

HARRY ROGERS

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Education

Bachelor of Laws (Hons I & University Medal) | University of Sydney 2020

- R G Henderson Memorial Prize (first in the order of merit) and 18 other prizes
- First in various subjects, including Administrative Law, Public Law, Torts, Insolvency, Advanced Contracts, Public International Law and Legal Ethics

Bachelor of Economics (Hons I & University Medal) | University of Sydney 2018

- Joye Prize in Economics (first in cohort) and other prizes

Professional experience

Barrister | New South Wales Bar 2023–present

Senior Lawyer | Australian Government Solicitor (Dispute Resolution) 2021–2023

Sessional Academic | University of Sydney 2021

Tipstaff/Associate to the Hon Justice A J Meagher | NSW Court of Appeal 2020–2021

Selected cases

Appellate

Stott v Commonwealth of Australia & Anor
(HCA, M60/2024, ongoing)

Constitutional law – validity of retroactive federal and State laws disapplying immunities from tax discrimination.

For the plaintiff, led by J Gleeson SC and S Hartford-Davis (instructed by Johnson Winter Slattery).

Gamage v Riashi [2025] NSWCA 84

Administrative law – power of Independent Commission Against Corruption to institute criminal prosecutions for corrupt conduct.

For the appellant, led by M Karam (instructed by Farahs Legal).

Haigh v Haddad [2025] NSWCA 28

Summary dismissal – reflective loss and abuse of process.

For the respondents, led by V Thomas SC (instructed by CSO).

Zaksaw Pty Ltd v Gudu [2024] NSWCA 296

Judicial review – whether jurisdictional error by District Court in alleged misconstruction of offence provision.

For the respondent, led by Z Heger SC (instructed by CSO).

Eco-Pact Pty Ltd v The Law Society of NSW [2024] NSWCA 206

Claim on Law Society's Fidelity Fund – review of dismissal for want of security.

For the Law Society, led by T Prince SC.

Secretary, Department of Communities and Justice v Stewart [2024] NSWCA 59

Statutory construction – calculation of workers compensation for workers with prior injuries.

For the appellant, led by P Herzfeld SC (instructed by Hall & Wilcox).

Commercial, equity and class actions

White Oak Commercial Finance Europe Ltd v Insurance Australia Ltd & Ors (FCA, NSD1039/2021, Moshinsky J) (ongoing)

Insurance claims arising out of the collapse of the Greensill Group – issues as to construction of insurance policies, underwriters' authority, and misleading or deceptive conduct.

For the applicant, led by J Sexton SC, T O'Brien and J Jaffray (instructed by Ashurst).

Doyle's Farm Produce Pty Ltd & Ors v Murray Darling Basin Authority & Anor (NSWSC, Common Law, 2019/150651, Garling J) (ongoing)

Class action – allegedly negligent operation of the Murray-Darling river system.

For the defendants, led by S Callan SC and T Prince SC (instructed by Ashurst).

Cayzer v Phoslock Environmental Technologies Ltd (FCA, VID1072/2024) (ongoing)

Class action – alleged auditors' negligence.

For KPMG, led by P Herzfeld SC and A Hammond (instructed by Ashurst).

Novce Grujoski v Peter White & Ors (NSWSC, Equity – General, 2022/378618) (ongoing)

Claims against Ernst & Young for breaches of fiduciary duty, negligence and misleading or deceptive conduct by former partner.

For the plaintiff, led by T O'Brien (instructed by Shanahan Tudhope)

Willis v Abraham (No 2) [2025] NSWSC 276

Adverse possession – dispute as to factual possession and openness of intention.

For the plaintiff, led by C Gleeson SC (instructed by Corrs Chambers Westgarth).

Lucky v Ives (Winding Up Application) [2024] FCA 1501

Application for just and equitable winding up – belated concession.

For the applicant, led by T O'Brien (instructed by Polczynski Robinson).

MJK Investments Pty Ltd v Kennedy [2024] NSWSC 1398

Application for specific performance and orders for re-transfer of shares in commercial entity – cross-claim seeking relief against penalties and forfeiture.

For the defendants, led by C Bova SC (instructed by Artemide Law).

Lucky v Ives [2023] FCA 1571; *Lucky v Ives (No 2)* [2024] FCA 970

Applications for derivative leave under s 237 of *Corporations Act 2001* (Cth).

For the applicant, led by T O'Brien (instructed by Polczynski Robinson).

In the matter of Kentel Australasia Pty Ltd
[2024] NSWSC 1352

Application for order convening members' meeting under s 249G of *Corporations Act 2001* (Cth) — allegation by defendant of oppression.

For the plaintiff, led by C Bova SC (instructed by Artemide Law).

Mereworth Property Pty Ltd v Mereworth Pastoral Pty Ltd [2024] NSWSC 475

Dispute as to purported compromise of proceedings – construction of settlement offer.

For the plaintiffs, led by T O'Brien (instructed by Marque Lawyers).

Lorebray Pty Ltd v Liddy (No 2) [2024] NSWSC 1020; *Lorebray Pty Ltd v Liddy (No 3)* [2024] NSWSC 1257

Debt – characterisation of transaction – claim by beneficiaries in the name of trustee company.

For the plaintiffs, led by M Condon SC.

Spagnolo v Parramatta Leagues Club Ltd (NSWSC, Equity – General 2022/251414) (settled)

Dispute as to eligibility for directorship of former chairman of Parramatta Leagues Club – construction of constitution and oppression.

For the plaintiff, led by D McLure SC.

Public, government and regulatory

Koutsouroupas & Ors v Minister for Health and Aged Care [2024] FCA 677

Judicial review – challenge by Chemist Warehouse to validity of subordinate legislation.

For the respondent, led by A Berger KC (instructed by AGS).

Attorney-General of the Commonwealth of Australia v Ghazzawy [2023] NSWSC 1527

Application for interim extended supervision order under the *Criminal Code 1995* (Cth).

For the plaintiff, led by T Begbie KC and J Edwards (instructed by AGS).

David Fox v Planning Ministerial Corporation [2023] NSWLEC 109

Class 3 compensation claim – characterisation of public purpose for compulsory acquisition.

For the respondent, led by N Eastman SC (instructed by Ashurst).

Burns v Regional Growth NSW Development Corporation (NSWLEC, Class 3, 2023/91191); *Evans & Anor v Regional Growth NSW Development Corporation* (NSWLEC, Class 3, 2023/219461) (ongoing)

Class 3 compensation claims – characterisation of public purpose for compulsory acquisition associated with Wagga Wagga Special Activation Precinct.

For the respondent, led by N Eastman SC (instructed by Norton Rose Fulbright).

New South Wales Aboriginal Land Council v Minister Administering the Crown Lands Management Act (NSWLEC, Class 3, 2023/300387) (ongoing)

Class 3 appeal under s 36(6) of the *Aboriginal Land Rights Act 1983* (NSW).

For the appellant, led by Z Heger SC (instructed by Chalk & Behrendt).

HWMW and Director-General of Security (ART, Security and Intelligence, 2023/5811)

Review of adverse security assessment issued by ASIO.

For the Director-General, led by J Single SC (instructed by AGS).

Obeid v Commissioner of Taxation (FCA/ART, Kennett J, various files) (ongoing)

Various sets of appeals by the Obeid family against objections decisions in relation to multiple transactions over several decades.

For the Commissioner, led by D McLure SC and M Hirschhorn (instructed by MinterEllison).

Unled

Ramsay Health Care Australia Ltd & Ors v Australian Human Rights Commission [2025] FCA 2

Judicial review – application by Ramsay to quash termination of discrimination complaint by AHRC.

For the Commonwealth, intervening as contradictor (instructed by AGS).

Kinnane v The Bulahdelah Tennis Club Inc [2024] NSWSC 1103

Incorporated associations – dispute as to expulsion from membership – application of s 1322 of the *Corporations Act 2001* (Cth).

For the plaintiff (instructed by O’Loughlin Westhoff).

ENF17 v Minister for Immigration and Multicultural Affairs [2024] FedCFamC2G 828

Judicial review – migration.

For the Minister (instructed by AGS).

McGinn v Australian Information Commissioner [2024] FCA 1185; (*No 2*) [2024] FCA 1196; (*No 3*) [2024] FCA 1271

Judicial review – decision not to investigate further the applicant’s complaint under the *Privacy Act 1988* (Cth) – various interlocutory issues.

For the Information Commissioner (instructed by AGS).

Advices

Led and unled advice work for various commercial entities and the Commonwealth, New South Wales, Victorian and Northern Territory governments, briefed by firms including King & Wood Mallesons, Clayton Utz and AGS.