

Biographical

Before coming to the law, Mr Gibson taught in the United Kingdom, Bangladesh and the Sultanate of Oman. He is an Oxford Blue in hockey, played for British Universities and England Schools. He also represented the Sultanate of Oman at the Hong Kong 7s in rugby

Mr Gibson commenced practice as a lawyer with Allen Allen & Hemsley (now Allens<Linklaters) as a solicitor in 1987 before becoming a Senior Associate. He subsequently was a partner and the National Head of Dispute Resolution at Andersen Legal and Special Counsel at Corrs, prior to coming to the bar in 2005.

As a solicitor Mr Gibson acted in a number of high-profile inquiries from the early 1990s, including the Martin Banking Inquiry, the Special Commission of Inquiry into the Allegations made by Mrs Franca Arena; the Royal Commission into the collapse of HIH; the Special Commission of Inquiry into the Waterfall Rail Accident and the Special Commission of Inquiry into the Medical Research and Compensation Foundation (the James Hardie Inquiry).

As a Barrister his principal areas of practice are

- Administrative
- Alternative Dispute Resolution Mediations & Arbitration
- Banking, Securities and Insolvency
- Commissions and Inquiries
- Competition and Trade Practices
- Construction law
- Corporations, Corporate and Commercial
- Equity
- Insurance
- Professional Negligence

Education

University of New South Wales – Bachelor of Laws

Oxford University – PGCE

Keele University – BA (Joint Hons), English Literature and Philosophy

Legal Career

Admitted as a Barrister NSW | 2005

Selected Cases **Administrative Law/Medical Tribunals**

- *Health Care Complaints Commission of NSW v Margaret Hinde* [2013]
- *NSWPHT 5 Commonwealth of Australia v Horsfall* (2010) 185 FCR 66; (2010) 115 ALD 344 [2010] FCA 443
- *Flaherty v Secretary, Dept of Health and Ageing* (2010) 184 FCR 564; (2010) 115 ALD 315; [2010] FCAFC 67
- *Flaherty v Secretary, Dept of Health and Ageing* [2010] FCA 63

Commissions, Inquiries and Coronial (As a barrister)

- *Royal Commission into Institutional Responses to Child Sexual Abuse Case 39 (Jehovah's Witnesses)* (2015-17)
- *Royal Commission into the Home Insulation Program* (2014)
- *Inquest into the death of Mr X, NSW Coroner's Court Sydney* No 2573/2011 (2013)
- *Inquest into the death of Meqdad Hussain Queensland Coroner's Court Brisbane* No 2011/942 (2013)
- *Inquest into the death of Josefa Rauluni, NSW Coroner's Court Sydney* No 2325/2010, (2011)
- *Inquest into the death Saunders, NSW Coroner's Court Sydney* No2980/2010, (2011)
- *Inquest into the death Al Akeibi, NSW Coroner's Court Sydney* No 2804/2010, (2011)
- *Inquest in the death of Connor Hudson Westmead, NSW Coroner's Court* File no 679/2004 (2006)

(As a solicitor)

- *Special Commission of Inquiry into the Waterfall Rail Accident* (2005)
- *Special Commission of Inquiry into the Medical Research and Compensation Foundation (the James Hardie Inquiry)* (2004)
- *Royal Commission into the collapse of HIH* (2003)
- *Special Commission of Inquiry into the Allegations made by Mrs Franca Arena* (1997);
- *Parliamentary Inquiry into the Australian banking Industry (The Martin Banking Inquiry)* (1991)

Corporate /Construction/Trade Practices

- *Mainteck Australia Pty Ltd v Stein Heurtey SA* (2014) 310 ALR 113; [2014] NSWCA 184
- *Mainteck Services Pty Ltd v Stein Heurtey SA and Stein Heurtey Australia Pty Ltd* [2013] NSWSC 266
- *Mainteck Services Pty Ltd v Stein Heurtey SA* [2011] NSWSC 844

- *Douglas Ronald Campbell v Backoffice Investments Pty Ltd & Anor* (2009) 238 CLR 304; (2009) 73 ACSR 1; [2009] HCA 25
- *Campbell v Backoffice Investments Pty Ltd* (2008) 66 ACSR 359; [2008] NSWCA 95
- *Backoffice Investments Pty Ltd v Campbell* (2007) 61 ACSR 144; (2007) [2007] NSWSC 161

Environmental and Local Government

- *Highland County Pty Ltd v The Council of the City of Newcastle* [2008] NSWDC 304
- *Hatchman v Graham LEC* No3033 of 2007
- *Hunter Development Brokerage Pty Ltd v Cessnock City Council*;
- *Tovedale Pty Ltd v Shoal haven City Council* (2005) 63 NSWLR 124; [2005] NSWCA 169

Insolvency

- *In the matters of Beechworth land Estates Pty Ltd (Admin Apt) and Griffith Estates Pty Ltd (Admin Apt)* [2014] NSWSC 1723
- *EDS Australasia Pty Limited v Contract Resources Pty Ltd*, Sup Ct of NSW, Equity Division No.2013/254582 No No.2014/50364
- *EDS Australasia Pty Limited v Contract Resources Pty Ltd*, Sup Ct of NSW, Equity Division No.2013/254582 No 2013 / 283817
- *In the matters of Home Projectz Pty Limited v Sparkmaster Pty Ltd*, Sup Ct of NSW, Equity Division 2012/65832
- *In the matters of Home Projectz Pty Limited Brett Johnson T/A Eastern Suburbs Emergency Plumbing*, Sup Ct of NSW, Equity Division 2012/65845

Procedural and Costs

- *White v Lachlan Shire Council (No 2)* [2017] NSWDC 142
- *Mainteck Services Pty Ltd v Stein Heurtey SA (No 2)* [2014] NSWCA 214
- *Mainteck Services Pty Ltd v Heurtey SA* [2013] NSWSC 1563
- *Mainteck Services Pty Ltd v Stein Heurtey SA* [2013] NSWSC 1165
- *Douglas Ronald Campbell v Backoffice Investments Pty Ltd & Anor No 2* (2009) 259 ALR 402; (2009); [2009] HCA 36
- *Steffen v Australia and New Zealand Banking Group Ltd* [2009] NSWSC 883
- *Steffen v ANZ Banking Group Ltd* [2009] NSWSC 666
- *Hannon v Afro Pacific Capital Limited* [2009] NSWSC 564
- *Sylvania Waters Limited v N & G Behary*, Sup Ct of NSW 2013/27427

Other

- The estate of George Nye deceased and the Succession Act 2006, Sup Ct NSW 2014 /207587
- *Curran Property Partners Pty Ltd v Michael McMahon*, Sup Ct of NSW 2014/21309
- *The estate of George Nye*, Sup Ct NSW 2013 /379160
- *Gugler v O'Neill*, Local Court No 2011/00267750 (contempt proceedings)
- *Legend Operator Pty Ltd & Anor V Sefam Pty Ltd*, Dis Ct 2013/200173
- *Sylvania Waters Limited v N & G Behary*, Sup Ct of NSW 2013/27427
- *JKF Industri Sdn. Bhd. v Eximo Pty Ltd*, Sup Ct NSW 5711/2009
- *Independent Print Media Group Publishing Pty Ltd v Estate Agents Co-operative* [2007] NSWSC 1098
- *Sadek v Hanna*, Dis Ct of NSW no 2768 of 2007
- *Westend Joinery Pty Ltd v Antonio Strati*, Dis Ct No 1979 of 2006
- *Suburban Publications Pty Ltd v Willise Pty Ltd*, Sup Ct NSW 50150 of 2005
- *University of New England v Honeywell*, Dis Ct No 2875 of 2000

Selected Publications

"Issues in Corporate Insolvency: Statutory Demands and the Corporations Act, s440A" (2005) 79 Australian Law Journal 182 (with L Aitken)

"Expert Reports and Waiver of Privilege", (2006/7) Bar News 71

"Preparing Expert Witnesses: A search for ethical boundaries": (2006/7) Bar News 44

"The "Unruly Horse" has bolted: Tinsley v Milligan" (1994) 57 Modern Law Review 441

"Security for costs against impecunious corporate plaintiffs", (2010/11) Bar News 86

Numerous conference papers on ethics, expert evidence, legal professional privilege, settlement theory, restraint of trade, bias

Presently working on 2 papers related to settlement theory and practice:
"Valuation of litigation risk in settlement negotiations: theory and practice",
"Identifying and overcoming the barriers to negotiated settlement"

Other Information

Best Lawyers in Australia: Litigation | 2014-17

Memberships

Australian Corporate Law Association
NSW Bar Association