Energy [2024] FCA 1290; (2024) 306 FCR 69: Appeared for the applicant seeking judicial review of a decision not to grant a licence under previously untested provisions of the Offshore Electricity Infrastructure Act 2021 (Cth). Application granted.	S Lloyd SC, L Coleman	Herbert Smith Freehills
KVRK v Minister for Immigration, Citizenship & Multicultural Affairs [2024] FCA 698: Appeared for the Minister in an application for review of the AAT's decision not to revoke the cancellation of the applicant's visa on character grounds. Application dismissed.	Z Heger	Sparke Helmore
GBR v Children's Guardian [2024] NSWCATAD 324: Appeared for the applicant seeking an enabling order under the Child Protection (Working with Children) Act 2012 (NSW). Application granted.	Unled	Parker & Kissane

SELECTED MATTERS	With	Instructors	
Huynh v Attorney General (NSW) (No 2) [2023] NSWCA 268: Appeared for the NSW Attorney General in an appeal of a first instance decision dismissing an application under the Crimes (Appeal and Review) Act 2001 (NSW). Appeal dismissed.	Z Heger	NSW Crown Solicitor's Office	
White collar crime			
R v Savage: Acting for a former senior executive of Leighton Holdings in committal proceedings in relation to criminal charges under the <i>Corporations Act 2001</i> (Cth) in the context of foreign bribery allegations. Ongoing.	N Clelland KC, J Roy	Arnold Bloch Leibler	
Royal commissions, inquiries and inquests			
Inquest into the death of Kumanjayi Jurrah [2024] NTLC 12: Appeared on behalf of a mother in an inquest into the death of her two-year-old child in a public swimming pool in a remote community in the Northern Territory.	Unled, all other interested parties represented by senior counsel	North Australian Aboriginal Justice Agency	
As solicitor:			
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.	M Henry SC, M Cairns, L Rich	Arnold Bloch Leibler	
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.	S Free, L Crowley, E McLaughlin, T Lee	North Australian Aboriginal Justice Agency	
Torts			
Neal v MacDonnell Regional Council (2024, NT Supreme Court): Acted for the plaintiffs in proceedings alleging negligence and seeking damages under the Compensation (Fatal Injuries) Act 1974 (NT) relating to the death of their two-year-old child in a public swimming pool in a remote community in the Northern Territory. Judgment entered for the plaintiffs on settlement.	Unled, defendant represented by senior counsel	Maurice Blackburn	
As solicitor:			
Binsaris v Northern Territory [2020] HCA 22; (2020) 270 CLR 549 (and related proceedings): Acted for four young people in proceedings concerning the use of 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).	B Walker SC, K Foley, J McComish	North Australian Aboriginal Justice Agency	
Petersen v New South Wales (2021, NSW District Court): Acted for the plaintiff in proceedings alleging malicious prosecution, battery, assault and false imprisonment by officers of the NSW Police Force. Judgment entered for the plaintiff on settlement.	T Boyle	Arnold Bloch Leibler	