

MEGAN CARISTO

Admitted to practice: 2011

Eleven Wentworth

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PROFESSIONAL

May 2020 to present	Eleven Wentworth , Reader
2018 to present	University of Sydney , Guest lecturer on the implied freedom of political communication in the Constitution (2018, 2019, 2020 and 2021), Lecturer in Administrative Law (2019 and 2020) and Lecturer in Public Law (2019)
2020	University of NSW , Lecturer in Administrative Law
August 2017 to July 2019	NSW Crown Solicitor's Office , Senior Solicitor in the Constitutional and Administrative Law Team and the Employment and Industrial Relations Team <ul style="list-style-type: none">— Drafted advices on constitutional law, betting law, water law, royal commissions, employment law, aviation law, electoral law and criminal law— Instructed counsel in proceedings in the High Court, the Court of Appeal, the Supreme Court, the Land and Environment Court, the NSW Industrial Relations Commission and the NSW Civil and Administrative Tribunal
2018	University of Technology Sydney , Lecturer in Foundations of Law and guest lecturer in Constitutional Law on the defence power and the aliens' power
January 2017 to August 2017	Clayton Utz , Public Litigation Team, Senior Associate (Canberra) <ul style="list-style-type: none">— Drafted advices on mining law, migration law and environmental law for government and corporate clients— Secondment to the Department of Defence to assist with PFOS litigation— Instructed counsel in proceedings in the Federal Court and Administrative Appeals Tribunal
2016	Counsel Assisting the Solicitor General of the Commonwealth , Justin Gleeson SC <ul style="list-style-type: none">— Assisted the Solicitor General draft advices on constitutional law, electoral law, migration law and criminal law— Assisted the Solicitor General prepare for his appearances in the High Court, Federal Court and International Tribunals
October 2011 to 2015	Australian Government Solicitor , Constitutional Litigation Unit, Lawyer (October 2011 to April 2014) and Office of General Counsel, Employment, Entitlements and Money Unit, Senior Lawyer (June 2015 to December 2015) <ul style="list-style-type: none">— Drafted advices on taxation and revenue law, constitutional law, social security law, employment law and discrimination law— Instructed counsel in constitutional proceedings in the High Court, the Federal Court and the Family Court— Secondment to the Office of Constitutional Law in the Attorney-General's Department (April 2014 to July 2014)

2012, 2015	Australian National University , Constitutional Law, Tutor
February 2011 to October 2011	Legal Aid Commission (NSW) , Civil Outreach Lawyer
2009	Her Excellency the Honourable Margaret Beazley AC QC, NSW Court of Appeal , Tipstaff/Researcher
2009 to 2019	Thomson Reuters , Reporter for the Australian Criminal Reports, the Administrative Appeals Reports and Author of <i>Laws of Australia: Privacy</i>
Summer 2007	Freehills (now Herbert Smith Freehills) , Litigation, Summer Clerk
2005 to 2007	Clayton Utz , Workplace Relations, Paralegal

EDUCATION

2014 to 2015	Master of Laws, Columbia Law School at the University of Columbia , New York <ul style="list-style-type: none"> — James Kent Scholar (highest academic honours) — Lionel Murphy Foundation Scholarship to undertake LLM — Chamberlain Fellow in Legislation – scholarship to undertake LLM awarded by Columbia Law School
2003 to 2010	Bachelor of Laws (Hons I), University of Sydney <ul style="list-style-type: none"> — Nancy Gordon Smith Prize (awarded to top five students at graduation) (2010) — University of Sydney Academic Merit Prize (2010) — International Exchange Scholarship (2008) — Walter Reid Memorial Prize (2007) — George and Matilda Harris Scholarship No IIB for Third Year of Combined Law and Lexis Nexis Book Prize No 3 for Most Proficient Student in Combined Law III (2005) — Andrew M Clayton Memorial Prize – First Place in Federal Constitutional Law and Law, Lawyers and Justice (2005) — Law Society of NSW Prize and Margaret Dalrymple Hay Prize for First Place in Law, Lawyers and Justice (2005) <p>Exchange to <i>Cornell University</i>, New York (2008)</p> <ul style="list-style-type: none"> — CALI Prize for First Place in Comparative Law: the Civil Law Tradition — CALI Prize for First Place in Capital Punishment Law
2003 to 2006	Bachelor of Arts (University Medal and Hons I), University of Sydney <ul style="list-style-type: none"> — Dean of Arts' List of Academic Excellence (2005) — Leonie Hayne Prize for First Place in Junior Ancient History (2003) — Scholarship for Outstanding Achievement in the HSC (2003 to 2008)

SELECTED CASES (to December 2020)

Commercial law

Treasury Wine Estates Limited v Maurice Blackburn Pty Ltd [2020] FCAFC 226, 385 ALR 562 – whether the *Hearne v Street* (2008) 235 CLR 125 obligation not to use documents produced under compulsion for purposes other than the proceeding applies to pleadings – led by J Sheahan QC and F Roughley, instructed by Maurice Blackburn for the first and second respondents

Brewster v BMW Australia Ltd [2020] NSWCA 272 – whether the Court has power under s 173 of the *Civil Procedure Act 2005* (NSW) to make a common fund order – led by J T Gleeson SC and E Holmes, instructed by Quinn Emanuel Urquhart & Sullivan for the plaintiff/first cross-defendant

Louise Haselhurst v Toyota Motor Corporation Australia Limited trading as Toyota Australia [2020] NSWSC 1607 – application by the defendant for security for costs in a class action – led by E Holmes and R Mansted, instructed by Quinn Emanuel Urquhart & Sullivan for the plaintiff

Regulatory law

Australian Competition and Consumer Commission v Pacific National Pty Limited & Ors [2020] HCATrans 213 – application for special leave to appeal from *ACCC v Pacific National Pty Ltd* [2020] FCAFC 77 on whether a proposed acquisition was likely to have the effect of substantially lessening competition – led by J T Gleeson SC and C Tran, instructed by DLA Piper Australia for the ACCC

Australian Securities and Investment Commission v Select AFSL Pty Ltd & Ors, Federal Court (ongoing) – civil penalty proceedings for unconscionable conduct and misleading and deceptive conduct – led by N Sharp SC, G Walker, P Abdiel and K Grenfell, instructed by ASIC

Public law

Law Society Northern Territory v Legal Practitioners Disciplinary Tribunal (NT) & Anor [2020] NTSC 79 – whether legal practitioner's advice to opposition leader protected by parliamentary privilege – led by J K Kirk SC, instructed by Squire Patton Boggs for the second defendant

National Home Doctor Service Pty Ltd v Director of Professional Services Review [2020] FCA 1016 – whether the respondent was prevented from resuming a review under the *Health Insurance Act 1973* (Cth) and issues relating to *Anshun* estoppel and abuse of process – led by J K Kirk SC and J Taylor, instructed by Gilbert + Tobin for the applicant

PUBLICATIONS AND PAPERS

- “*The Great Gatsby*”: update on state tribunals following *Attorney General (NSW) v Gatsby* [2018] NSWCA 254, Crown Solicitor's Office Government Law Conference (2018)
- *Administrative Law Update*, Crown Solicitor's Office Administrative Law Conference (2018)
- *Reasonableness in Administrative Law*, Clayton Utz Government Law CLE (2017)
- *Can state tribunal orders bind the Commonwealth?* AGS Constitutional Law Forum (2015)
- “*R v Woods* [2010] NTSC 69” (2011) 14(2) *Australian Indigenous Law Review* 134
- “*Secretary of State for the Home Department v AF: Lessons for Australia*” (2010) 33 *Sydney Law Review* 693

COMMUNITY ENGAGEMENT

- NSW Bar Association New Barristers' Committee member (2020/2021)
- Sydney University Law Society Women's Committee Mentor (2020 and 2021)
- Refugee Advice and Casework Service (September 2019 to February 2020)
- Redfern Legal Centre, Police Powers and Administrative Law Clinic, Evening Solicitor (August 2019 to February 2020)

- NSW Law Society Graduate Student Mentor Program, Mentor (2018)
- ANU, Melbourne Law School and UTS, Moot Court Judge (2015, 2018)
- Harlem Tutorial Project (New York), Homework tutor to primary school children (2014)
- Australian Association of Constitutional Law, ACT Branch Co-ordinator (2014)
- NSW Young Lawyers, Human Rights Committee, Mental Health Working Group Coordinator (2011)
- UNSW Indigenous Law Centre, Student Volunteer (January to February 2011)
- North Australian Aboriginal Justice Agency (Darwin), Criminal Law, Paralegal (2010)
- NSW Law Reform Commission, Student Volunteer, Privacy Inquiry (2010)
- Refugee Advice and Casework Service, Student Volunteer (2010)
- Refugee Council of Australia, Student Volunteer (2008)
- Australian Law Reform Commission, Student Volunteer, Privacy Inquiry (2007)
- Redfern Legal Centre (including the Women's Domestic Violence Court Assistance Scheme), Student Volunteer (2005 to 2006)