

SELECTED APPEARANCES

EMPLOYMENT, INDUSTRIAL, DISCRIMINATION & WHS

- *Aged Care Work Value Case* [2024] FWCFB 150 and previous decisions – representing the Commonwealth of Australia in relation to major variations to award minimum wages, including on the basis of gender-based undervaluation – led (variously) by Kate Eastman SC, David Chin SC and Yaseen Shariff SC.
- *Fair Work Ombudsman v Doll House Training Pty Ltd (No 2)* [2024] FCA 811 – application for civil penalties for contraventions of the *Fair Work Act 2009* (Cth) – led by Michael Seck.
- *Fair Work Ombudsman v 85 Degrees Coffee Australia Pty Ltd* [2024] FCA 576 – first case dealing with contraventions of responsible franchisor provisions in the *Fair Work Act 2009* (Cth) – unled.
- *Fair Work Ombudsman v Commonwealth Bank of Australia* [2024] FCA 81 – highest amount of civil penalties obtained by the Ombudsman under the *Fair Work Act 2009* (Cth) – led by Michael Seck.
- *Australian Paramedics Association (NSW) v Health Secretary in respect of New South Wales Ambulance (Virtual Clinical Care Centre Clinicians)* [2024] NSWIRComm 1066 – separate questions regarding award construction – unled.
- *Fakhouri v Secretary, NSW Ministry of Health* [2024] NSWSC 1171, [2024] NSWSC 363, [2024] NSWSC 362, [2022] NSWSC 233 – class action relating to alleged underpayment of junior doctors – led by Richard Lancaster SC, Elizabeth Raper SC, Catherine Gleeson and Tom O’Brien.
- *New South Wales Nurses and Midwives’ Association v State of NSW* [2024] NSWSC 636 – award construction – led by Perry Herzfeld SC.
- *Than v SafeWork NSW and Hunter New England Local Health District* [2023] NSWIRComm 1122 – review of decision to issue a provisional improvement notice – unled.
- *Orica Australia Pty Ltd v Coal Mining Industry (Long Service Leave Funding) Corporation* [2023] FCA 1515 and on appeal – operation of coal mining industry long service leave scheme – led by Chris Murdoch KC and John McKenna KC.
- *Health Secretary in respect of HealthShare NSW v Betts* [2023] NSWIRComm 1104 – appeal from reinstatement decision under the *Workers Compensation Act 1987* (NSW) – unled.
- *New South Wales Nurses and Midwives’ Association v Mid North Coast Local Health District (WHS Right of Entry Dispute)* [2023] NSWIRComm 1099 – rights of entry under *Work Health and Safety Act 2011* (NSW) – unled.
- *FRT v NSW Education Standards Authority* [2023] NSWCATAD 24 – disability discrimination – unled.
- *Stolz v Registered Clubs Association of New South Wales* [2022] FCA 1483 and settled – claim for employment benefits as well as defamation – led by Michael Seck.
- *Fair Work Ombudsman v 85 Degrees Coffee Australia Pty Ltd* [2022] FCA 1317 – civil penalties for underpayments of migrant workers – unled.

- *Australian Salaried Medical Officers' Federation (NSW) v Health Secretary in respect of the Western Sydney Local Health District (No 3)* [2022] NSWIRComm 1076 – dispute regarding termination of above-Award arrangements – led by Elizabeth Raper SC.
- *Dadley v Fire and Rescue NSW* (settled before trial) – complex unfair dismissal in the context of criminal proceedings – led by Yaseen Shariff SC.
- *Beaumont Hills Dental Surgery Pty Ltd v Goodarzi* [2022] FCA 625 – costs under s 570 of the *Fair Work Act 2009* (Cth) – led by Stefan Balafoutis SC.
- *Fair Work Ombudsman v Corinthian Capital Pty Ltd* [2022] FedCFamC2G – civil penalties – unled.
- *Transport Workers' Union v Linfox Australia Pty Ltd* [2022] FWCFB 36 – appeal regarding award interpretation and custom and practice – led by Yaseen Shariff SC.
- *Public Service Association and Professional Officers' Association Amalgamated Union of New South Wales v Industrial Relations Secretary on behalf of the Department of Communities and Justice (New South Wales Rural Fire Service)* [2021] NSWIRComm 1098 – award interpretation – led by Elizabeth Raper SC.
- *Gunawardana v Services Australia* [2021] FWC 2243; [2021] FWCFB 6018 – unfair dismissal – unled.
- *Regional Express Holdings Ltd v Hanson* [2021] FWCFB 2755 – recusal for apprehended bias – led by Elizabeth Raper SC.
- *Application by Health Services Union NSW for NSW Ambulance On-Call Related Transitional Benefits Award* [2021] NSWIRComm 1003 (for the Health Secretary) – application for award variation – unled.
- *Australian Building and Construction Commission v Corestaff WA Pty Ltd* [2020] FCA 893; [2021] FCA 1149 – adverse action by reason of age and accessorial liability – led by Elizabeth Raper SC.
- *85 Degrees Coffee Australia Pty Ltd v Fair Work Inspector Rodwell* [2020] FCA 1190 – challenge to validity of a notice to produce – unled.
- *Health Services Union NSW v Health Secretary* [2020] NSWIRComm 1049 – appeal in relation to award variation – led by Elizabeth Raper SC.
- *Dargan v Winnaa Pty Ltd* [2018] FWC 5692 – adverse action on the basis of discrimination because of social origin – unled.

PUBLIC LAW & OTHER REGULATORY

- *Australian Securities and Investments Commission v Mawhinney* (ongoing, Federal Court of Australia) – application for orders under s 1101B of the *Corporations Act 2001* (Cth) – led by Michael Borsky KC and Chris Tran, with Nic Congram and Julia Nikolic.
- *Commissioner for Fair Trading (ACT) v Bowes Street Developments Pty Ltd and others* [2024] ACTSC 315 – consumer law prosecution for alleged misleading or deceptive conduct – led by Jodi Steele SC.
- *Cantwell v NSW Education Standards Authority* [2024] NSWCATAD 282 – review of teacher accreditation decision – unled.

- *SAE Institute Pty Ltd v Tertiary Education Quality and Standards Agency* [2023] AATA 4250 – merits review of decision relating to provider category – led by Saul Holt KC and unled.
- *Lawler v NSW Education Standards Authority* [2023] NSWCATAD 273 – review of decision regarding home-schooling registration – unled.
- *Savet v Rosebank College* [2023] NSWSC 1015 – judicial review of decision made under the *Children’s Guardian Act 2019* (NSW) – unled.
- *Lavers v NSW Education Standards Authority* [2023] NSWCATAD 170 – merits review of teacher accreditation decision – unled.
- *Thomas v NSW Education Standards Authority* [2023] NSWCATAD 41, [2022] NSWCATAP 110, [2021] NSWCATOD 125 – administrative review of teacher accreditation decision – unled.
- *Cavar v Secom Australia Pty Ltd* [2022] FCA 1548 – amicus curiae appointed by the Federal Court in relation to appeal from vexatious proceedings order – led by Yaseen Shariff SC.
- *HDWH and Minister for Immigration, Citizenship, and Multicultural Affairs* [2022] AATA 4064 – merits review of visa cancellation decision – unled.
- *Secretary of the Ministry of Health v Australian Paramedics Association (NSW)* [2022] NSWSC 1431 – judicial review of Industrial Relations Commission decision – led by Edward Muston SC.
- *Yeshiva College Bondi Limited v NSW Education Standards Authority* [2022] NSWCATAD 270 and [2022] NSWCATAP 160 – merits review of decision to cancel school registration, including recusal application – led by Chris Ronalds AO SC.
- *Morsingh v Health Care Complaints Commission* [2022] NSWCA 106 – appeal from disciplinary decision – led by Maria Cinque SC (unled at first instance).
- *Minister for Immigration and Border Protection v EFX17* [2021] HCA 9; [2019] FCAFC 230, [2018] FCCA 3179 – judicial review of revocation of protection visa – unled at first instance and Full Federal Court; led by Anna Mitchelmore SC in the High Court.
- Several professional discipline matters for the Health Care Complaints Commission including *Suri* [2024] NSWCATOD 195; *Azzer* [2024] NSWCATOD 70; *Matta* [2024] NSWCATOD 33; *John* [2023] NSWCATOD 45; *D Vuong* [2022] NSWCATOD 84; *J Vuong* [2022] NSWCATOD 83; *Bradley* [2022] NSWCATOD 47; *Patel* [2022] NSWCATOD 9; *Lal* [2022] NSWCATOD 8; *Foster* [2022] NSWCATOD 7; *Ashour* [2021] NSWCATOD 165; *Tamer* [2021] NSWCATOD 164; *Phillipson* [2021] NSWCATOD 26; [2021] NSWCATOD 144; *Naamo* [2021] NSWCATOD 109; *Le* [2021] NSWCATOD 104; *Peck* [2021] NSWCATOD 88; *Conte* [2021] NSWCATOD 37; *Morsingh* [2021] NSWCATOD 13, [2022] NSWCATOD 28; *Gong* [2020] NSWCATOD 152; *Le* [2020] NSWCATOD 143; *Moawad* [2020] NSWCATOD 19 – unled.
- *Harris v Minister for Environment* [2021] FCA 1621 – judicial review of rejection of environmental approval – led by Madeline Brennan QC.
- *Bellary v Minister for Immigration and Border Protection* [2020] FCCA 873 – judicial review of decision in relation to partner visa – unled.
- *Wanless Enviro Holdings Pty Ltd v Commissioner of Taxation* (settled, Federal Court of Australia) – review of taxation objection decisions – led by Madeline Brennan QC.

- *BHP Coal Pty Ltd and others v Treasurer, Minister for Trade and Investment* (settled, Queensland Supreme Court) – judicial review of decisions regarding reassessment of royalties – led by Simon Couper QC, Melanie Hindman QC and Madeline Brennan QC.
- *Jones v Medical Board of Australia* [2017] QSC 238 (Queensland Supreme Court) – judicial review of disciplinary decision (for the respondent) – led by Thomas Bradley QC and unled.

COMMERICAL, SUPERANNUATION & BUILDING AND CONSTRUCTION

- *Muffet v Australian Financial Complaints Authority and Qantas Superannuation Ltd* [2024] FCA 39 – appeal under s 1057 of the *Corporations Act 2001* (Cth) – led by Dominique Hogan-Doran SC.
- *Queensland Motorways Pty Ltd v CPB Contractors Pty Ltd* (ongoing, Supreme Court of Queensland) – dispute in relation to the design, construction and maintenance of the Gateway Upgrade Project – led by Gareth Beacham QC.
- *Sweeney v Australian Financial Complaints Authority and NULIS Nominees (Australia) Limited* [2022] FCA 1525 – purported appeal under s 1057 of the *Corporations Act 2001* (Cth) – led by Dominique Hogan-Doran SC.
- *Application by NGS Super Pty Ltd atf NGS Super* [2021] NSWSC 1694 – judicial advice regarding charging of fee – led by Dominique Hogan-Doran SC.
- *Re QSuper Board* [2021] QSC 276 – judicial advice regarding charging of fee – led by Dominique Hogan-Doran SC, with Sarah Danne.
- *Re NULIS Nominees (Australia) Limited* (unreported, NSW Supreme Court, Lindsay J) – judicial advice regarding construction of trust deed – led by Dominique Hogan-Doran SC.
- *Sanrus Pty Ltd and others v Monto Coal No 2* [2018] QCA 309 and [2018] QSC 53 (Queensland Supreme Court and Court of Appeal) – security for costs – led by Patrick O’Shea QC.
- *CS Energy Limited v GPS Energy Pty Limited* (settled, Queensland Supreme Court) – procedure for contractual expert determination – led by Thomas Bradley QC.
- *O’Connor v CWC Investors Pty Ltd* [2017] QSC 279 – summary judgment and strike-out in relation to fraud, duress and misrepresentation claims – led by John McKenna QC.
- *Wilmar Sugar Pty Ltd v Burdekin District Cane Growers Ltd* [2017] QSC 3 – commercial arbitration procedure – led by Peter Franco QC.

INQUESTS, INQUIRIES & CRIMINAL MATTERS

- Counsel assisting the NSW Special Commission of Inquiry into Health Care Funding (2024-25) – led by Ed Muston SC and Ross Glover, with Ian Fraser and Tamsin Waterhouse.
- Representing the Walker, Lane and Robertson families in *Inquest into the death of Kumanjayi Walker* (NT, 2022) – led by Andrew Boe, with Greer Boe.
- Representing the family of Daniel King in the *Inquest into the death of Daniel King* (NSW, 2022) – unled.

- *Kerin v The Queen* [2022] SASCA 19 – successful appeal against conviction – led by Andrew Boe.
- *Collins v The Queen* [2018] HCA 18 – successful appeal against conviction – led by Peter Callaghan SC.
- Appearing in District Court sentences including for sexual offences and robbery.