

**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)
2009-2014	Bachelor of Laws (Honours I), University of Sydney Ranked 3rd at graduation
2008-2011	Bachelor of Arts (Media and Communications), University of Sydney

**Employment**

---

2021-	Barrister, Eleven Wentworth  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
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)
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 A Twomey, B Saul, D Rolph and T Stephens)
2010-2013	Paralegal and Summer Clerk, Allens

**Research**

---

**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 Sapientza'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' (Australian Government Solicitor, Constitutional Law Forum, 29 Nov 2019)

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

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

**Research credits**

A Twomey, *The Veiled Sceptre: Reserve Powers of Heads of State in Westminster Systems* (Cambridge UP, 2018)

D Rolph, *Defamation Law* (Thomson Reuters, 2016)

D Rolph, 'Vindicating Reputation and Privacy' in A T Kenyon (ed), *Comparative Defamation and Privacy Law* (Cambridge UP, 2016) 291

B Saul and T Stephens (eds), *Antarctica in International Law* (Hart Publishing, 2015)

D Rolph, 'Building and Rebuilding Reputations: Reflections on the Role of Defamation Law in the Life of a Celebrity' in K Bowrey and M Handler, *Law and Creativity in the Age of the Entertainment Franchise* (Cambridge UP, 2014)

**Awards**

---

**Mooting:** Winner, University of Oxford/7KBW Commercial Law Moot (2019); Winner, National Rounds of the Phillip C Jessup International Law Moot (2013); Winner, Justice William Gummow Cup (Intervarsity Equity Moot) (2013); Winner, Nicholas Cowdery AM KC Intervarsity Criminal Law Moot (2012)

Winner, Lawyers Weekly 30 Under 30 Awards (Government category) (2018)

## Selected matters

---

### Led appearances

#### High Court of Australia

*KPMG v Bogan* (2022, ongoing) – application for removal; whether making of a “group costs order” relevant to whether appropriate forum for class action is Victoria or New South Wales (for KPMG, led by Perry Herzfeld SC and Julia Roy)

*ENT19 v Minister for Home Affairs* (2022, ongoing) – where Minister’s decision to refuse a visa on “national interest” grounds was punitive (for the Minister, led by Stephen Lloyd SC and Alison Hammond)

*Carrascalao v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* (2022, ongoing) – whether *Al-Kateb v Godwin* (2004) 219 CLR 562 was correctly decided (for the Minister, led by Perry Herzfeld SC and Kim Pham)

*Vanderstock v State of Victoria* (2022, ongoing) – whether charge imposed on zero and low emissions vehicles by Victoria an excise under s 90 of the Constitution (for the Australian Trucking Association, led by Perry Herzfeld SC)

*Katoa v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2022] HCA 28 – whether Federal Court commits 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] HCA 30; *Palmer v Western Australia* [2021] HCA 31 – manner and form, Ch III and s 118 of the Constitution (for the Attorney-General of the Commonwealth intervening, led by the Solicitor-General Stephen Donaghue KC, Frances Gordon and Thomas Wood)

*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

*CCU21 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* (ongoing, appeal from [2022] FCA 28) – 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

*Heritage Council of New South Wales v IOF Custodian Pty Limited trading as the 105 Miller Street North Sydney Trust* (2022, ongoing) – appeal from NSWLEC decision finding Minister failed to consider relevant considerations in deciding to list the MLC Building on the State Heritage Register (for the Heritage Council, led by Alan Shearer)

*Registrar of Births, Deaths and Marriages v FJG* (2022, ongoing) – 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)

*Zurich Insurance plc v Koper* [2022] NSWCA 128 – challenge to the constitutional validity of the *Trans-Tasman Proceedings Act 2010* (Cth) on federal jurisdiction and *Melbourne Corporation* grounds (for the Attorney-General (Cth), led by Brendan Lim) (special leave now sought)

#### Federal Court of Australia

*Patrick Stevedores Operations No 2 Pty Ltd v Port of Melbourne Operations Pty Ltd* (2022, 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)

*Credit Suisse AG v Gu* (2022, 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)

*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)

*Commonwealth Director of Public Prosecutions v Citigroup Global Markets Australia Pty Ltd* (2022, 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)

*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

*Dunne v Moin & Associates Pty Ltd* (2022, ongoing) – claim in negligence alleging defendant law firm vicariously liable for fraudulent conduct of employee (for the plaintiff, led by Christina Trahanas)

*Attorney-General of the Commonwealth v Pender* (2022, ongoing) – 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)

*Pender v Minister for Home Affairs* (2022, 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* (2022, ongoing) – 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)

*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)

*Secretary, Department of Planning and Environment v Aerotropolis Pty Ltd* (2022, ongoing) – whether prosecutions under *National Parks and Wildlife Act 1974* (NSW) and *Biodiversity Conservation Act 2016* (NSW) time-barred (for Aerotropolis, led by Perry Herzfeld SC)

### **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**

*Doney v Minister for Finance* (2022, 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)

#### **Supreme Court of New South Wales**

*Lazarus v Keneally* (2022, ongoing) – 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)**

*Islam v Minister for Home Affairs* (2022, 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**

*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**

*Dietz v Secretary, Ministry of Health* (2022, reserved) – whether unfair dismissal proceedings subject to cause of action estoppel or issue estoppel, or otherwise an abuse of process (for Dr Dietz)

### **Administrative Appeals Tribunal**

*Kakarla v Minister for Foreign Affairs* (2022, ongoing) – merits review of decision refusing to issue a passport to a child (for Mr Kakarla)

### **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 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](#)); and
- advice with Stephen Free SC to 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](#)).