

CHRISTINE ERNST

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Areas of practice

Christine has a broad practice, advising and appearing for both commercial and public sector clients in commercial disputes, regulatory matters, public law matters and insurance matters.

Professional experience

- 2019- Barrister**

- 2018-19 Counsel Assisting the Solicitor-General of the Commonwealth**

- 2015-18 Senior Legal Officer/Legal Officer, Attorney-General's Department**

- 2013-14 Lawyer, Allens, Sydney (Litigation & Dispute Resolution, Competition Law)**

- 2012-13 Associate to the Hon Justice Susan Kiefel AC, High Court of Australia**

Academic qualifications

- 2015 Bachelor of Civil Law (Distinction), St John's College, University of Oxford**
Awarded the Sir Ninian Stephen Scholarship by the Sir Robert Menzies Foundation

- 2011 LLB (Hons I)/Bachelor of Economic and Social Sciences, University of Sydney**
Pitt Cobbett and C A Hardwick prizes for Federal Constitutional Law

SELECTED APPEARANCES

Commercial and regulatory

- *Greensill Bank AG v Insurance Australia Limited* and related proceedings arising from the collapse of the Greensill Group, Federal Court of Australia (led by S Finch SC, D Thomas SC and D Hume, instructed by Allens for Insurance Australia Group) (ongoing)
- *Horizon Capital Fund v Insurance Australia Limited* and related trade commodities insurance litigation, Supreme Court of New South Wales (led by S Free SC, D Hume and J Kennedy, instructed by Allens for Insurance Australia Group) (ongoing)
- *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd*, Supreme Court of Western Australia (led by C Withers SC, A Hochroth and D Delany, instructed by YPOL Lawyers, for John Hancock and Bianca Rinehart) (trial judgment reserved; appearances at various interlocutory hearings at first instance and on appeal – *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd* [2024] WASC 132; *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd (No 24)* [2023] WASC 393; *DFD Rhodes Pty Ltd v Hancock Prospecting Pty Ltd (No 3)* [2023] WASC 392; *DFD Rhodes Pty Ltd v Hancock Prospecting Pty Ltd* [2022] WASC 97; *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd (No 13)* [2021] WASC 214)
- *Carnival plc v Karpik (The Ruby Princess)* Full Court of the Federal Court of Australia (reserved) (led by J Sexton SC and with M Gvozdenovic, instructed by Shine Lawyers, for the lead applicant in a tort and consumer law claim)
- *AAI Limited v The Owners – Strata Plan No 91086*, Full Court of the Federal Court (reserved) (led by J Sexton SC and C Colquhoun SC, instructed by Moray & Agnew, for AAI Limited in an application to join the insurer)
- *Australian Competition and Consumer Commission v Grays Ecommerce Group Limited* [2024] FCA 771 (led by J Williams SC, instructed by Gilbert + Tobin, for the respondent in consumer law proceedings)
- *Medical Device Technologies Pty Ltd v Health Administration Corporation* [2024] NSWCA 142 (appeal); [2023] NSWSC 602 (first instance) (led by D Studdy SC, instructed by Gilbert + Tobin, for the Health Administration Corporation in a claim for breach of contract and misleading or deceptive conduct)
- *Resilient Investment Group Pty Ltd v Barnet and Hodgkinson as liquidators of Spitfire Corporation Limited (in liq)* [2023] NSWCA 118 (appeal); [2022] NSWSC 340 (first instance) (led by M Izzo SC, instructed by Clayton Utz, for the Commonwealth)
- *KTC v David & Ors* [2022] FCAFC 60 (led by A Bannon SC, instructed by YPOL Lawyers for the applicants in a summary dismissal application)
- *Copyright Agency Limited v Isentia Pty Ltd* [2022] FCAFC 163 (led by N Murray SC, instructed by Allens, for News Limited)
- *Matheson Property Group Pty Ltd (Trustee) v Virgin Australia Holdings Limited (No 2)* [2023] FCA 899 (led by M Darke SC, instructed by Gilbert + Tobin, for Virgin Australia Holdings Limited)
- *Shao v Crown Global Capital Pty Limited* [2024] NSWCA 302 (appeal); [2023] NSWSC 820 (first instance) (led by S Lawrance SC, instructed by Mangioni Biggs + Co, for the respondent)

- *Shao v One Funds Management Limited (in its capacity as trustee of the Iprosperity JY Hotel Fund)* [2023] VSC 192; [2023] VSC 251 (unled, instructed by Allens, for the respondent)
- *Ronca Constructions Pty Ltd v Ventura*, Supreme Court of NSW (unled with M Taylor, instructed by PCL Lawyers, for the respondents in a construction dispute) (ongoing)
- *In the matter of Wholesome Child Holdings Pty Ltd* [2023] NSWSC 1530; ongoing in the Supreme Court of New South Wales (led by S Balafoutis SC, instructed by Morris Mennilli for the applicant)
- *University of Adelaide v Copyright Agency Limited*, Federal Court of Australia (led by N Murray SC, instructed by Banki Haddock Fiora, for Copyright Agency) (settled)
- *Krejci, in the matter of Union Standard International Group Pty Ltd (in liq)* [2021] FCA 1483 (led by R Scruby SC, instructed by Colin Biggers Paisley, for the administrators)
- *TWW Yachts S.A.R.L v The Yacht "Loretta" (No 1)* [2021] FCA 240; *(No 2)* [2021] FCA 241 (led by M McHugh SC, instructed by Colin Biggers Paisley, for the plaintiff seeking to enforce contract of sale)
- *Woolworths v SCT Logistics* [2021] NSWSC 344 (led by M McHugh SC, instructed by Colin Biggers Paisley, for the plaintiff)
- *TX Australia Pty Ltd v Australian Competition and Consumer Commission* [2020] FCA 1100 (led by K Morgan SC, instructed by Minter Ellison, for Broadcast Australia intervening)
- *Lavigne v Kumar* [2020] NSWSC 1120 (led by S Lawrance, instructed by Watson Mangioni, for the defendant in a contractual dispute)
- *Hurford Hardwood Kempsey Pty Ltd v Kempsey Timbers (Sawmilling) Pty Ltd (No 5)* [2020] NSWSC 287 (led by R Scruby SC, instructed by Colin Biggers Paisley, for the defendant resisting a third party costs order)
- *Zaps Transport (Aust) Pty Ltd (in liquidation) (controlled appointed) v Catlin Syndicate No 2003* [2020] FCA 1311 (led by M McHugh SC, instructed by Colin Biggers Paisley, for the respondent)
- *Calacoci v Calacoci* [2020] NSWSC 476 (led by S Balafoutis SC, instructed by HPL Lawyers, for the defendants in a partnership dispute)
- *In the matter of Merlin Diamonds Limited (Provisional Liquidator Appointed)*, NSWSC no. 2019/335350 (unled, instructed by the Australian Securities and Investments Commission)

Public law

High Court and intermediate appellate courts

- *Babet v Commonwealth*, High Court (led by S Donaghue KC and B Lim) (ongoing)
- *Government of the Russian Federation v Commonwealth*, High Court (led by S Donaghue KC, T Begbie and E Smith) (ongoing)
- *HBSY Pty Ltd v Lewis* [2024] HCA 35 (led by S Donaghue KC, for the Attorney-General (intervening))
- *Attorney-General (Cth) v Huynh* [2023] HCA 13 (led by S Donaghue QC and T Glover, for the Attorney-General (intervening))

- *Vunilagi v The Queen* [2023] HCA 24 (led by S Donaghue QC and B Lim, for the Attorney-General (intervening))
- *Ruddick v Commonwealth* [2022] HCA 9 (led by S Donaghue QC and B Lim, for the Commonwealth)
- *Taylor v Attorney-General* [2019] HCA 30 (led by S Donaghue QC, T Begbie and K Evans, for the Attorney-General)
- *Lordianto v Commissioner of the Australian Federal Police; Kalimuthu v Commissioner of the Australian Federal Police* [2019] HCA 39 (led by S Donaghue QC and L Livingston, for the Commissioner)
- *Precious Family Day Care Pty Ltd v Secretary, Department of Education*, Full Court of the Federal Court (reserved) (led by P Knowles SC, for the Secretary)
- *AKW22 v Commonwealth of Australia* [2024] FCAFC 22 (led by P Knowles SC); *AKW22 v Commonwealth of Australia* [2023] FCAFC 71 (led by N Wood SC, for the Commonwealth)
- *Commissioner of the Australian Federal Police v Yang* [2023] VSCA 271 (led by D McLure SC, for the Commissioner)
- *FKV17 v Minister for Home Affairs* [2022] FCAFC 93 (led by G Kennett SC, for the Minister)
- *Minister for Home Affairs v Lee* [2021] FCAFC 89 (led by G Kennett SC and P Knowles, for the Minister)
- *Carberry v Australian Capital Territory* [2022] ACTCA 55 (unled, for the Territory)
- *LibertyWorks Inc v Commonwealth* [2021] FCAFC 90 (led by S Donaghue QC and T Howe QC, for the Commonwealth)
- *BDS20 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCAFC 91 (led by C Lenehan SC, for the Minister)
- *Will v Brighton* [2020] NSWCA 355 (led by T McDonald SC, for the applicant (pro bono))

Other courts and tribunals

- *Central Australian Frack Free Alliance Inc v Minister for Environment* [2024] NTSC 75 (led by G Rich SC and H Baddeley, for Tamboran B2 Pty Ltd)
- *Asset Energy Pty Ltd v Minister for Industry and Science*, Federal Court of Australia (led by T Wong SC, for the Minister) (ongoing)
- *AIX20 v Director-General of Security (No 2)* [2024] FCA 1130 (led by P Herzfeld SC, for the Director-General of Security)
- *JLW24 v Director-General of Security* [2024] FCA 1319 (led by P Herzfeld SC, for the Director-General of Security)
- *Gaynor v Minister for Communications* [2024] FCA 1186 (led by H Younan SC, for the Minister)
- *NCKX v Australian Information Commissioner* [2024] AATA 1100 (unled, for the Commissioner)
- *Roberts-Smith v Inspector-General of the Australian Defence Force* [2023] AATA 1095 (unled before a judicial member, for the Inspector General)

- *Roberts-Smith v Fairfax Media Publications Pty Limited (No 41)* [2023] FCA 555 (led by K Stern SC, A Mitchelmore SC, J Single SC and J Edwards, for the Commonwealth and the Inspector-General of the Australian Defence Force)
- *Whitebull HTL Pty Ltd v Independent Liquor and Gaming Authority* [2023] NSWSC 588 (led by K Morgan SC, for the Independent Liquor and Gaming Authority)
- *Williams v Australian Capital Territory* [2023] ACTSC 18 (led by H Younan SC, for the Territory)
- *Barnes v Director of Professional Services Review* [2023] FCA 129 (led by T Wong SC, for the Director)
- *R v Collaery* [2022] ACTSC 108 (led by P Herzfeld SC and T Begbie QC, for the Attorney-General)
- *Newman v Minister for Health and Aged Care* [2021] FCA 517 (led by C Lenehan SC, for the Minister)
- *Minister for Home Affairs v Pender* [2021] NSWSC 1644 (led by P Herzfeld SC and Z Heger, for the Minister)
- *BNL20 v Minister for Home Affairs & Ors* [2020] FCA 1180; *BNL20 v Dawson* [2020] WASC 315 (for the Commonwealth respondents) (led by P Knowles)
- *Winston v Commonwealth* [2021] NSWSC 62 (led by A Mitchelmore SC, for the Commonwealth)
- *FDT20 v Minister for Home Affairs* [2021] FCA 1484 (led by P Knowles and with C Roberts, for the Minister)
- *Secretary, Department of Social Services v Pedel*, Federal Court of Australia (unled, for the Secretary) (ongoing)
- *DYN v Children's Guardian* [2019] NSWCATAD 271, NCAT (unled, for the Minister)
- *Eggleton v Commissioner of Corrective Services NSW* [2021] NSWSC 1605 (unled, for the Commissioner)
- Unled matters for the Minister for Immigration: *RCLN v Minister for Immigration, Citizenship and Multicultural Affairs* [2024] FCA 876; *BWD16 v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCA 602; *AIN19 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2022] FCA 866; *FJE20 v Minister for Home Affairs* [2021] FCCA 1900; *BHS19 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCCA 459