

CLAIRE ROBERTS

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OVERVIEW

Claire was called to the bar in 2019 after eight years of practice in Australia, London and New York. She served as a Federal Court associate and undertook secondments to the Sydney offices of two major financial institutions while working as a solicitor.

Claire graduated as a James Kent Scholar from a Master of Laws at Columbia University in New York, and with Honours from a Bachelor of Laws at the University of Melbourne. She is currently on the editorial board of the *Internet Law Bulletin* and an editorial assistant for the *Communications Law Bulletin*. Claire is admitted to practice in Australia, England and Wales.

AREAS OF PRACTICE

Administrative / public	Appellate	Class actions
Commercial	Commissions of inquiry	Defamation / media
Equity	Industrial law	Insolvency / bankruptcy
Intellectual property	Professional liability	Trade practices / competition

ADMISSIONS & EDUCATION

2019	Admitted as an Australian barrister
2018	Columbia University, New York, United States <i>Master of Laws (James Kent Scholar – equivalent of First Class Honours)</i>
2017	Admitted in England and Wales, following completion of Qualified Lawyers Transfer Scheme
2011	Admitted as an Australian solicitor
2010	University of Melbourne <i>Bachelor of Laws (Honours) / Bachelor of Arts (Media and Communications)</i>

PROFESSIONAL HISTORY

2019	AMP Capital, Sydney - <i>Senior Legal Counsel, as Allens Senior Associate seconde</i>
2018	Kaplan Hecker & Fink LLP, New York, United States - <i>Law Clerk</i>
2017	Knight First Amendment Institute, New York, United States - <i>Legal Intern</i>
2015 – 2017	Linklaters LLP, London, United Kingdom - <i>Associate, Dispute Resolution</i>
2014 – 2015	Federal Court of Australia - <i>Associate to the Honourable Justice Jacobson</i>
2011 – 2014	Ashurst, Melbourne and Sydney - <i>Graduate then Lawyer, Disputes - secondment to UBS AG during 2014</i>

CURRENT PROFESSIONAL POSITIONS

Editorial Board	<i>Internet Law Bulletin</i> (LexisNexis)
Pro Bono Panel	Arts Law
Editorial Assistant	<i>Communications Law Bulletin</i> (CAMLA)
Young Lawyers Committee	Communications and Media Law Association

SELECTED MATTERS

High Court of Australia		
<i>Andrews v ANZ</i> (2012) 247 CLR 205	Class action – acted for bank in relation to separate question regarding doctrine of equitable penalty	<i>As a solicitor – Ashurst</i>
<i>Jackson v R</i> [2020] HCASL 142	Appellate – acted for appellant, application for special leave regarding use of tendency evidence refused	Led by I E Davidson SC, R J Webb
Federal Court and Federal Circuit Court of Australia		
<i>ACCC v Oscar Wylee</i> NSD2072/2019	Consumer law – acting for company in defending allegations of misleading conduct	Led by B Walker SC, V Brigden
<i>LDDW v Minister</i> VID131/2020	Administrative law – pro bono counsel for appellant (though Court’s referral scheme)	Led by U Okereke-Fisher
<i>Apotex Pty Ltd v AstraZeneca AB</i> (No 4) [2013] FCA 162	Intellectual property – acted for pharmaceutical company in preparing for patent dispute hearing	<i>As a solicitor – Ashurst</i>
<i>Paciocco v ANZ</i> (2014) 309 ALR 249	Class action – acted for bank in preparing for first instance hearing regarding ‘exception fees’	<i>As a solicitor – Ashurst</i>
Court of Appeal, Court of Criminal Appeal and Supreme Court of NSW		
<i>Metal Stm (liq)</i> [2019] NSWSC 1667; [2019] NSWSC 1682	Equity – Corporations List – acted for cross-claimant in dispute, matter settled part-way through trial	Led by I M Jackman SC, D Klineberg
<i>Choras v Farmakidis</i> [2020] NSWSC 367	Equity – acted for defendant in opposing extension of time at separate question hearing	Led by I E Davidson SC
<i>McMillan v Coolah Home Base</i> 2020/00044327	Equity – acting for five defendants in dispute about property entitlements	Led by S J Free SC
<i>Jackson v R</i> [2020] NSWCCA 5	Appellate – acted for appellant in relation to use of tendency evidence	Led by I E Davidson SC
<i>Sleiman v Gadalla</i> 2019/00396891	Administrative – representing first defendant in judicial review proceedings	Led by B Tronson
<i>Boydied Industries v Gateway</i> 2020/00072828	Commercial – acting for plaintiff in contract dispute arising from property arrangement	Led by G Farland
<i>Prosperity v State of NSW</i> 2020/00078114	Administrative law – acting for participant in tender process	Led by M Green SC, J McDonald
District and Local Courts of NSW		
<i>Motocity Albion Park v Hamod</i> 2019/000163102	Defamation – acting for plaintiff in litigation about public statements following end of business relationship	Led by M Lewis
<i>Gough v Squillaciotti</i> 2019/329565	Defamation – acting for defendant in relation to emails sent between members of a strata committee	Led by M Richardson
<i>United Workers Union v Phoenix Lacquers</i> 2020/00038716	Industrial / employment – acting for employer in dispute regarding entitlements	Unled
<i>Grenke v Nicvic Pty Ltd</i> 2019/00163501	Consumer law – acted for child-care centre in dispute regarding lease of telecommunications equipment	Unled
<i>Izzet & Co v A Quick Core</i> 2019/00399368	Commercial – acting for corporate trustee of SMSF in dispute with auditor regarding fees and advice	Unled
Tribunals and Inquests		
<i>Latham v Monkeys Resort</i> GEN19/38707	Consumer law – acted for travel company in dispute about allegedly misleading advertising	Unled
Inquest into death of K Stanley, Coroner’s Court of Vic 2012	Inquest – instructed for V/Line at inquest regarding rail crossing death of car driver	<i>As a solicitor – Ashurst</i>

SELECTED MATTERS – *continued*

England		
Mobile Telephone Voicemail Interception Litigation	Media litigation – acted for News International in defending civil claims regarding ‘phone hacking’	<i>As a solicitor – Linklaters</i>
Financial Conduct Authority investigation re FX manipulation	Regulatory investigation – acted for bank in responding to regulator inquiries	<i>As a solicitor – Linklaters</i>
UBS – Global Restructuring Group	Financial services litigation – acted for bank re compensation scheme in response to complaints	<i>As a solicitor – Linklaters</i>
United States		
<i>Knight First Amendment v Trump</i> (2018) 302 F Supp 3d 541	Media litigation – acted for plaintiffs in preparing for first instance hearing (subsequently upheld on appeal)	<i>As Knight intern</i>
Review of US border control technology search reports	Regulatory investigation – review of complaints about warrantless searching; reported by the <i>New York Times</i>	<i>As Knight intern</i>

RECENT PUBLICATIONS

‘New York media law update’ (2020) 23 *Media & Arts Law Review* 369

‘Building rapport online: different, difficult, doable’ (2020) 5(4) *Australian Alternative Dispute Resolution Bulletin* 72

‘Mediation and incapacity: whether an agreement should be set aside’ [2020] (Autumn) *Bar News* 22

‘Hyperlink hypervigilance: a lesson on what not to do’ (2020) 22(7) *Internet Law Bulletin* 101

‘Trouble in Paradise Papers: privilege pay not found a cause of action’ [2019] (Summer) *Bar News* 26

‘Royals and the right to privacy’ (2019) 38(4) *Communications Law Bulletin* 21

Encyclopaedia of Forms and Precedents (LexisNexis) – Apologies (upcoming)

Encyclopaedia of Forms and Precedents (LexisNexis) – Letters of Comfort and Letters of Intent (upcoming)

‘Reasons to be wary about publishing an online review’ (*Internet Law Bulletin*, upcoming)

“‘Officers” need not hold an office’ (*Bar News*, upcoming)

SELECTED AWARDS & COMMUNITY

Columbia	Parker School Recognition of Achievement in International and Comparative Law Teacher, Rikers Debate Project
Melbourne	John and Alison Kearney Overseas Scholarship University of Melbourne Global Mobility Scholarship Certificate in Transnational Legal Studies (exchange to Georgetown University’s program in London) Research Assistant, Victorian Law Reform Commission Contract Law Tutor, Student Lecture Series Best Written Submissions, LexisNexis Constitutional Law Moot Vice President, Melbourne University Debating Society Citations Officer, <i>Melbourne Journal of International Law</i> Winner, Melbourne Law School Letter of Advice Competition (twice) Winner, MinterEllison Paper and Oral Essay Presentation Competition Intern (Journalism), <i>Herald & Weekly Times</i>