

# LOUISE COLEMAN

Sixth Floor Selborne Wentworth Chambers

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## EMPLOYMENT

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| May 2016 – present    | <b>Barrister</b><br>Sixth Floor Selborne Wentworth Chambers                                       |
| Mar 2015 – April 2016 | <b>Herbert Smith Freehills</b><br>Solicitor (Disputes)                                            |
| Jan 2014 – Jan 2015   | <b>NSW Court of Appeal</b><br>Tipstaff for the Hon. Justice Robert Macfarlan                      |
| 2014 – 2017           | <b>Sydney Law School, University of Sydney</b><br>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><br>University of Sydney |
| 2012 | <b>Bachelor of Arts (History)</b><br>University of Sydney                                                              |

## AWARDS, PRIZES AND SCHOLARSHIPS

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

## **SELECT APPEARANCES (current to August 2025)**

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

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| <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 powers                                                                                                                                                                      | Led by N Williams SC, for the State of NSW                                               |

### **Federal Court of Australia**

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| <i>VII v Purcell &amp; Anor</i> (Full Court, No. VID445/2025), judgment reserved | Appeal – constitutional law – validity of summons – ss 7C(2), 28(3) of the <i>Australian Crime Commission Act 2002</i> (Cth) | Unled, against silk. With W Mickan and N Alroe, 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          |

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| <i>Yong v Westpac Banking Corporation</i> [2025] FCA 816                                                           | Legal professional privilege – subsistence and waiver                                                                                      | Led by M Darke 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                                                              |

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| <i>Clarence City Council v Commonwealth of Australia &amp; Anor</i> [2019] FCA 1568, [2020] FCAFC 134 and [2024] FCAFC 8 | Declaratory relief – proper construction of lease agreements in respect of Hobart and Launceston Airports                 | Led by K Stern SC and (subsequently) N Owens SC, for the Second Respondents (Hobart and Launceston airports). Delivered some of oral argument against silk |
| <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**

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| <i>In the matter of SkyCity Adelaide Pty Ltd</i> (NSW Supreme Court, ongoing)                                                     | Corporations law – derivative action on behalf of company                                                               | Led by N Hutley SC, with D Farinha, for the Plaintiff                                                                                          |
| <i>Fox v Westpac; O'Brien v ANZ; Nathan v Macquarie</i> (Supreme Court of Victoria)                                               | 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. Delivered some of oral argument against senior counsel.                      |
| <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, J Rowland KC and J Taylor SC, with C McKay and N Wootton, for WPPL. Delivered some of oral argument against senior counsel. |
| <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                                                                                         |

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| <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                |

*Minister Administering the Environmental Planning and Assessment Act 1979 v Ayres Grove Pty Ltd & Anor* (NSW Supreme Court Proceedings No. 2016/259513), settled

Contempt – failure to comply with court orders

Unled, for the Plaintiff

### **Inquests and inquiries**

*Inquest into the disappearance of Melissa Caddick* (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. Delivered some of oral address, and examined 6 witnesses

*Inquest into the death of GS* (Coroner's Court of NSW, 2023)

Coronial inquest – hanging death of inmate at correctional facility

Counsel Assisting the Coroner, unled

*Inquest into the death of Anzac Sullivan* (Coroner's Court of NSW, 2023)

Coronial law – manner and cause

Counsel Assisting the Coroner, unled

*Inquiry by a Conduct Division of the Judicial Commission of NSW in relation to Magistrate Dominique Burns* (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

*Inquest into the death of Jesse Drabsch* (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

*Inquest into the deaths of Moses Kellie, Milad Aljaberi and others* (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**

*CWT19 and CWU19 v Minister for Immigration, Citizenship and Multicultural Affairs* (Federal Circuit Court No. SYG1883 and SYG1884/2019), judgment reserved

Judicial review – refusal to grant protection visa

Unled, for the Minister

*JMWX and CVDK and Minister for Immigration, Citizenship, Migrant Services and*

Application for Australian citizenship – entitlement to acquire Sri Lankan citizenship

Led by S Lloyd SC, for the Minister

*Multicultural Affairs* [2023]  
AATA 526

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| <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