

Education

- 2018-2019 Bachelor of Civil Law (Distinction), University of Oxford (Magdalen College)
- Studied on the Peter Cameron Sydney-Oxford Scholarship
 - Distinction in all subjects (Commercial Remedies; Restitution of Unjust Enrichment; Constitutional Theory; Criminal Justice, Security and Human Rights)
 - Winner, University of Oxford/7KBW Commercial Law Moot (2019)
- 2009-2014 Bachelor of Laws (Honours I), University of Sydney
- Ranked 3rd at graduation
 - Winner, National Rounds of the Phillip C Jessup International Law Moot (2013)
- 2008-2011 Bachelor of Arts (Media and Communications), University of Sydney

Employment

- 2021- Barrister, Eleven Wentworth
- Doyle's Guide (2023, 2024), Leading Administrative & Public Law Barristers – NSW
 - Counsel Assisting the Inquiry into the Appointment of the Former Prime Minister to Administer Multiple Departments (led by the Hon Virginia Bell AC) (Sep-Nov 2022)
 - Member, NSW Bar Association's Diversity and Equality Committee (2022-)
- 2024 Lecturer in Advanced Statutory Interpretation, University of New South Wales
- 2020-2021 Counsel Assisting the Solicitor-General of the Commonwealth (Dr Stephen Donaghue KC)
- 2018- Reporter, New South Wales Law Reports
- 2017-2020 Counsel (Senior Lawyer), Office of General Counsel, Australian Government Solicitor
- Employment, Entitlements and Money Team (advised on corporations law, taxation and superannuation, trusts, and employment law) (2017-2018)
 - People, Security and Information Team (advised on migration law, federal criminal law, privacy law, and public international law) (2019-2020)
 - Lawyers Weekly 30 Under 30 Awards (Government category) (2018)
- 2016-2017 Associate to the Hon Justice P A Keane AC, High Court of Australia
- 2016-2017, 2020 Sessional Academic, Australian National University (Public Law, Constitutional Law)
- 2015-2016 Associate to the Hon Justice L K Farrell, Federal Court of Australia
- 2013-2014 Research Assistant, University of Sydney (Professors Twomey, Saul, Rolph and Stephens)
- 2010-2013 Paralegal and Summer Clerk, Allens

Publications and presentations

Contributor, NSW Bar Association submission to NSW Parliament's ICAC Committee inquiry ('Review of aspects of the Independent Commission Against Corruption Act 1988') ([here](#))

'The Scope of the Aliens Power' (Case note on *Chetcuti v Commonwealth* [2021] HCA 25) (Bar News, Summer 2021) ([here](#))

Book Forum on Dr Amanda Sapienza's *Judicial Review of Non-Statutory Executive Action* (together with the Hon Alan Robertson SC and Laureate Professor Cheryl Saunders) (Auspublaw, 27 Oct 2021) ([here](#))

'Royal Commissions and Executive Inquiries' (AGS Constitutional Law Forum, 29 Nov 2019)

'Power to Detain: When Do the Courts Get Involved?' (AGS Constitutional Law Forum, 17 Nov 2017)

'Interacting with Parliamentary Committees' (AGS Legal Briefing No 109, 23 Aug 2017) ([here](#))

Selected matters

Led appearances

High Court of Australia

Full Court

- *Minister for Immigration, Citizenship and Multicultural Affairs v MZAPC* (ongoing) – whether Federal Court can order interlocutory injunction to restrain removal (for the Minister, led by Perry Herzfeld SC and Cobey Taggart)
- *Bogan v The Estate of Peter John Smedley (Deceased)* (ongoing) – whether making of a “group costs order” relevant to transfer application under the *Corporations Act 2001* (Cth) (for KPMG, led by Perry Herzfeld SC and Julia Roy)
- *Miller v Minister for Immigration, Citizenship and Multicultural Affairs* [2024] HCA 13 – application of *Project Blue Sky* principles to applications to the AAT (for the appellant, led by Perry Herzfeld SC)
- *Redland City Council v Kozik* [2024] HCA 7 – whether money paid pursuant to invalid public impost recoverable as money had and received (for the Attorney-General (Cth), led by Ruth Higgins SC)
- *Vanderstock v State of Victoria* [2023] HCA 30 – whether charge imposed on zero and low emissions vehicles by Victoria an excise (for the Australian Trucking Association appearing by leave as amicus curiae, led by Perry Herzfeld SC)
- *Zurich Insurance plc v Koper* (2023) 277 CLR 164 – constitutional validity of the *Trans-Tasman Proceedings Act 2010* (Cth) (for the Attorney-General (Cth), led by the Commonwealth Solicitor-General and Brendan Lim) (appeal from [2022] NSWCA 128)
- *ENT19 v Minister for Home Affairs* [2023] HCA 18 – consistency of “national interest” criterion with the *Migration Act 1958* (Cth); whether visa refusal punitive (for the Minister, led by Stephen Lloyd SC and Alison Hammond)
- *Katoa v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* (2022) 276 CLR 579 – whether jurisdictional error in assessing merits of substantive proceeding in extension of time application (for the plaintiff, led by Oliver Jones)
- *Mineralogy Pty Ltd v Western Australia* (2021) 274 CLR 219; *Palmer v Western Australia* (2021) 274 CLR 286 – manner and form, Ch III and s 118 of the Constitution (for the Attorney-General of the Commonwealth intervening, led by the Commonwealth Solicitor-General, Frances Gordon and Thomas Wood)

Special leave and removal applications

- *Pearson v Minister for Home Affairs* [2023] HCATrans 105 – application for special leave from [2022] FCAFC 203; whether “sentenced to a term of imprisonment of 12 months or more” in s 501(7)(c) of the *Migration Act* includes an aggregate sentence (for the Minister, led by Craig Lenehan SC and Naomi Wootton)
- *Minister for Home Affairs v ENT19* [2022] HCASL 94 – application for special leave to appeal; whether failure to consider Australia’s non-refoulement obligations in refusing a visa legally unreasonable (for the Minister, led by Craig Lenehan SC)

Full Federal Court of Australia

- *Boyjonaath v Minister for Immigration and Multicultural Affairs* (ongoing) – whether payment of prescribed fee within the prescribed time essential to validity of application to the AAT (for the appellant, led by Perry Herzfeld SC)
- *Elliott-Cardé v McDonald’s Australia Limited* (2023) 301 FCR 1 – whether the Federal Court has power to order a settlement CFO (for the Attorney-General (Cth), led by Stephen Lloyd SC and Kim Pham)
- *Sami v Minister for Home Affairs* (discontinued) – whether *Al-Kateb v Godwin* (2004) 219 CLR 562 was correctly decided (for the Minister, led by Perry Herzfeld SC and Kim Pham) (injunction to prevent removal refused: [2023] FCA 185)
- *BDR21 v Australian Broadcasting Corporation* (2023) 198 FCR 1 – whether *Public Interest Disclosure Act 2013* (Cth) overrides parliamentary privilege (for the respondent, led by Craig Lenehan SC and Zelic Heger)
- *Tapiki v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCAFC 10 – same issue as *Pearson* (led by Patrick Knowles SC)
- *CCU21 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2023] FCA 87; (2023) 297 FCR 530; [2024] FCAFC 69 – judicial review of visa cancelled on the basis of an adverse security assessment which was subsequently revoked (for the Minister, led by Perry Herzfeld SC)

New South Wales Court of Appeal and Court of Criminal Appeal

- *Mangoola Coal Operations Pty Ltd v Muswellbrook Shire Council* [2023] NSWCA 275 – entitlement to restitution of overpaid rates (for the appellant, led by Michael Izzo SC)
- *Registrar of Births, Deaths and Marriages v FJG* (2023) 111 NSWLR 105 – whether amendment of NSW Register to reflect a trans person’s name and sex inconsistent with the Commonwealth *Marriage Act* (for the respondents, led by Elizabeth Bennett SC and Rebecca McEwen)
- *Secretary, Department of Planning and Environment v Aerotropolis Pty Ltd* [2023] NSWCCA 195 – whether environmental prosecutions time-barred (for Aerotropolis, led by Perry Herzfeld SC) (appeal from [2023] NSWLEC 4)

Victorian Court of Appeal

- *Bogan v The Estate of Peter John Smedley (Deceased)* (2023) 72 VR 394 – referral to Court of Appeal; whether making of a “group costs order” relevant to transfer application under the *Corporations Act 2001* (Cth) (for KPMG, led by Perry Herzfeld SC and Julia Roy) (referral: [2023] VSC 103)

South Australian Court of Criminal Appeal

- *Questions of Law Reserved (Nos 1 and 2 of 2023)* [2024] SASCA 82 – whether use of “ANOM” application by the AFP during Operation Ironside unlawful – for the Attorney-General (Cth), led by Brendan Lim

Federal Court of Australia

Commercial/regulatory

- *Credit Suisse AG v Gu* (ongoing) – priorities dispute over proceeds of property sale; whether loan agreement illegal and, if so, whether lender entitled to restitution of principal sum (for Great Lands Investments Pty Ltd, led by Stuart Lawrance SC)
- *Patrick Stevedores Operations No 2 Pty Ltd v Port of Melbourne Operations Pty Ltd* (settled) – claim for declarations of misleading or deceptive conduct and unconscionable conduct during lease negotiations (for Patrick, led by Neil Young QC, Stuart Lawrance SC and Brendan Lim)
- *Commonwealth Director of Public Prosecutions v Citigroup Global Markets Australia Pty Ltd* (discontinued) – demurrer proceeding on the proper construction of the cartel provisions in the *Competition and Consumer Act 2010* (Cth) (for the CDPP, led by Stephen Free SC, Brendan Lim, Christopher Tran and Talia Epstein)

Public law

- *Hunter Environment Lobby Inc v Minister for the Environment and Water* (ongoing) – whether decisions that proposed expansion of a coal mine were “controlled actions” are invalid (for the applicant, led by James Emmett SC)
- *Carrascalao v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* (discontinued) – whether *Al-Kateb v Godwin* (2004) 219 CLR 562 correctly decided (for the Minister, led by Perry Herzfeld SC and Kim Pham)
- *ADJ20 v Minister for Immigration, Citizenship and Multicultural Affairs* (settled) – judicial review of Tribunal decision (for the applicant, led by Oliver Jones)
- *Mazepin v Minister for Foreign Affairs* (ongoing) – judicial review of sanctions listing (for the applicant, led by Michael Izzo SC)
- *Mukiza v Minister for Immigration, Citizenship and Multicultural Affairs* (discontinued) – application by Pearson-affected person who had been removed to be returned to Australia (for the Minister, led by Perry Herzfeld SC)
- *Minister for Home Affairs v ENT19* [2022] FCA 694 – application for peremptory and time-limited mandamus orders (for the Minister, led by Hamish Bevan SC)
- *Victoria Institute of Technology Pty Ltd v Tertiary Education Quality Standards Authority* [2022] FCA 195 – application for judicial review of the AAT’s decision not to stay TEQSA’s decision to impose conditions on VIT’s registration (for TEQSA, led by Nick Wood SC)
- *Moorcroft v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCA 1348 – whether order for mandamus can authorise grant of a visa inconsistently with the Migration Act (for the Minister, led by Craig Lenehan SC)

Supreme Court of New South Wales

- *BW v Secretary, Department of Communities and Justice* (ongoing) – whether Children’s Court Magistrate affected by apprehended bias (for the Attorney General (NSW), led by the Crown Advocate)

- *IG Power (Callide) Ltd v Sev.en Gamma as* (discontinued) – application for declaration that acceptance of insurance compromise not unlawful (for the plaintiffs, led by Amy Munro)
- *Dunne v Moin & Associates Pty Ltd* (settled) – representative proceedings; claim that law firm and principal vicariously liable for fraudulent conduct of former employee (for the plaintiffs, led by Christina Trahanas)
- *Attorney-General of the Commonwealth v Pender* [2022] NSWSC 1773 – application for extended supervision order in relation to terrorist offender (for the Attorney-General, led by Perry Herzfeld SC and Zelic Heger)
- *Commissioner of Police (NSW) v Attorney General for NSW* [2022] NSWSC 595 – judicial review of decision by Coroner refusing public interest immunity claims and applications for suppression orders (for the Attorney General, led by Perry Herzfeld SC)
- *Aversa v Transport for New South Wales* [2022] NSWSC 277 – claims for public interest immunity and legal professional privilege (for Transport for NSW and the Secretary of the NSW Treasury, led by Perry Herzfeld SC)
- *Telstra Corporation Ltd v Attorney General for NSW* [2021] NSWSC 1521 – judicial review of decision by Coroner not to make suppression orders (for the Attorney-General, led by James Emmett SC)
- *Hansell v Noorinya Holdings Pty Ltd atf the Noorinya Holdings Trust (ACN 132 347 883)* [2021] NSWSC 1479 – whether proceedings should be stayed pending resolution of arbitration proceedings (for the defendant, led by Stuart Lawrance SC)
- *Pender v Minister for Home Affairs* (discontinued) – statutory review of a continuing detention order (for the Minister, led by Perry Herzfeld SC, Zelic Heger and Christine Melis)

Land and Environment Court of New South Wales

- *Nature Conservation Council of NSW Inc v Minister for Water, Property and Housing* (settled) – challenge to Water Sharing Plan made under the *Water Management Act 2000* (NSW) on the basis that the Minister failed to consider the impacts of climate change (for Nature Conservation Council, led by Bret Walker SC and Jane Taylor)
- *Toga Penrith Developments Pty Ltd v Penrith City Council* [2022] NSWLEC 117 – appeal from decision of Commissioner refusing development application (for Toga, led by Richard Lancaster SC and Alan Shearer)

District Court of New South Wales

- *FIIG Securities Ltd v Pioneer Credit Ltd* (settled) – claim for debt and for quantum meruit for services performed (for the plaintiff, led by Amy Munro)

Administrative Appeals Tribunal

- *Victoria Institute of Technology Pty Ltd and Tertiary Education Quality and Standards Agency* [2021] AATA 4926 – merits review of decision not to renew VIT’s registration under the *Education Services for Overseas Students Act 2000* (Cth) (for TEQSA, led by Nick Wood SC)

Unled appearances

Federal Court of Australia

- *Pham v Minister for Immigration, Citizenship and Multicultural Affairs* (ongoing) – whether non-revocation decision invalid (for the applicant)
- *Webster v State of New South Wales* (proceedings summarily dismissed) – whether “targeted shooting” of wild brumbies in Kosciuszko National Park inconsistent with native title (for the State)
- *HKRC v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCA 1487 – judicial review of Tribunal decision; claims of improper questioning, denial of procedural fairness, and misconstruction of Direction 99 (for the Minister)
- *Doney v Minister for Finance* (ongoing) – application for judicial review of decision to refuse an act of grace payment under s 65 of the *Public Governance, Performance and Accountability Act 2013* (Cth) (for Mr Doney)
- *XLFM v Minister for Immigration, Citizenship and Multicultural Affairs* (settled) – application for judicial review of a Tribunal decision affirming a decision not to revoke the cancellation of the applicant’s visa (for the applicant)

Supreme Court of New South Wales

- *Crawford v Savill* (settled) –breach of contract in relation to purchase of a Tom Roberts painting (for Mr Savill)
- *Commissioner of Police, NSW Police Force v Claydon* [2023] NSWSC 1041 – application for judicial review of a Local Court decision purporting to vary an “immediate licence suspension notice” (for the Commissioner)

- *Lazarus v Keneally* [2023] NSWSC 349 – application to quash decisions made by the Independent Commission Against Corruption and convictions entered by the Local Court (for the Attorney-General (NSW))

Supreme Court of the Northern Territory

- *Herbert v An Assessor Under Section 24 of the Victims of Crime Assistance Act 2006* (NT) [2022] NTSC 76 – appeal from decision of NTCAT in relation to amount of compensation awarded under victims of crime legislation (for Ms Herbert)

Federal Circuit and Family Court of Australia (Division 2)

- *XFCS v Minister for Home Affairs* (discontinued) – application for mandamus on the basis of unreasonable delay in making of a decision on protection visa application (for the applicant)
- *Islam v Minister for Home Affairs* (ongoing) – judicial review of decision to refuse Subclass 457 visa (for the Minister)
- *Sharma v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2022] FedCFamC2G 395 – judicial review of decision to refuse application for a student visa (for the Minister)

Local Court of New South Wales

- *R v Burger* (dismissed) – common assault charge; application under s 14 of the *Mental Health and Cognitive Impairment Forensic Provisions Act 2020* (NSW) (for the defendant)
- *Co Talent Contracting Pty Ltd v Bader Investments Pty Ltd* (decision delivered on 21 July 2022) – claim for debts owing under recruitment contract (for Co Talent)

Industrial Relations Commission of New South Wales (Full Bench)

- *Dietz v Secretary, Ministry of Health* [2023] NSWIRComm 1063 – whether unfair dismissal proceedings subject to cause of action estoppel or issue estoppel, or otherwise an abuse of process (for Dr Dietz) (appeal from [2022] NSWIRComm 1107)

Administrative Appeals Tribunal

- *Kakarla v Minister for Foreign Affairs* (ongoing) – merits review of decision refusing to issue a passport to a child (for Mr Kakarla)

Australian Human Rights Commission

- In the matters of Albert Bailey, Cleveland Walker, Antonio Woods, Tyson Draper and Troy Draper – successful resolution of complaints of breaches of s 9(1) of the *Racial Discrimination Act 1975* (Cth) by NT Police (for the applicants)

NSW Civil Administrative Tribunal (including Appeal Panel)

- *Townley v Department of Planning, Housing and Infrastructure* (ongoing) – whether business case is “Cabinet information” (for the State respondents)
- *Australian Postal Corporation v Lux Cuttings Pty Ltd* [2023] NSWCATAP 316 and *Australian Postal Corporation v Williams* [2024] NSWCATAP 168 – whether Australia Post is “the Commonwealth” within s 75(iii) of the Constitution (for the appellant)

ACT Civil and Administrative Tribunal

- *Jezro Pty Ltd v Australia Post* (reserved) – whether ACT CAT has jurisdiction to determine proceedings to which Australia Post is a party (for the appellant)

Advice work

I have advised corporate and government clients on the prospects of potential litigation, as well as complex issues of restitution, constitutional law, administrative law, and statutory construction. I have also provided pro bono advice on environmental law and anti-discrimination law.

Significant, publicly disclosed advices include:

- advice with Bret Walker AO SC for the Speaker of the ACT Legislative Assembly on whether notices issued by the WHS inspector prohibiting Assembly proceedings were valid (see advice published on the Privileges Committee’s website [here](#));

- advice with the Solicitor-General and Perry Herzfeld SC on the constitutionality of the Corporations Amendment (Improving Outcomes for Litigation Funding Participants) Bill 2021 (Cth) (see media reporting [here](#));
- advice with Stephen Free SC for the New South Wales Standing Committee on Parliamentary Privilege and Ethics on the options available to the House regarding the withholding of remuneration and other entitlements of a Member suspended from the service of the House (see Committee report [here](#));
- advice with Stephen Free SC and Brendan Lim for the New South Wales Standing Committee on Parliamentary Privilege and Ethics on the position of a Member suspended from the service of the House and subsequently re-elected (see Committee report [here](#)); and
- advice with Nic Owens SC and Brendan Lim for the New South Wales Standing Committee on Environment and Planning on the constitutionality of the Minerals Legislation Amendment (Offshore Drilling and Associated Infrastructure Prohibition) Bill 2023 (see Committee report [here](#)).