

SINCLAIR GRAY
12 WENTWORTH SELBORNE CHAMBERS

Admissions

2006: Barrister at New South Wales Bar and High Court of Australia

1998: Solicitor of Supreme Court of New South Wales

Areas of Practice

Banking and Finance	Family Law
Building and Construction	Inquests and Inquiries
Competition and Consumer Law	Insurance
Corporations & Insolvency	Professional Liability
Equity and Trusts	Sports Law

Short professional Biography

Sinclair was called to the New South Wales Bar in 2006. He is an experienced commercial barrister with a broad commercial practice appearing regularly in trials in superior and appellate courts throughout Australia, as well as commercial arbitrations and liquidator's examinations. Sinclair has acted unled for parties in proceedings before the High Court of Australia.

Sinclair is regularly recognised in marketing publications. He has been named as a Tier 1 junior counsel in Commercial Disputes in Australia for a number of years in The Legal 500 Australian Bar and ranked as a leading junior counsel in Professional Indemnity by Doyle's Guide to the Legal Profession for a number of years.

He is regularly briefed by top tier firms and government bodies in a range of matters including insurance, corporations law, banking and finance, construction law and professional liability.

Sinclair also appears regularly at inquiries, Royal Commissions and inquests, having acted for parties in the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry, and the Royal Commission into Aged Care Quality. Sinclair also appears in tribunal matters for the AFL NSW/ ACT.

Prior to coming to the Bar, Sinclair was a solicitor for eight years, first at Phillips Fox (now DLA Piper) and then as a senior associate at Wotton & Kearney, a boutique insurance litigation firm.

Sinclair has a Masters in Law (Commercial and Corporate Law) from the University of NSW, and undergraduate degrees in Arts and Law from the University of Tasmania.

Cases

Selected cases, commissions and inquiries in which Sinclair has appeared include;

Appeals

Anderson v Canaccord Genuity Financial Ltd [2023] NSWCA 294 (acting for the sixth respondent, Albany Capital Investors Pty Ltd)

Deep Investments Pty Ltd v Robinson [2019] HCATrans 162 (misleading and deceptive conduct; mortgage broker; fiduciary duty)

Margo Young v Brian Keith Hones & Ors [2015] HCASL 73 (professional negligence; engineer; advocate's and witness immunity)

Young v Hones & Ors [2017] HCASL 27 (professional negligence; engineer; advocate's and witness immunity)

Young v Hughes Trueman Pty Ltd [2018] HCASL 242 (bankruptcy; sequestration orders)

Atkins and Hunt [2017] FamCAFC 79; (2017) 318 FLR 307 (corporations law; piercing corporate veil)

Atkins and Hunt [2020] FamCAFC 252; (2020) 61 Fam LR 238; (corporations law; piercing corporate veil in family law context)

FBHS (Aust) Pty Ltd v Stone Homes Pty Ltd [2014] NSWCA 312 (Trade and commerce; Restraint of trade; Contractual restraint of trade; Contract Construction)

Hoa Anh Thi Le v Rawson [2009] NSWCA 332 (Torts; causation repair of rental premises)

Mine Subsidence Board v Australia Gas Light Co [2007] NSWCA 100 (2007) 152 LGERA 73 (Energy and Resources; Statutes Interpretation)

Robinson v Deep Investments Pty Ltd [2018] FCAFC 232; 364 ALR 305 (misleading and deceptive conduct; mortgage broker; fiduciary duty)

Seiwa Australia Pty Ltd v Beard [2009] NSWCA 240; (2009) 75 NSWLR 74 (agency; authority; partners; Contract; partnerships and joint ventures)

Sydney City Council v Geflick [2006] NSWCA 280 (Arbitration; Costs)

Young v Hones [2014] NSWCA 337 (professional negligence; engineer; advocate's and witness immunity)

Young v Hones (No 2) [2014] NSWCA 338 (professional negligence; engineer; advocate's and witness immunity)

Young v Hughes Trueman Pty Ltd (No 3) [2018] FCA 531 (bankruptcy and insolvency) (see also *Young v Hughes Trueman Pty Ltd (No 2)* [2017] FCA 87 (adjournment); *Young v Hughes Trueman Pty Ltd (No 4)* [2017] FCA 456 (third party costs application); *Young v Hughes Trueman Pty Ltd (No 2)* [2017] FCA 616 (stay application); *Young v Hughes Trueman Pty Ltd (No 3)* [2017] FCA 235 (stay application); *Young v Hughes Trueman Pty Ltd (No 5)* [2017] FCA 690 (recusal application)

Young v Hughes Trueman Pty Ltd [2016] FCA 1176 (appeal of sequestration order)

Commissions and Inquests

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (2019) (appearing for ANZ Limited)

Royal Commission into Aged Care Quality and Safety (2019) (appearing for various parties)

Inquest into the death of Rebecca Maher (2017) (representing the interests of a various medical professionals)

First Instance Decisions

Acciona Infrastructure Australia Pty Ltd v Zurich Insurance plc UK Branch [2026] NSWSC 185

In the matter of Love D&V XOXO Pty Ltd (Receiver and Manager Appointed) and D & V Vlahos Pty Ltd (Receiver and Manager Appointed) [2025] NSWSC 230; [2026] NSWSC 435; [2026] NSWSC 489.

Westpac Banking Corporation v Forum Finance Pty Ltd (in liq) (Liability) [2024] FCA 1176 (acting for Société Générale)

LCT-MRE Nominees Pty Ltd and Anor v Thiess Pty Ltd and Ors [2022] NSWSC 317 (acting for 11 insurers)

AIRS Re Pty Ltd v Treatt t/as Haines Norton [2017] NSWSC 1100 (contract; auditor and broker)

Atkins and Hunt [2020] FamCAFC 252; (2020) 61 Fam LR 238; (corporations law; piercing corporate veil in family law context)

Attorney General (NSW) v Rahman [2014] NSWSC 42 (vexatious litigation)

Bechini v IUS Pty Limited (ABN 93 003 359 279 (In Liquidation)) [2019] NSWSC 427 (insurance; professional negligence)

Blue Visions Management Pty Ltd v Chidiac [2017] NSWSC 255 (misleading and deceptive conduct; Fiduciaries; Duty; Breach)

CC Medical Offices Pty Limited [2013] NSWSC 379 (corporations; winding up)

Central Queensland Development Corp Pty Ltd (Formerly Bluechip Development Corp Gladstone) Pty Ltd v BMT & Assoc Pty Ltd (No 2) [2020] NSWSC 1249 (professional negligence; quantity surveyor)

Clawson Holdings Pty Ltd v Citigroup Global Markets Australia Pty Ltd [2008] NSWSC 537 (corporations; winding up)

Crawford v Oswald Park Pty Ltd (in liq) [2006] NSWSC 1278 (corporations; reasonableness of conduct of liquidator)

CT Money Pty Ltd & Ors v GJ & SG Thompson Pty Limited & Anor [2011] NSWSC 1468 (contract; mortgage broking)

Deep Investments Pty Ltd v Casey [2018] FCA 603; 125 ACSR 564 (misleading and deceptive conduct; mortgage broker; fiduciary duty)

Downer EDI Rail Pty Ltd v John Holland Pty Ltd; John Holland Pty Ltd v QBE Insurance (Australia) Ltd (No 5); Kellogg Brown & Root Pty Ltd v John Holland Pty Ltd (No 4) [2018] NSWSC 326 (contract; breach of contract; defective design)

Hillsan Pty Ltd v Macaulay [2010] NSWSC 244 (banking and finance; defences under Consumer Credit Code, (CTH) Trade Practices Act 1974, (NSW) Fair Trading Act 1987 and (NSW) Contracts Review Act 1980)

Icon Co (NSW) Pty Ltd v Australia Avenue Developments Pty Ltd [2020] NSWSC 178 (building and construction; contracts; performance bond)

Idameneo Pty Ltd v Singh [2016] NSWSC 841 (contract; breach; damages)

Liberty Industrial Pty Ltd v Donald Mcarthy Trading Australia Pty Ltd [2013] NSWSC 279 (corporations; winding up)

Liberty Industrial Pty Ltd v Donald Mcarthy Trading Australia Pty Ltd [2013] NSWSC 443; (2013) 276 FLR 121; (2013) 93 ACSR 677 (Corporations Act 2001 s 563B)

LM Investment Management Ltd (in Liq) (Recs Apptd) v BMT & Assoc Pty Ltd [2015] NSWSC 1902 (building and construction; quantity surveyor's negligence; banking and finance)

Marshall Rural Pty Ltd v Hawkesbury City Council [2016] NSWLEC 127 (costs)

Mobis Parts Australia Pty Ltd v XL Insurance Company SE (No 7) [2017] NSWSC 1321 (insurance; act of God; liability of insurer; policy limits)

Nalos v Watpac Construction [2012] NSWSC 1371 (building and construction; engineering design and construction services)

National Australia Bank Ltd v Bhatti [2010] NSWSC 1202 (banking and finance)

National Australia Bank Ltd v Darroch [2010] NSWSC 1129 (banking and finance)

Nichols Constructions Pty Ltd v Elphick [2015] NSWSC 940 (contract; breach of construction loan)

Ollerenshaw v Uniting Church in Australia Property Trust (NSW) [2017] NSWSC 1637 (Torts)

Owners - Strata Plan 68372 v Allianz Australia Insurance Ltd [2012] NSWSC 691 (building and construction; building defects; geotechnical engineer)

PJM Financial Services Pty Ltd v Citigroup Global Markets Australia Pty Ltd [2008] NSWSC 547 (corporations; winding up)

Quill Viscom Pty Ltd v Quality Group Australia Pty Ltd [2009] NSWSC 463 (contract; breach)

Seiwa Australia Pty Ltd v Seeto Financial Pty Ltd [2008] NSWSC 1260 (partnerships and joint ventures; accounts; partnership dissolved; recoverability)

Secure Funding Pty Ltd v Coughlin [2009] NSWSC 384; (2009) 74 NSWLR 687 (mortgages and securities; possession)

Snowden v Australian Mortgage Assist Pty Ltd [2019] NSWSC 1799 (misleading and deceptive conduct; mortgage broker; fiduciary duty)

Something Fast Pty Limited v Patinack Farm Pty Ltd [2011] NSWSC 409 (contract; breach)

Stramit Corp Pty Ltd v Stone Homes Pty Ltd [2014] NSWSC 340 (contract; restraint of trade; breach)

Stuart v Rabobank Australia Ltd [2018] FCA 1304 (banking and finance)

Tight v Guo [2020] NSWSC 1560 (property; possession)

Tonna v Mendonca [2019] NSWSC 1849 (contract; privity; trusts; trust property; fiduciary duty)

TS Recoveries Pty Ltd v Sea-Slip Marinas (Aust) Pty Ltd [2007] NSWSC 1410 (corporations; winding up)

Young v Hones (No 2) [2013] NSWSC 1429 (professional negligence; engineers; advocates immunity); (see also *Young v Hones* [2013] NSWSC 580)

Young v King (No 8) [2015] NSWLEC 187; *Young v King (No 9)* [2016] NSWLEC 4; *Young v King (No 10)* [2016] NSWLEC 70; *Young v King (No 11)* [2017] NSWLEC 34 (professional negligence; engineering; advocates immunity; third party cost orders against legal practitioners)

Wang v Rong [2014] NSWSC 1419 (partnerships and joint ventures; rights and duties)

Zhao v Bonheur Holdings Pty Ltd atf Bonheur Holdings Trust [2020] NSWSC 535 (property; rights and duties)

Contact Details

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