

Commonwealth Law Conference

28 February 2025 | Sydney

Program



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Law Council
OF AUSTRALIA

*Federal Dispute
Resolution Section*



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About the Conference

Welcome to the 2025 Commonwealth Law Conference, organised by the Federal Dispute Resolution Section of the Law Council of Australia, in Sydney. This prestigious event brings together leading legal minds from across the Commonwealth to explore significant developments in federal and administrative law.

Key sessions include discussions on special leave, civil penalties, and freezing and confiscation orders in federal law, with contributions from prominent barristers and judicial figures. The event also features two keynote addresses: the First Address by Chief Justice Stephen Gageler AC of the High Court of Australia, and the Second Address by Dr Stephen Donaghue KC, Solicitor-General. Attendees will have the opportunity to gain valuable insights from expert speakers while engaging in high-level discussions on critical legal topics.

The conference offers an excellent platform for legal professionals to deepen their understanding of current legal trends and network with peers.

Acknowledgements

We would like to extend our sincere gratitude to the Conference Planning Committee, Bronwyn Lincoln, Kate Slack, Pip Mitchell, Simon Fitzpatrick SC, Pav Zielinski, Georgina Costello KC and Valerie Pereira for their dedication and hard work in bringing this event to life. The committee's careful planning, expertise, and commitment to excellence have been instrumental in shaping a conference that brings together legal professionals from across the Commonwealth to explore key issues and advancements in the field.

Become a Member

Join the [Federal Dispute Resolution Section](#) of the Law Council of Australia and become part of a vibrant community of legal professionals dedicated to advancing federal dispute resolution practices. As a member, you'll gain access to valuable resources, networking opportunities, and industry-leading events, such as seminars and conferences, that keep you at the forefront of developments in federal law. Enhance your expertise, connect with peers, and contribute to shaping the future of dispute resolution by becoming a member today.

Learn more about how to join [here](#).



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Key Event Information

Conference Mobile App

Download the 2025 Commonwealth Law Conference Mobile App

To access the mobile app, you will need to download the 'The Event App' by EventsAIR from the Apple Store or Google Play.



Once you have downloaded the app, you will be met with the screen to enter the app code.

2025clc

Your details have been emailed to you or can be found on the back of your name badge.

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Program

Thursday, 27 February 2025

6.00pm

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8.00pm

Welcome Drinks

Speakers:

Jennifer Ball, President, The Law Society of New South Wales

Dr Ruth Higgins SC, President, New South Wales Bar Association

Friday, 28 February 2025 | Room 1

8.00am

Registration

8.30am

Conference Commences

8.30am

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8.40am

Acknowledgement Of Country and Opening Remarks

Speaker:

Juliana Warner, President, Law Council of Australia

8.45am

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9.30am

First Address

Speaker:

Chief Justice Stephen Gageler AC, High Court of Australia

9.30am – 10.30am

Room 1

Special Leave

Chair:

Simon Fitzpatrick SC

Barrister, 7 Wentworth Selborne

Speakers:

Stephen Free SC

Barrister, Eleven Wentworth Chambers

Fiona Roughley SC

Barrister, Banco Chambers

Room 2

Civil Penalties

Chair:

April Freeman KC

Barrister, More Chambers

Speakers:

The Honourable Justice Shariff

Federal Court of Australia

Jamie Darams SC

Barrister, Greenway Chambers

Matthew Brady KC

Barrister, Higgins Chambers



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10.30am

Morning Tea

11.00am – 12.00pm

Room 1

Review of ART Decisions by the GAP and/or the Federal Court

Chair:

The Honourable Justice Collier
Federal Court of Australia

Speakers:

Patrick Knowles SC
Barrister, Tenth Floor Chambers
Andrew Berger KC
Barrister, Key Chambers

Room 2

Freezing Orders, Injunctions and Confiscation Orders in Federal Law

Chair:

Kate Morgan SC
Barrister, Omnia Chambers

Speakers:

Sera Mirzabegian SC
Barrister, Omnia Chambers
Georgina Costello KC
Barrister, Victorian Bar

12.00pm

All Delegates Return to Main Room

12.00pm

Award Presentation

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12.15pm

Presenter:

Peter Woulfe, Section Chair, Federal Dispute Resolution Section

12.20pm

Second Address

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1.10pm

Speaker:

Dr Stephen Donaghue KC, Solicitor-General

1.15pm – 3.00pm - Lunch



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Keynote Speaker Bios



Chief Justice Stephen Gageler AC
High Court of Australia

Stephen John Gageler was appointed to the High Court in October 2012, at which time he was Commonwealth Solicitor-General. He was then appointed as Chief Justice on 6 November 2023. He is a graduate of the Australian National University and has post-graduate qualifications from Harvard University. He was admitted as a barrister of the Supreme Court of New South Wales in 1989 and was appointed Senior Counsel in 2000. Before his appointment as Solicitor-General in 2008, he practised as a barrister extensively throughout Australia principally in constitutional law, administrative law and commercial law.



Dr Stephen Donaghue KC
Commonwealth Solicitor-General

Dr Stephen Donaghue KC was appointed Solicitor-General on 14 December 2016 and commenced in the role on 16 January 2017. He holds degrees in Arts and Law from the University of Melbourne and received the Supreme Court Prize as the top graduate in law at the University of Melbourne in 1995. He also holds a DPhil from Oxford University (Magdalen College), where he studied after receiving Menzies and Commonwealth scholarships. Prior to commencing at the Bar, Dr Donaghue was an Associate to Justice Hayne at the High Court of Australia.

Dr Donaghue joined the Victorian Bar in 2001, and took silk in 2011. He appeared regularly before the Full Court of the High Court, principally in matters involving constitutional and administrative law, and he also appeared in many complex appellate and trial matters in the Federal Court of Australia.

He is a Senior Fellow at the University of Melbourne Law School. Prior to his appointment, he was also the Chair of the Public Law Section of the Commercial Bar Association and a member of the Constitutional Law Committee of the Law Council of Australia.

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Speaker Bios



Jennifer Ball

President, The Law Society of New South Wales

A leading commercial litigator with specialist expertise in insolvency and restructuring in sectors ranging from mining and industrial manufacture, telco, aged care, pharmaceutical, to construction as well as shareholder litigation. Jennifer's work is widely acknowledged involving all forms of commercial dispute resolution, including litigation in all court jurisdictions, negotiations and mediation. Jennifer also assists corporates as well as insolvency appointees in relation to both contentious and transactional matters and often at short notice has obtained urgent freezing orders to assist in recoveries. Jennifer also regularly advises boards in relation to the financial restructuring or turnaround of distressed companies proactively identifying and advising on the full spectrum of legal issues in a restructure scenario.

Turnaround Management Association Australia (TMAA) – former Chair and Director of the National Board; Junior Vice President and Counsellor of the Law Society of New South Wales; Director of the Legal Profession Admissions Board; Chair of the Professional Conduct Committee of the Law Society of New South Wales.



Andrew Berger KC

Barrister, Key Chambers

Before being called to the private bar Andrew worked as a solicitor and an in-house counsel in the dispute resolution group of the Australian Government Solicitor for over 20 years. He was appointed a King's Counsel in 2020. Andrew has very broad legal experience and has achieved expertise across a number of areas of law, including appeals, public law, statutory interpretation, inquiries and inquiries and contract and commercial law. He is also an accredited mediator.

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Matthew Brady KC
Barrister, Higgins Chambers

Matthew has a broad civil practice, with an emphasis upon corporate, regulatory and administrative cases. He is regularly briefed by various Commonwealth entities, including ASIC. Matthew has particular experience conducting civil penalty and other regulatory proceedings in both the Federal and State courts and tribunals. He is chair of the Bar Association of Queensland's Migration Law Committee and is a member of the BAQ's Professional Conduct and South Pacific Legal Education Committees. Matthew commenced at the Bar in 1999 and took silk in 2016.



The Honourable Berna Joan Collier
Judge, Federal Court of Australia

Justice Berna Joan Collier was appointed a Federal Court Judge on 8 February 2006 and a Judge of the Supreme and National Courts of Papua New Guinea in September 2011. Her Honour is also a part-time Deputy President of the Administrative Appeals Tribunal and an additional Judge of the Supreme Court of the Australian Capital Territory.

Justice Collier holds the qualifications of BA, LLB (Hons) (Qld) and LLM (Melb). Her Honour was admitted to practice as a barrister and solicitor of the Supreme Court of Victoria and the High Court of Australia in 1987, and later as a solicitor of the Supreme Court of Queensland.

Prior to being appointed to the Federal Court, her Honour was one of three national Commissioners of the Australian Securities and Investments Commission from November 2001 until February 2006, a director of the Australian Prudential Regulation Authority from November 2001 until June 2003 and a part-time Commissioner of the Australian Law Reform Commission from 2007 until 2010.

Justice Collier has written widely in relation to aspects of insolvency law, commercial law and medico-legal practice. From July 1997 until February 2006, her Honour was Clayton Utz Professor of Commercial Law at Queensland University of Technology. Justice Collier was awarded the Centenary Medal for service to Australian society through corporate regulation in recognition of her Honour's work in this area.

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Georgina Costello KC
Barrister, Victorian Bar

Georgina Costello KC is a barrister working in the areas of public law, property law, contract cases and tort litigation. She is Treasurer of the LCA's Federal Dispute Resolution Section and Chair of the Migration Bar Association of the Victorian Bar.



Jamie Darams SC
Barrister, Greenway Chambers

Jamie Darams is a barrister specialising in employment law and industrial relations, with particular expertise in restraints of trade. He also acts for clients in commercial law and equity and corporations law matters. This includes representing liquidators and administrators in applications under the Corporations Act, advising on contractual and commercial disputes such as shareholder disputes, and representing clients in Consumer Law and general equitable claims.

Jamie is briefed to appear in matters throughout Australia in a range of courts and tribunals, both at first instance and on appeal.

Jamie has been regularly recognised in Doyle's Guide and Chambers & Partners Asia Pacific and Global Guides as counsel in employment and industrial relations in NSW and Australia.

Before coming to the bar in 2007, Jamie worked as a solicitor in leading commercial law firms. Between 2000 and 2005, he was a Solicitor and Senior Associate with Clayton Utz in its Workplace Relations team. Jamie then worked at Eakin McCaffery Cox as a Senior Associate in its Workplace Relations and Commercial Litigation departments.

Outside the law, Jamie enjoys music, cooking and reading. He is a passionate Port Adelaide Football Club supporter.

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Stephen Free SC
Barrister, Eleven Wentworth Chambers

Stephen Free SC is a barrister at Eleven Wentworth Chambers. At the bar Stephen has a broad trial and appellate practice encompassing public law, competition and consumer law, class actions and regulatory matters. He has appeared in various Royal Commissions, Tribunals and other Commissions of Inquiry, including as Counsel Assisting the Royal Commission into Institutional Responses to Child Sexual Abuse. Stephen studied at the Australian National University, where he was awarded University Medals in Law and History, and at the University of Oxford (Magdalen College), where he was awarded the Vinerian Scholarship.



April Freeman KC
Barrister, More Chambers

A member of More Chambers, located in the Brisbane CBD, April Freeman has been a member of the legal profession in Queensland for more than 20 years assisting clients in Southeast Queensland as well as in Central and Northern Queensland.

April's many years of experience in conducting trials and hearings and her calm and confident manner has resulted in her becoming a respected member of the legal fraternity in Brisbane.

April practices predominantly in employment, industrial relations (in both State and Federal jurisdictions) and workplace health and safety law as well as regularly representing clients in relation to a variety of regulatory matters, coronial inquests, appeals and disciplinary disputes.



Simon Fitzpatrick SC
Barrister, 7 Wentworth Selborne

Simon's practice includes commercial and corporate law, equity, insurance, public law and trade practices. He has appeared in representative proceedings (for applicants and respondents), commissions of inquiry (as counsel assisting ICAC, and for persons and institutions affected), and trials and appeals in the Federal Court, and state and territory Supreme Courts.

Simon previously worked in New York, taught at the University of Sydney Law School, and been an associate at the High Court of Australia. He received BA/LLB(Hons) degrees from the University of Sydney and an LLM from Harvard. He is a member of the Executive of the Law Council of Australia's Federal Dispute Resolution Section.

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Ruth Higgins SC
President, New South Wales Bar Association

Ruth Higgins SC is a leading commercial silk practising nationally in competition law, constitutional law, class actions, energy, media, corporate criminal, and corporations law.

She is President of the NSW Bar Association, a member of the Takeovers Panel, and a director of the Australian Bar Association.

She has been included in Best Lawyers Australia since it commenced in 2008, and in Chambers Global since 2011. Ruth was described in the 2024 edition as 'very much top-league at this moment'. She is listed in Doyle's Guide as the market leader silk in competition law, as preeminent in commercial litigation and leading in class actions, white collar crime and insolvency law.



Patrick Knowles SC
Tenth Floor Chambers

Patrick is a barrister at Tenth Floor Chambers in Sydney. He commenced practice at the bar in 2009 and was appointed Senior Counsel in 2022. Patrick is a graduate of the University of New South Wales (BA/LLB) and the University of Cambridge (LLM). His broad practice covers the areas of public law, commercial law and sports law. His public law work includes constitutional law, judicial review and merits review. He has appeared in cases dealing with a range of statutory contexts including immigration, therapeutic goods, and social security.



Sera Mirzabegian SC
Barrister, Omnia Chambers

Sera has a broad commercial, class action, regulatory and public law practice, and appears principally in trial and appellate matters in the Federal Court and state and territory Supreme Courts.

Sera is regularly briefed to act for Australian and international corporates in various industries (including financial services, property, infrastructure, pharmaceutical, media and technology) in commercial and class action litigation. She has extensive experience in regulatory investigations and enforcement proceedings including civil penalty cases, having acted for regulators and against them. She has acted for independent statutory commissions and has been briefed in Royal Commissions. She is a published legal author in a range of areas and has lectured at several universities.

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Sera is Co-Chair of the NSW Bar Association's Diversity and Equality Committee and is Co-Convenor of its Commercial Law Section. She is the Chair of the Justice and Equity Centre (formerly known as the Public Interest Advocacy Centre or PIAC).



Kate Morgan SC
Barrister, Omnia Chambers

Kate Morgan SC has a broad national practice and appears in a variety of criminal and civil matters with a focus on regulatory matters including cartels, consumer protection, financial services, money laundering and foreign bribery. Kate has also developed a significant class action practice acting for both representative group members and respondents and is a member of the Law Council of Australia's Federal Dispute Resolution Section's Class Action Committee.



Fiona Roughley SC
Barrister, Banco Chambers

Fiona Roughley has been widely recognised as a leading counsel, with a broad practice in commercial and public law.

Fiona acts for parties on both sides of the record, in large and complex commercial and public law disputes, in class actions, in disputes involving emanations of government (local, State and Federal, as well as for foreign States), and in a broad range of smaller commercial and public law cases.

Recent cases include: contracts; general commercial law; superannuation and financial services; competition and consumer law; director's duties; statutory construction; constitutional law; administrative law; insolvency; class actions; parliamentary processes; public inquiries; and investor/State disputes.

Before being called to the Bar, Fiona was Associate to Justice Hayne AC of the High Court of Australia, a Principal Research Officer in the Department of the Senate of the Parliament of Australia, and a solicitor at Allens Arthur Robinson (now Allens Linklaters). She received her LLM from the University of Cambridge as a Gates Scholar funded by the Bill and Melinda Gates Foundation. She received her BA and LLB from the University of Sydney, graduating with the University Medal in Law, the University Medal in English, and the University's Convocation Medal.

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Juliana Warner
President, Law Council of Australia

Juliana Warner is a former Partner of leading global law firm, Herbert Smith Freehills (HSF), based in Sydney. She served as the President of the Law Society of New South Wales in 2021. A member of the Law Society of New South Wales since 1987, Juliana served on the Law Society's Fidelity Fund Management Committee, is a former Chair of the Society's Diversity & Inclusion Committee, former Chair of the Society's Litigation Law & Practice Committee and a former member of its Professional Conduct Committee.

Juliana became a Director of the Law Council of Australia in January 2020. She is also a member of the Legal Services Council. With more than 30 years' experience in conducting complex disputes, Juliana represented clients in litigation, alternative dispute resolution, anti-money laundering and regulatory processes, as well as matters involving foreign and international law.

She has been regularly noted as a leading practitioner in her field in legal directories and holds a Bachelor of Arts and a Bachelor of Laws from the University of New South Wales.



Peter Woulfe
Barrister, Blackburn Chambers

Peter Woulfe is a barrister with a civil practice in a range of practice areas, with a particular focus on government and administrative law. Peter is one of Australia's leading Commonwealth compensation barristers, having worked on various matters of importance to the application of the *Safety, Rehabilitation and Compensation Act 1988* (Cth).

Peter is the Chair of the Federal Dispute Resolution Section of the Law Council of Australia, within which he is also the Chair of the Administrative Appeals Tribunal Liaison Committee and the Commonwealth Compensation and Employment Law Committee. One of Peter's recent projects is chairing the Law Council of Australia's Federal Administrative Law Reform Working Group, working with the Commonwealth in relation to the abolition of the Administrative Appeals Tribunal and its replacement with the Administrative Review Tribunal.



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