

PRACTICE AREAS

Administrative and Public Law	Forum/Private International Law Disputes
Appellate	Professional Disciplinary
Corporate and Commercial	Professional Negligence & Insurance
Equity and Trusts	Regulatory
Family Law	Royal Commissions and Inquiries
Financial Services Law	

WORK HISTORY

2013	Appointed Senior Counsel for the State of New South Wales
2000 – Present	Barrister, 12 Wentworth Selborne Chambers
1996 – 1999	Solicitor, Freehill Hollingdale & Page
1995	Director of Research for Chief Justice Gleeson, Supreme Court of New South Wales

In addition to broad experience in commercial, equity and public law, Nick maintains an extensive family law practice. He regularly appears in the Federal Circuit and Family Court of Australia (Division 1), including appeals to the Full Court, and specialises in complex property disputes, *forum non-conveniens* and anti-suit injunction applications.

In 2018, Nick advised and appeared for a major life insurer in the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry.

For several years, Nick acted as counsel assisting the ASX Disciplinary Tribunal.

In addition to appearance work (see list below), Nick advises and acts for many of the large banking and financial services companies, and industry bodies in the area of financial services law.

PUBLICATIONS AND PAPERS (select)

‘A member’s interest in a regulated superannuation fund: mere expectancy, beneficial interest, or something else?’ (Paper presented to the Superannuation Committee of the Law Council of Australia on 10 March 2023)

“‘Fair in All the Circumstances’: AFCA’s Discretion to Resolve Disputes’ (2019) 47 *Australian Business Law Review* 384

‘Class Action Commencement in Australia: A Practical Approach’ (2018) 7 *Journal of Civil Litigation and Practice* 10

‘Intention and Purpose: What will suffice for an Express Trust? Some Key Developments in Trust Law’ (Paper presented to Diamond Conway Lawyers on 24 July 2015)

‘What Are Reasonable Prospects of Success?’ (2004) 78 *Australian Law Journal* 812

SEMINARS AND SPEECHES (select)

‘Admissions in Investigations: their admissibility and use’ (Presentation delivered at ASIC Government Lawyers Seminar 2019, 9 May 2019)

‘Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry’ (Presentation delivered at Advanced Commercial Litigation Conference 2019, 15 March 2019)

‘Appellate Principles and Practice’ (Paper delivered to National Family Law Conference, 10 October 2014)

QUALIFICATIONS

1993 **B.A., LL.B.** University of Sydney

- First place, Trial Advocacy Course
- Winner, Sydney University Senior Moot Competition
- Winner, Sydney University Debating Competition
- Represented Sydney University in several Intervarsity moots
- Represented Sydney University at World Debating Championships at Oxford (final rounds) and at Intervarsity level
- Classics prizes and exhibitions

LIST OF CASES (select)

Family Law

- *Henley & Bestari* [2024] FedCFamC1A 12
- *Agapetos & Armani* [2023] FedCFamC1F 1072
- *Harford & Spalding* [2023] FedCFamC1F 5
- *Ganakis & Ganakis* [2022] FedCFamC1F 262
- *Willmann & Willmann* [2022] FedCFamC1F 232
- *Conroy & Penner* [2022] FedCFamC1A 39
- *Underwood & Underwood* [2017] FamCAFC 267
- *Demetriou & Demetriou* [2017] FamCA 1021
- *Josselyn & Josselyn* [2016] FamCA 557
- *Saintclaire & Saintclaire* (2015) 54 Fam LR 351; [2015] FamCAFC 245
- *Mendicino & Mendicino* [2014] FamCA 692
- *Crampton & Robinson (No. 2)* [2013] FamCA 856
- *Skinner v Alfonso-Skinner* [2010] FamCA 329

Commercial, Equity, Consumer and Commercial Class Actions

- *Edwin Davey Pty Ltd v Boulos Holdings Pty Ltd* [2022] NSWCA 65; 20 BPR 42355
- *Jagatramka v Wollongong Coal Limited* [2021] NSWCA 61; 288 A Crim R 422
- *Good Living Company Pty Ltd ATF the Warren Duncan Trust No 3 v Kingsmede Pty Ltd* [2021] FCAFC 33
- *CPPIB Credit Investments v Ren* [2018] NSWSC 1568
- *Australian Medico-Legal Group Pty Ltd v Claireleigh Mosman Pty Ltd* [2017] NSWCA 218
- *Hashman v Australian Medico-Legal Group Pty Ltd* [2016] NSWSC 1773
- *Jaeger v Bowden (No 3)* [2017] NSWSC 324
- *Jaeger v Bowden (No 2)* [2016] NSWSC 897
- *Jaeger v Bowden* [2015] NSWSC 1479
- *Qantas Airways Limited v Leonie's Travel Pty Limited* [2010] HCATrans 232
- *Leonie's Travel Pty Ltd v Qantas Airways Ltd* (2010) 183 FCR 246; [2010] FCAFC 37

Professional Disciplinary, Professional Negligence

- *Council of the Law Society of the ACT v LP 12* (2018) 14 ACTLR 45; [2018] ACTCA 60; [2019] ALMD 3695
- *Legal Practitioner v Council of the Law Society of the ACT* (2018) 335 FLR 116; [2018] ACTCA 26
- *Council of the Law Society of the ACT v Legal Practitioner D3* (2018) 331 FLR 132; [2018] ACTSC 45
- *Legal Practitioner v Council of the Law Society of the ACT (No 3)* (2015) 308 FLR 462; [2015] ACTSC 90
- *Legal Practitioner v Council of the Law Society of the ACT* (2015) 303 FLR 17; [2015] ACTSC 316
- *Kumar v Legal Services Commissioner* [2015] NSWCA 161
- *Medical Board of Australia v Hocking* [2015] ACAT 44
- *Maxwell-Smith v S & E Hall Pty Ltd* (2014) 86 NSWLR 481; [2014] NSWCA 146

Regulatory, Judicial Review

- *Australian Securities and Investments Commission v Squirrel Superannuation Services Pty Ltd* [2022] FCA 702
- *AxiCorp Financial Services Pty Ltd v Australian Securities and Investments Commission* [2020] AATA 92
- *Davey v Council of the Law Society of the ACT* [2019] FCA 263
- *Balçola v Council of the Law Society of New South Wales* [2018] NSWSC 849
- *Legal Practitioner v Council of the Law Society of the ACT* (2016) 311 FLR 108; [2016] ACTCA 35;
- *Practitioner D3 v ACT Civil and Administrative Tribunal* [2016] ACTSC 61
- *Waterhouse v The Independent Commission Against Corruption (No.3)* [2015] NSWSC 261

Royal Commissions and Inquiries

- Senior Counsel for a major life insurer in the Banking and Financial Services Royal Commission (2018)
- Briefed to represent a major service provider at the Disability Royal Commission
- Acted for several years as counsel assisting the ASX Disciplinary Tribunal

C O N T A C T

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