

THERESA POWER - CURRICULUM VITAE
12 WENTWORTH SELBORNE CHAMBERS

Admissions

Solicitor: 2009

Barrister: 2011

Academic Qualifications

LLB (Hons 1st class) University of Technology, Sydney (2008)

BBus (Distinction average, accounting major), University of Technology, Sydney (2008)

Areas of Practice and Expertise at the Bar

Ms Power accepts briefs in a wide range of civil matters. She has experience in inquests & inquiries, (including as Counsel Assisting), large scale regulatory matters (including acting for the ACCC and ASIC), equity & commercial matters, professional disciplinary matters (at all levels, including special leave to the High Court), bankruptcy & insolvency, wills & estates, property, defamation, professional negligence, administrative law & appeals.

Ms Power has particular expertise in the areas of equity and trusts and is the co-author of the 5th edition of “*Equity and Trusts*” with Michael Evans and Joseph Power (LexisNexis, 2024).

Prior Professional Experience

Prior to her admission to the bar in 2011, Ms Power worked as a solicitor at Ashurst (then Blake Dawson) and as associate to the Hon Justice S D Rares in the Federal Court of Australia.

Selected Cases

Inquests & inquiries

- *Inquest into the death of Rohan Lloyd* (NSW Coroners Court, 2025) –briefed as Counsel Assisting by the NSW Crown Solicitor’s Office and appeared unled at 5 day inquest (findings available [online](#))
- *Inquest into the death of Bernard Gore* (NSW Coroners Court, 2020) – briefed by Bartier Perry to represent SecureCorp Limited at the hearing of an inquest before Deputy State Coroner Lee involving multiple parties and numerous witnesses conducted over several days (findings available [online](#))

Regulatory

- *Australian Securities and Investment Commission v eToro Aus Capital Limited (No 2)* [\[2025\] FCA 904](#) – briefed by ASIC appeared on interlocutory hearing (discovery) led by A Harding SC (briefed in ongoing underlying proceedings concerning alleged contraventions of the design and distribution obligations under Part 7.8A of the Corporations Act)
- *Australian Securities and Investment Commission v Squirrel Superannuation Services Pty Ltd* [\[2022\] FCA 702](#) – briefed by ASIC (led by N J Beaumont SC) in proceedings alleging false and misleading representations – assisted with all stages of case preparation until (but not including) final hearing
- *Operation Possum* – Briefed by the ACCC to appear for the regulator in (confidential) s 155 examinations to investigate suspected price fixing (2019)
- *Palmer v Australian Securities & Investment Commission* (2017) – briefed by ASIC in proceedings in the Administrative Appeals Tribunal concerning an appeal brought by a director against a banning order imposed by ASIC

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- *ACCC v Air New Zealand Limited* [2014] FCA 1157 – appeared for the ACCC led by J Halley SC and E Collins SC in price fixing proceedings against multiple international airlines in 57 day hearing before Perram J in the Federal Court of Australia - assisted with preparation of the ACCC's case in Hong Kong, including appearing at interlocutory hearings and travelling unled to Hong Kong to obtain a QC's expert report on Hong Kong law

Commercial & equity

- *Assyrian Universal Alliance Australia Inc v David* (Equity Division, NSWSC, 2020) – briefed by David Legal in proceedings commenced by summons on an urgent basis seeking injunctive and declaratory relief. Appeared unled before the Duty Judge at interlocutory hearing of application for an injunction (settled)
- *Aquamore Credit Equity Pty Ltd as trustee for the Spring Park Unit Trust & ors v Pamada Pty Ltd (in liquidation) & ors* (Equity Division, NSWSC, 2020) – briefed by Assured Legal Solutions to represent and advise the fifth and sixth defendants in their defence of claims in contract and equity in concurrent proceedings involving multiple parties (settled)
- *Van Laar v Jarvie & Ors* (Family Court of Australia, 2020) – briefed by Blanchfield Nicholls to represent the second respondent (a third party) to defend a complex equitable property claim brought by the wife against the husband in family law proceedings (settled)
- *Various plaintiffs v Commonwealth Bank of Australia* (Equity Division, NSWSC, 2016) – briefed by Clayton Utz to act for the CBA (led by RS Hollo SC & IMJ Ahmed) in defending multiple proceedings seeking relief for claims arising from the collapse of Storm Financial
- *Hawkins & Ors v Animal Welfare League of NSW* (Equity Division, NSWSC, 2016) – briefed by Prolegis Lawyers to advise and represent the defendant in proceedings commenced by certain of its members alleging oppressive conduct; appeared at interlocutory hearing and at mediation unled (settled)

Insolvency & bankruptcy

- *In the matter of Kombi Sixty Five Pty Ltd (in liquidation)* (Equity Division, NSWSC, 2021) – briefed by O'Hearn Lawyers to represent the liquidator in public examinations of company directors; conducted examination (unled) over several days
- *Thomas James Dawson as liquidator of GLBF Pty Ltd & ors v Bunnings Group Limited & ors* (Equity Division, NSWSC, 2021) – briefed by O'Hearn Legal to represent and advise the second defendant in relation to unfair preference claims brought by the liquidator (matter settled)
- *Dean v Pepper Finance Corporation Ltd (Trustee)* [2016] FCA 648 – appeared unled before Katzman J at hearing of bankruptcy appeal

Professional disciplinary

- High Court special leave application: *The Legal Practitioner v Council of the Law Society of the ACT* (Feb 2017) – appeared for the Respondent Law Society led by N J Beaumont SC at hearing of Practitioner's application for special leave (which was dismissed)
- ACT Court of Appeal: [2019] ACTCA 31; [2018] ACTCA 16; [2017] ACTCA 6; [2016] ACTCA 35; [2015] ACTCA 20 – appeared for Respondent Law Society at hearing of appeals led by N J Beaumont SC
- ACT and NSW Supreme Court: [2021] ACTSC 133 (unled, judicial review, strike out and vexatious

litigant application); [\[2019\] ACTSC 192](#) (summary judgment, defamation & human rights claims); [\[2019\] ACTSC 193](#) (application for leave to appeal, discrimination claim); [\[2019\] ACTSC 250](#); [\[2018\] ACTSC 45](#); [\[2018\] ACTSC 95](#); *Saunders v Legal Profession Admission Board* [\[2015\] NSWSC 1839](#) (application for admission); [\[2015\] ACTSC 170](#) (strike out application); [\[2015\] ACTSC 316](#); [\[2015\] ACTSC 317](#); [\[2014\] ACTSC 352](#)

- NSW & ACT Civil and Administrative Tribunal: appeal - [\[2017\] ACAT 58](#); [2015] ACAT 7; trials - [\[2016\] ACAT 39](#); [\[2016\] ACAT 72](#); [2013] ACAT 7 (led by N J Beaumont SC); various disciplinary matters in NCAT briefed for the practitioner (ultimately settled, names not disclosed)

Administrative Law

- *Chetcuti v University of Sydney* [\[2020\] NSWCATAC 164](#) – briefed by the University in relation to proceedings commenced by the applicant under the Administrative Decisions Review Act and the Government Information (Public Access) Act in the NSW Civil and Administrative Tribunal.
- *Davis v NSW Land & Housing Corporation* (2017) – pro bono advice in relation to judicial review proceedings
- *National Biodiesel Limited v Chief Executive Officer of Customs* (2015) – advised and represented client at settlement negotiations – commenced judicial review proceedings in the Federal Court of Australia

Defamation

- *O'Shane v Harbour Radio Pty Ltd* (2013) 85 NSWLR 698; [\[2013\] NSWCA 315](#) – appeared led by P Gray SC, B R McClintock SC and J Hmelnitsky at hearing of referred questions before a five-judge bench in respect of a strike out motion brought by the plaintiff and a stay application brought by the defendant
- *Wilson v Walshe-Howling* (Federal Circuit Court of Australia, 2019) – briefed by Mark O'Brien Legal to advise and represent second respondent in defamation proceedings (settled)

Professional negligence

- *Wexford Pty Limited v Wray-McCann* (NSW Supreme Court, Common Law Division, 2013) – briefed by David Jenkins (led by N J Beaumont) to represent and advise the plaintiff in its claim for professional negligence. Prepared pleadings, evidence, participated in mediation (settled)

Professional volunteer work

- Vice President of the Women Lawyers Association of NSW (2016) and executive committee member and chair of events (2015-2016)
- Co-secretary of the NSW Women's Barristers Forum (2015-2016)
- Member of a Professional Conduct Committee for the NSW Bar Association (2015-2016)
- Editor of the NSW Young Lawyers Civil Litigation Committee Newsletter (2015-2017)
- Mentoring of students from UTS and James Ruse Agricultural High School (School Captain, 2001)