

JILLIAN CALDWELL

CURRICULUM VITAE

Academic background

- 2002 Bachelor of Laws (First Class Honours), Australian National University (**ANU**)
Bachelor of Arts (History and Politics majors), ANU
ANU Chancellor's Letter of Commendation for Outstanding Academic Performance
- 2000 ANU Faculty of Arts Leonard Broome Honours Scholarship
- 1997-1999 ANU Vice Chancellor's Award / Scholarship for Academic Merit

Principal areas of practice

Administrative law
Anti-discrimination and human rights
Appeals
Constitutional law
Contempt of court
Criminal law
Environment and planning
Inquests and inquiries
Judicial review proceedings
Mental health and guardianship

Examples of cases

High Court of Australia

Landrey v Director of Public Prosecutions (NSW) & Ors [2023] HCATrans 89
Hurt v The King; Delzotto v The King [2023] HCATrans 52
Garlett v State of Western Australia (2022) 96 ALJR 888; [2022] HCA 30
Environment Protection Authority v Eastern Creek Operations [2022] HCASL 175
To v The Queen [2022] HCATrans 140
Palmer v State of Western Australia (2021) 274 CLR 286; [2021] HCA 31
Mineralogy Pty Ltd v State of Western Australia (2021) 274 CLR 219; [2021] HCA 30
KMC v Director of Public Prosecutions (South Australia) (2020) 267 CLR 480; [2020] HCA 6
Elliott v The Queen (2007) 234 CLR 38; [2007] HCA 51
Roach v Electoral Commissioner (2007) 233 CLR 162; [2007] HCA 43

NSW Court of Appeal and Court of Criminal Appeal

Harris & Timmins v Natural Resources Access Regulator (2023) 254 LGERA 419; [2023] NSWCCA 16
Landrey v Director of Public Prosecutions (2022) 110 NSWLR 127; [2022] NSWCA 211
Environment Protection Authority v Eastern Creek Operations Pty Ltd (2022) 108 NSWLR 198; [2022] NSWCCA 97

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Director of Public Prosecutions (NSW) v Day [2022] NSWCCA 173
Veira v Cook (2021) 293 A Crim R 569; [2021] NSWCA 302
Lacey v Attorney General for New South Wales (2021) 104 NSWLR 333; [2021] NSWCA 27
Lawrence v State of New South Wales (2020) 103 NSWLR 401; [2020] NSWCA 248
Li v Attorney General for New South Wales [2020] NSWCA 302
R v Lelikan (2019) 101 NSWLR 490; [2019] NSWCCA 316
R v Gilham (2007) 73 NSWLR 308; [2007] NSWCCA 323
R v Petroulias (2007) 73 NSWLR 134; [2007] NSWCCA 134
Tillman v Attorney General for New South Wales (2007) 70 NSWLR 448; [2007] NSWCA 327
R v Smith [2007] NSWCCA 100
R v MAK (2006) 167 A Crim R 159; [2006] NSWCCA 381
Gillett v The Queen (2006) 166 A Crim R 419; [2006] NSWCCA 370
R v MMK (2006) 164 A Crim R 481; [2006] NSWCCA 272
Application by John Fairfax Publications Pty Ltd re MSK, MAK, MMK and MRK [2006] NSWCCA 386

NSW Supreme Court

Prothonotary of the Supreme Court of New South Wales v London [2023] NSWSC 1252
Beame, Els & Pank v Commissioner of Police & Commissioner of Fines Administration [2023] NSWSC 347
State of New South Wales v DK by his tutor JGK (Final) [2022] NSWSC 1372
State of New South Wales v DK (Preliminary) [2022] NSWSC 993
State of New South Wales v King [2022] NSWSC 918
Attorney General for New South Wales v Williams [2021] NSWSC 1362
Lopes v Cook [2020] NSWSC 1776
Basic v Senior Constable Brien [2020] NSWSC 1425
Prothonotary of the Supreme Court of NSW v Smith [2020] NSWSC 769
TR v Constable Cox [2020] NSWSC 389
R v Li [2020] NSWSC 59
State of New South Wales v Lawrence (2019) 349 FLR 142; [2019] NSWSC 1441

NSW Land and Environment Court

Environment Protection Authority v Sydney Water Corporation (ongoing)
Environment Protection Authority v Sunset Power International Pty Ltd (ongoing)
Environment Protection Authority v Dial A Dump EC Pty Ltd (ongoing)
Environment Protection Authority v Sydney Water Corporation [2023] NSWLEC 119
Environment Protection Authority v Sydney Water Corporation [2023] NSWLEC 68
Environment Protection Authority v Sphere Healthcare Pty Ltd [2022] NSWLEC 92
Environment Protection Authority v Eastern Creek Operations Pty Ltd (No 2) [2021] NSWLEC 39
Environment Protection Authority v Mouawad (No 3) [2021] NSWLEC 16
Environment Protection Authority v Mouawad (No 2) (2020) 247 LGERA 23; [2020] NSWLEC 166
Environment Protection Authority v Eastern Creek Operations Pty Ltd [2020] NSWLEC 182
Environment Protection Authority v Aussie Earthmovers Pty Ltd [2020] NSWLEC 98
Environment Protection Authority v Mouawad [2020] NSWLEC 1

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Coroners Court

Inquest into the death of Narayan Rodwell (ongoing)
Inquest into the death of QB (ongoing)
Inquest into the death of EM (ongoing)
Inquest into the death of Michael Peachey (ongoing)
Inquest into the death of Prabha Arunkumar (ongoing)

Other

Other matters in which Jill has appeared include:

Federal Court judicial review proceedings
 Supreme Court bail applications
 District Court trials and appeals
 Local Court trials, bail applications and committal proceedings
 State Parole Authority hearings
 Mental Health Review Tribunal hearings
 NSW Civil and Administrative Tribunal hearings

Previous experience

- 2017-2018 Legal Adviser to the NSW Director and Deputy Directors of Public Prosecutions. Duties included advising the Director and Deputy Directors on a variety of criminal law matters, such as the sufficiency of evidence to lay charges, whether to direct that there be no further proceedings, whether to accept plea offers and whether to appeal against interlocutory orders and sentences.
- 2011-2017 A/Assistant Crown Solicitor, Special Counsel and Senior Solicitor in the Criminal Law and Inquiries Practice Group at the Crown Solicitor's Office of NSW (**CSO**). Duties included leading a team of over 35 legal and support staff; advising the Attorney General of NSW, the Prothonotary of NSW, the Governor of NSW and government departments and agencies on complex matters in which the Group specialises; and having carriage of matters in the High Court of Australia, the NSW Court of Criminal Appeal, the NSW Court of Appeal and the NSW Supreme Court.
- 2010 Principal Legal Officer at the Commonwealth Department of Health and Ageing in Canberra. Duties included providing administrative law advice to internal clients and preparing drafting instructions for legislative amendments.
- 2008-2009 Senior Solicitor in the CSO Constitutional Law Team. Duties included appearing in constitutional cases in which the Attorney General of NSW intervened; drafting court submissions and advice in constitutional law matters; drafting memoranda of understanding between the State of NSW and other States, the Territories and the Commonwealth; and drafting submissions to the Attorney General and observations to the Solicitor General about whether to intervene in constitutional law cases.

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- 2006-2008 Counsel Assisting the Solicitor General for NSW and Crown Advocate of NSW. Duties included appearing as junior counsel with the Solicitor General and Crown Advocate in significant cases for the State of NSW, including appearing in the High Court of Australia, the NSW Court of Appeal and the NSW Court of Criminal Appeal; and drafting submissions and advice.
- 2005-2006 Solicitor in the CSO Constitutional and Native Title Law and Administrative Law Teams. Duties included drafting submissions to the Attorney General of NSW about whether to intervene in constitutional law cases; drafting advice in constitutional and administrative law matters; and having carriage of cases in the NSW Court of Appeal, the NSW Supreme Court and the NSW Land and Environment Court.
- 2003-2005 Associate to the Honourable Justice Wilcox AO of the Federal Court of Australia.
- 2001-2003 Solicitor and paralegal at the Australian Government Solicitor in the Office of General Counsel, the Litigation Group, the Australian and Competition and Consumer Commission Unit and the Commercial Group.
- 1999-2001 Research Assistant to Professor Hilary Charlesworth, Director of the Centre for International and Public Law, ANU Law Faculty, and Editorial Assistant for the Australian Yearbook of International Law.

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