

HOUDA YOUNAN SC

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I. BAR ADMISSION & APPOINTMENT

<i>Senior Counsel</i> , New South Wales Bar	October 2020
<i>Barrister-at-Law</i> , New South Wales Bar	May 2007
<i>Attorney & Counsellor-at-Law</i> , New York State Bar	September 2006

II. ACADEMIC & PROFESSIONAL BACKGROUND

University of Sydney, *Bachelor of Arts (Government) & Bachelor of Laws (Hons Class I)*
1992-1998

National Champion and 'Best Oralist' in Jessup International Law Moot Competition, national and international rounds (Washington DC) (1998). International Law Association Harold Snelling Memorial Award and LBC Information Services Prize (1998). Student Editor of *Sydney Law Review* (1997). HV Evatt Moot Cup (1996). Government (International Relations) Honours (second place) (1995).

Freehill, Hollingdale & Page, para-legal commercial litigation & environmental law
1997-1998

Associate to Hon. JJ Spigelman AC, Supreme Court of New South Wales 1998-1999

University of Cambridge, Master of Law (Hons Class I) 2000-2001

AMP-British Chevening Scholarship. Queen's Trust for Young Australians Award.
Clive Parry Prize for International Law.

Senior Legal Officer, Office of International Law, Attorney-General's Department (Cth)
2001-2005

Australia Day Achievement Award for excellence in the preparation of a comprehensive and accurate analysis of current law of armed conflict applying to the Australian Defence Force in advance of the conflict in Iraq (2004). Department of Defence Medallion of Service for advising in relation to the conflicts in Afghanistan and Iraq (2003). Matters included *US-Continued Dumping and Subsidy Offset Act of 2000* (World Trade Organisation Panel/Appellate Body) (2002-2003).

Adjunct Lecturer, University of Sydney, Faculty of Law, International Law 2006-2008

Co-author, *Australian Yearbook of International Law* (2008). Coach, *Jessup Moot Competition National Champions* (2008).

III. AREAS OF PRACTICE

Constitutional Law; Administrative Law; International Law; Extradition; Revenue & Customs; Competition & Securities Law; Sports Law & Arbitration

IV. MATTERS

High Court of Australia

- *Palmer & Anor v Western Australia & Anor* (B26/2020) (Attorney-General ACT intervening) (with P Garrison SC, Solicitor-General ACT, and Alison Hammond) (constitutional law)
- *Lewis v Australian Capital Territory* (2020) 94 ALJR 740 (with P Garrison SC, Solicitor-General ACT) (torts & damages)
- *Spence v Queensland* (2019) 93 ALJR 643 (Attorney-General ACT intervening) (with P Garrison SC, Solicitor-General ACT) (constitutional law)
- *Plaintiff S195/2016 v Minister for Immigration and Border Protection* (2017) 261 CLR 622 (with S Lloyd SC) (constitutional & migration law)
- *Air New Zealand Ltd v Australian Competition and Consumer Commission* (2017) 262 CLR 207 (with J Sheehan QC, J Halley SC, and D Thomas) (competition & international law)
- *North Australian Aboriginal Justice Agency Ltd v Northern Territory* (2015) 256 CLR 569 (Attorney-General ACT intervening) (constitutional law)
- *Commonwealth v ACT* (2013) 250 CLR 441 ('Marriage Equality') (with P Garrison SC, Solicitor-General ACT and K Eastman SC) (constitutional law)
- *Commonwealth Minister for Justice v Adamas* (2013) 253 CLR 43 (with J Gleeson SC, Solicitor-General Cth, and S Lloyd SC) (extradition)
- *Magaming v R* (2013) 252 CLR 381 (with K Eastman SC) (Australian Human Rights Commission intervening) (constitutional & human rights law)
- *Muliaga v Minister for Immigration and Citizenship* (S82/2013) (Gageler J *ex tempore* 24 September 2013) (migration law)
- *SZOQQ v Minister for Immigration and Citizenship* (2013) 251 CLR 577 (with G Kennett SC) (migration law)
- *Minister for Home Affairs (Cth) v Zentai* (2012) 246 CLR 213 (with S Lloyd SC) (extradition)
- *Republic of Croatia v Snedden* (2010) 241 CLR 461 (with M Perry QC) (extradition)

Federal Court of Australia

- *Alstom Transport Australia Pty Ltd v Comptroller-General of Customs* [2020] FCAFC 43 (with S Lloyd SC) (customs/tariff)
- *Asia Symbol (Guandong) Paper Co Ltd v Anti-Dumping Review Panel* (2019) 370 ALR 108 (customs/anti-dumping)
- *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* (2019) 270 FCR 244 (with G Kennett SC) (customs/anti-dumping)

- *Australia Competition and Consumer Commission v PT Garuda Indonesia Ltd* (2019) 370 ALR 637 (with J Halley SC and J Clark) (competition law/civil penalty)
- *Rio Tinto Aluminium (Bell Bay) Ltd v Assistant Minister for Science & Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2016] FCA 681 (with S Lloyd SC) (customs/anti-dumping)
- *Ure v Commonwealth* (2016) 236 FCR 458 (with S Lloyd SC) (constitutional & international law)
- *ACCC v PT Garuda Indonesia & Anor* ('Air Cargo') (2016) 330 ALR 230 (with J Halley SC, J Clarke SC and C Arnott) (competition & international law)
- *Anti-Doping Rule Violation Panel v XZTT* (2013) 214 FCR 40 (FFC) (with J Marshall SC) (sports law/anti-doping)
- *Minister for Immigration v MZYYL & Anor* (2012) 207 FCR 211 (FFC) (with M Perry QC) (migration law)
- *CEO of Customs v Toyota Material Handling Australia P/L* (2012) 203 FCR 129 (FFC) (with S Lloyd SC) (customs/anti-dumping)
- *Nufarm Australia Ltd v Dow AgroSciences Australia Ltd (No 2)* [2011] FCA 757 (with S Lloyd SC) (customs/anti-dumping)
- *Habib v Commonwealth* (2010) 183 FCR 62 (FFC) (with S Gageler SC, Solicitor-General Cth) (constitutional & private international law)

Family Court of Australia

- *Re: Kelvin* (2017) 327 FLR 15 (family & human rights law)

Supreme Court of New South Wales/Court of Appeal/Court of Criminal Appeal

- *Re Securities and Exchange Commission* [2020] NSWSC 1609 (evidence on commission)
- *Re Securities and Exchange Commission of the United States of America under the Evidence on Commission Act 1995 (NSW) (No 2)* [2020] NSWSC 1500 (evidence on commission)
- *Application of Computer Sciences Corporation under the Evidence on Commission Act 1995 (Cth)* [2019] NSWSC 777 (evidence on commission)
- *Attorney-General v Tareq Altaresi* [2013] NSWSC 63 (30-31 January 2013) (vexatious litigant proceedings)
- *Karim; Magaming & Ors v R* [2013] NSWCCA 23 (with M Perry QC) (Australian Human Rights Commission intervening) (constitutional law)
- *Snedden v Nationwide News Pty Ltd* [2009] NSWSC 1446 (with T Blackburn SC and J Hmelnitsky) (defamation)
- *Ulan Coal Mines v Minister for Mineral Resources & Anor* (2008) 161 LGERA 391 (NSWCA: 29 April 2008, with T Hale SC; 30 April 2008) (environmental planning/mining lease)

ACT Supreme Court/Court of Appeal

- *Lewis v Australian Capital Territory* [2019] ACTCA 16 (with P Garrison SC, Solicitor-General ACT) (torts/damages)

- *Eastman v Australian Capital Territory* [2019] ACTSC 280 (with P Garrison SC, Solicitor-General ACT) (human rights law)
- *Canberra Greyhound Racing Club Inc v Planning and Land Authority of the Australian Capital Territory* [2018] ACTCA 54 (planning & development)
- *Eastman v Australian Capital Territory* [2014] ACTSC 105; 285 FLR 325 (with P Garrison SC, Solicitor-General ACT) (constitutional & administrative law)
- *Jacka v Australian Capital Territory & Anor* [2014] ACTCA 49; 290 FLR 200 (with P Garrison SC, Solicitor-General ACT) (constitutional & administrative law)

Court of Arbitration for Sport & other tribunals

- *In the Matter of the Australian Football Anti-Doping Code 2019 v William Rioli* (AFL Anti-Doping Tribunal) (20 January 2021) (sports law/anti-doping)
- *CAS A1/2020 Shayna Jack v Swimming Australia & ASADA* (16 November 2020) (sports law/anti-doping)
- *Malek Fahd Islamic School Limited v Non-Government Schools Not-For-Profit Advisory Committee* [2020] NSWCATAP 19 (education)
- *In the matter of Samuel Murray* (15 August 2019) (AFL Anti-Doping Tribunal) (sports law/anti-doping)
- *Aaron Sloan v Australian Sports Anti-Doping Authority and Baseball Australia* (CAS 2017/A/5477) (12 October 2018) (Court of Arbitration for Sport) (sports law/anti-doping)
- *CAS A2/2015 ASADA, on behalf of Cycling Australia v Mr Jeone Park* (17 March 2016) (Court of Arbitration for Sport) (sports law/anti-doping)
- *In the Matter of Ryan Crowley* (18 May 2015) (AFL Anti-Doping Tribunal) (sports law/anti-doping)
- *CAS A1/2014 ASADA, on behalf of Australian Weightlifting Federation Inc v Ciancio*, (25 June 2014) (Court of Arbitration for Sport) (sports law/anti-doping)
- *CAS 2013/A/3388 Hill v Cycling Australia & ASADA* (17 December 2013) (Court of Arbitration for Sport) (sports law/anti-doping)

Commission of Inquiry

- *Royal Commission into Institutional Responses to Child Sexual Abuse* (March-June 2014) (with K Eastman SC for The Salvation Army Australia)

ASIC Investigations

- *ASIC investigation into Australian Bank Bill Swap Rate (BBSW)* (2016-) (competition & securities law)
- *ASIC investigation into conduct of Non-Executive Directors of ABC Learning Centres Ltd* (2009-2010) (corporations law)