

Qualifications, prior experience, other

- International Baccalaureate (Bilingual Diploma: French/English)
- BA, LLB (Hons) (Melb), BCL (Oxon) (HLA Hart prize for Jurisprudence and Political Theory).
- Solicitor, then Senior Associate at Allens Arthur Robinson: 2001-2006 (Energy/Resources, Competition, Litigation).
- Associate to Justice Hayne at the High Court: 2003-2004.
- Recognised in AFR's Best Lawyers list (litigation and constitutional law categories) since 2017.
- Co-author (with Peter Hanks QC and Graeme Hill) of *Constitutional Law in Australia* (4th ed, 2017).
- Previously Senior Fellow, Melbourne Law School (co-teaching LLM course on federal jurisdiction with Robert French AC).

Selected cases

High Court

- *Vanderstock v Victoria* (acting for the plaintiffs in a case about s 90 of the Commonwealth Constitution (excise duties) – judgment reserved – led by R Merkel KC and C Lenehan SC, with T Wood).
- *Garlett v Western Australia* [\[2022\] HCA 30](#) (acting for the Victorian Attorney-General in a case about the Kable principle – led by R Orr QC with T Wood).
- *Citta Hobart Pty Ltd v Cawthorn* [\[2022\] HCA 16](#) (acting for the Commonwealth Attorney-General in a case about federal jurisdiction and s 109 of the Commonwealth Constitution – with S Donaghue QC with R Amamoo).
- *Mineralogy v Western Australia* [\[2021\] HCA 30](#) and *Palmer v Western Australia* [\[2021\] HCA 31](#) (acting for the Commonwealth Attorney-General in a challenge to Western Australian legislation raising numerous constitutional issues – led by S Donaghue QC with T Wood).
- *Comcare v Banerji* [\[2019\] HCA 23](#) (acting for the New South Wales Attorney-General in a case about the implied freedom of political communication – led by the Solicitor-General for New South Wales).
- *Masson v Parsons* [\[2019\] HCA 21](#) (acting for the Victorian Attorney-General in a case about, among other things, federal jurisdiction – led by R Doyle SC).
- *Work Health Authority v Outback Ballooning Pty Ltd* [\[2019\] HCA 2](#) (acting for the Victorian Attorney-General in a case about s 109 of the Commonwealth Constitution – led by K Walker QC).
- *Commonwealth v Walker* (acting for the plaintiff in a case about inter-governmental relations – led by S Donaghue QC with B Lim – resolved before hearing)
- *Dimitrov v Supreme Court of Victoria* [\[2017\] HCA 51](#) (acting for Bendigo Bank, led by A Archibald QC – issues involving class action processes and constitutional law).
- *Brown v Tasmania* [\[2017\] HCA 43](#) (acting for the plaintiff, led by R Merkel QC with C Tran – freedom of political communication).

- *Plaintiff M96A/2016 v Commonwealth of Australia* [\[2017\] HCA 16](#) (acting for the plaintiffs, led by C Horan QC – Chapter III of the Constitution and detention under the Migration Act).
- *ResourceCo Material Solutions Pty Ltd v Victoria* (acting for the Commonwealth Attorney-General, led by S Lloyd SC – s 92 of the Constitution – resolved before hearing).
- *Alqudsi v The Queen* [\[2016\] HCA 24](#) (acting for the Victorian Attorney-General, led by R Niall QC – s 80 of the Constitution).
- *Australian Electoral Commission v Johnston* [\[2014\] HCA 5](#), 251 CLR 463 (High Court sitting as the Court of Disputed Returns – acting for a respondent to petitions disputing the election of six senators for Western Australia – led by R Merkel QC).
- *Director of Public Prosecutions (Cth) v Keating* [\[2013\] HCA 20](#), 248 CLR 459 (acting for the applicant in a case about constitutional and statutory construction issues – led by D Mortimer SC with K Walker).
- *Plaintiff M47/2012 v Director-General of Security* [\[2012\] HCA 46](#), 251 CLR 1 (acting for the respondent – led by S Donaghue QC, with others).
- *John Holland Pty Ltd v Victorian Workcover Authority* [\[2009\] HCA 45](#), 239 CLR 518 (acting for the respondent – led by P Hanks QC).
- *Attorney-General (Cth) v Alinta Limited* [\[2008\] HCA 2](#), 233 CLR 54 (acting as amici curiae at the request of the Commonwealth Attorney-General – led by P Hanks QC with S Donaghue).

Federal Court and Full Federal Court

- *North East Forest Alliance Inc v Commonwealth* (acting for the respondent in a case about the validity of a New South Wales Regional Forest Agreement – judgment reserved – led by R Lancaster SC with S Rajanayagam).
- *Asset Energy Pty Ltd v Commonwealth Minister for Resources* [\[2023\] FCA 86](#) (acting for the respondent in an ADJR Act application – led by N Wood SC with A Wharldall).
- *Santos NA Barossa Pty Ltd v Tipakalippa* [\[2022\] FCAFC 193](#) and *Tipakalippa v National Offshore Petroleum Safety and Environmental Management Authority (No 2)* [\[2022\] FCA 1121](#) (acting for National Offshore Petroleum Safety and Environmental Management Authority – led by N Wood SC).
- *Li v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [\[2022\] FCA 1594](#) (acting for the respondent).
- *QDQY v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [\[2022\] FCAFC 82](#) (acting for the respondent – unled).
- *Guruge v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [\[2021\] FCAFC 233](#) (acting for the respondent – unled).
- *Bob Brown Foundation v Commonwealth* [\[2021\] FCAFC 5](#) (acting for the respondent in a case about the validity of the Tasmanian Regional Forest Agreement – led by A Mitchelmore SC).
- *Amato v Commonwealth* [VID611 of 2019](#) (acting for the applicant in a challenge to the “Robodebt” scheme – led by P Hanks QC with G Ayres).

- *The Wilderness Society (Tasmania) Inc v Minister for the Environment* [2019] FCA 1842 (acting for the respondent – led by A Mitchelmore SC).
- *Andrwas v Minister for Home Affairs & Anor* [2018] FCAFC 1996 (acting for the respondent – unled).
- *Dunn v Minister for Immigration and Border Protection* [2018] FCAFC 233 (acting for the respondent – unled).
- *Hands v Minister for Immigration and Border Protection* [2018] FCAFC 225 (acting for the respondent – unled).
- *Australian Competition and Consumer Commission v Equifax Australia Information Services and Solutions Pty Ltd* [2018] FCA 1637 (acting for the respondent in a civil penalty case about misleading or deceptive conduct – led by C Moore SC).
- *Port of Newcastle Operations Pty Ltd v Australian Competition and Consumer Commission* [2017] FCA 1330 (acting for ACCC, led by P Gray QC – proceeding concerning arbitration of access dispute).
- *Triabunna Investments Pty Ltd v Minister for the Environment and Energy* (acting for the Minister, led by G Kennett SC – judicial review of decision under EPBC Act).
- *Regis Aged Care Pty Ltd v Secretary, Department of Health (Cth)* (acting for the respondent, led by T Howe QC – construction of *Aged Care Act 1997* (Cth)).
- *Secretary, Department of Primary Industries, Parks, Water and Environment v Tasmanian Aboriginal Centre Incorporated* [2016] FCAFC 129 (acting for the Minister intervening in appeal, led by P Gray QC – construction of EPBC Act).
- *Australian Education Union v State of Victoria (Department of Education and Early Childhood Development)* [2015] FCA 1196 (acting for the respondent in a challenge to the lawfulness of salary deductions – led by R Doyle SC).
- *Australian Competition and Consumer Commission v Coles Supermarkets Australia Pty Ltd* [2014] FCA 1405 (acting for the respondent in a claim for unconscionable conduct – led by N Young QC and M Moshinsky QC with others)
- *Tarkine National Coalition Incorporated v Minister for the Environment* [2014] FCA 468, 202 LGERA 244 (acting for the respondent in a judicial review proceeding under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) – led by R Lancaster SC).
- *Secretary to the Department of Sustainability and Environment (Vic) v Minister for Sustainability, Environment, Water, Population and Communities (Cth)* [2013] FCA 1, 209 FCR 215 (acting for the respondent – led by P Hanks QC).
- *Sunshine Coast Broadcasters Pty Ltd v Australian Communications and Media Authority* [2012] FCA 1205, 209 FCR 518 (acting for the respondent – led by P Hanks QC).

Supreme Court of Victoria and Court of Appeal

- *German v State Trustees Ltd* [2023] VSC 7 (acting for the Attorney-General (Vic) intervening, in a case about federal jurisdiction).

- *Cotterill v Romanes* [\[2023\] VSCA 7](#) (acting for the defendant in an appeal regarding a challenge to Victoria's 2020 "stay at home rules" and their consistency with the implied freedom of political communication – led by A Pound SC with M Narayan).
- *AB v IBAC* [\[2022\] VSCA 283](#) (acting for the respondent in a case about IBAC's process – with P Hanks KC and J Maxwell).
- *AB v IBAC* [\[2022\] VSC 570](#) (acting for the respondent – with P Hanks KC and J Maxwell).
- *Woodman v IBAC* [\[2022\] VSC 684](#) (acting for the respondent in a case about IBAC's process – with J Maxwell).
- *The Australian Sawmilling Company Pty Ltd (In Liquidation) v Environment Protection Authority* [\[2021\] VSCA 294](#) (acting for the Attorney-General (Vic) in a case about the liability of a liquidator for environmental clean-up costs involving a question about s 109 of the Constitution and s 5G of the Corporations Act – led by R Orr QC).
- *Cotterill v Romanes* [\[2021\] VSC 498](#) (acting for the defendant in a challenge to Victoria's 2020 "stay at home rules" – led by A Pound SC with M Narayan).
- *The Trust Company (Australia) Limited v Commissioner of State Revenue* (acting for the plaintiff in a matter about a non-discrimination provision in a taxation treaty – settled before hearing in August 2021 – led by P Hanks QC with S Zeleznikow).
- *Bacchus Marsh Grammar School v Environment Protection Authority* (acting for the plaintiff in a planning and environment matter in the Supreme Court of Victoria – final orders made in December 2020 without hearing).
- *CoINVEST Ltd v Citywide Service Solutions Pty Ltd* [\[2020\] VSC 261](#) (acting for the appellant on an appeal on a question of law – appeal to the Court of Appeal settled before hearing – led by P Hanks QC).
- *Dimitrov v Bendigo and Adelaide Bank Limited* [\[2019\] VSCA 41](#) (acting for the first to fourth respondents – led by P Neskovicin SC with D Gratton).
- *Attorney-General v Glass (in her capacity as Ombudsman)* [\[2016\] VSCA 306](#) (acting for the President of the Legislative Council – led by P Hanks QC).
- *Seven Fields Property Pty Ltd v Murray Valley Citrus Board* [\[2013\] VSC 423](#) (acting for the plaintiff in a case about excise duties – led by M Moshinsky QC).
- *Truenergy Pty Ltd v Dispute Resolution Panel & Ors* [\[2009\] VSC 581](#) (acting for a defendant to an application for judicial review of a decision made by a Dispute Resolution Panel under the Victorian Gas Industry Market and Systems Operations Rules – led by P Crutchfield QC).
- *R v General Television Corporation Pty Ltd* [\[2009\] VSC 84](#) (acting for the State of Victoria in a proceeding for punishment of contempt – led by C Caleo SC).
- *Hinch v County Court of Victoria* [\[2009\] VSC 548](#) (acting for the Secretary to the Department of Justice in a judicial review proceeding – led by P Hanks QC).
- *Victoria v Turner* [\[2009\] VSC 66](#), 23 VR 110 (acting for the respondent to an appeal on questions of law from a decision of the Victorian Civil and Administrative Tribunal in the area of discrimination – led by D Mortimer SC).

- *Re Dyno Nobel Limited* [2008] VSC 154 (acting for the plaintiff in relation to a scheme of arrangement to effect a takeover – led by J Santamaria QC).

Supreme Court of NSW and Court of Appeal

- *Ku-ring-gai v Gary West as delegate of the Acting Director-General, Office of Local Government & Ors* (2016) [2017] NSWCA 54 (acting for the third respondent – led by N Williams SC).
- *Shellharbour City Council v Minister for Local Government (No 2)* [2016] NSWLEC 119 (acting for the respondents – led by N Hutley SC).
- *Khoury Group Pty Ltd v Rosment Pty Ltd* (acting for the defendant and cross-claimant, led by R Lancaster SC – lease dispute and tort (nuisance)).
- *Lee v Director of Public Prosecutions (Cth) (No 2)* [2009] NSWSC 174 (acting for the applicant in a matter arising under the Proceeds of Crime Act (Cth) – led by J Sackar QC).
- *Basis Capital Funds Management Ltd v BT Portfolio Services Ltd* (2008) 67 ACSR 297, [2008] NSWSC 766 (acting for a unit-holder in a managed investment scheme regarding the construction of the scheme's constitution – led by M Moshinsky SC).

Other tribunals and Commissions

- Cases in the AAT and VCAT, such as *Mederi v Commissioner of State Revenue (Taxation)* [2010] VCAT 49; *McLean v ASIC* [2017] AATA 2566; *Hogg v Minister for Planning* [2021] VCAT 1314; *LWVR v National Disability Insurance Agency* [2021] AATA 4822.
- Roles on discrete issues in various royal commissions, including the Financial Services Royal Commission and the Royal Commission into the Casino Operator and Licence.