

ELEANOR JONES

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2018 Called to the Bar
2015 Admitted as a lawyer of the Supreme Court of New South Wales
Bachelor of Laws, Hons 1, and Bachelor of Arts, Hons 1 (History), University of Sydney

Professional Experience

2020 – ongoing Barrister, Sixth Floor Selborne Wentworth Chambers
2018 – 2020 Counsel Assisting, NSW Solicitor General and Crown Advocate
2018 Solicitor, NSW Crown Solicitor’s Office
2016 – 2017 Associate to the Hon. Justice Nettle AC, High Court of Australia
2015 – 2016 Tipstaff to the Hon. Justice Meagher, NSW Court of Appeal

Selected Appearances

High Court

The King v ZT [2025] HCA 9 – Unreasonable verdict – Review of evidence required by criminal appellate court – Led by S Dowling SC, with J Styles

Xerri v The King (2024) 278 CLR 276 – Persistent child sexual abuse offence – Construction and retrospective effect of *Crimes Act*, s 66EA – Led by H Roberts SC and B Hatfield SC

BA v The King (2023) 275 CLR 128 – Whether lessee of property can commit “break and enter” offence – Construction of *Crimes Act*, s 112 – Led by S Odgers SC and K Edwards SC

Minister for Home Affairs v Benbrika (2021) 272 CLR 68 – Constitutional law – Commonwealth judicial power – Led by R Merkel QC and C Tran

HT v The Queen (2019) 269 CLR 403 – Procedural fairness – Public interest immunity – Power of courts to consider evidence not disclosed to parties – Led by D Kell SC

Spence v Queensland (2019) 268 CLR 355 – Constitutional law – Interaction of State and federal electoral legislation — Led by M G Sexton SC and A Mitchelmore SC

R v A2 (2019) 269 CLR 507 – Female genital mutilation offence – Construction of *Crimes Act*, s 45 – Led by D Kell SC

Grajewski v Director of Public Prosecutions (NSW) (2019) 264 CLR 470 – Construction of “destroys or damages property” in *Crimes Act*, s 195 – Led by D Kell SC

NSW Court of Appeal

Commissioner of Police v Attorney General (2024) 114 NSWLR 281 – Statutory abrogation of public interest immunity – Led by J Emmett SC

Christian Community Ministries Ltd v Minister for Education [2024] NSWCA 1 – Judicial review – Recovery of financial assistance paid to schools operating for profit – Led by J Emmett SC

Cooper v DPP [2023] NSWCA 65 – Judicial review – Jurisdictional error – Error of law on face of record – Unled

Independent Liquor and Gaming Authority v Whitebull HTL Pty Ltd [2023] NSWCA 224 – Statutory construction – Power to impose conditions relating to gaming machines on liquor licenses – Led by P Herzfeld SC

Malek Fahd Islamic School v Minister for Education (2023) 111 NSWLR 585 – Limitation of actions – Led by S Free SC

NSW Court of Criminal Appeal

PB v R [2025] NSWCCA 14 – Sentence appeal – Scope of resentencing where arithmetic error – Unled

MKR v R [2025] NSWCCA 1 – Conviction appeal – Requirements of s 133 of *Criminal Procedure Act* in judge alone trial – Unled

RM v R [2024] NSWCCA 148 – Conviction appeal – Unreasonable verdict – Alternative verdicts where complainant’s age not clearly established – Unled

Thurlow v R [2022] NSWCCA 20 – Sentence appeal – Intensive correction order – Application of *Crimes (Sentencing Procedure) Act*, s 66 – Unled

NSW Supreme Court

Hamzy v Commissioner of Corrective Services [2025] NSWSC 1023 – Judicial review – Validity of regulations – Led by J Emmett SC

Jamieson v Attorney General [2025] NSWSC 92 – Inquiry into conviction for offences against Janine Balding – Post-conviction DNA testing – Led by G Wright SC

Kvelde v NSW [2023] NSWSC 1560 – Constitutionally implied freedom of political communication – Led by S Free SC, F Graham, with D Farinha

Federal Court of Australia

Collector of Customs v Pegasus Supply Solutions – Full Court, 2024, reserved – Accounting of dutiable goods under *Customs Act* – Led by S Lloyd SC and T Phillips

ACN 607 537 548 v Commissioner of Taxation – 2024, reserved – Div 165 of *GST Act* – Led by C Burnett SC and T Phillips, with J Nixon

Vega Industries Australia v Comptroller-General of Customs [2024] FCA 1343 – Review of AAT decision – Tariff concession – Led by H Younan SC

ASOHNS v AHPRA [2024] FCA 995 – Contraventions of *Health Practitioner Regulation National Law* – Discretion to grant declaratory relief – Led by S Lloyd SC

Lyu v Minister for Immigration [2022] FCA 1258 – Appeal from Federal Circuit Court – Notice requirements under *Migration Act* – Unled

Other Courts and Tribunals

Eminem Kids Academy v Secretary, Department of Education [2023] NSWCATAD 49 – Cancellation of childcare provider approval – Breach of conditions – Whether provider fit and proper – Unled

DJY v Children’s Guardian [2023] NSWCATAD 241 – Cancellation of Working with Children Clearance – Unled

Inquest into the death of Mervyn Morgan – Coroners Court, 2022 – Death in custody – Counsel Assisting, unled

New South Wales Aboriginal Land Council – Little Bay v Minister Administering the Crown Land Management Act [2022] NSWLEC 142 – Aboriginal land rights – Lawful use and occupation – Unled

Worimi Local Aboriginal Land Council v Minister Administering the Crown Land Management Act 2016 [2022] NSWLEC 126 – Aboriginal land rights – Whether land vested in Crown – Construction of *Land Acquisition (Just Terms Compensation) Act* and *Real Property Act* – Led by C Lenehan SC

Harris v State of New South Wales – District Court, 2021 (unreported) – Tort – False imprisonment and wrongful arrest – Led by P Herzfeld SC

Academic

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| 2025 | Craig Lenehan SC and Eleanor Jones, ‘Constitutional Conceptions of Punishment’, in <i>Public Law and Criminal Law in Australia</i> (2025), Nicholas Petrie and Julian Murphy (eds) |
| 2018 – ongoing | Reporter, New South Wales Law Reports |
| 2014 | Eleanor Jones, ‘Implementing Protest Free Zones around Abortion Clinics in Australia’, (2014) 36 <i>Sydney Law Review</i> 169 |