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SELECTED CASES

Employment

Bartlett v Australia and New Zealand Banking Group Limited [\[2014\] NSWSC 1662](#)
(wrongful termination / serious misconduct)

Charltons CJC Pty Ltd v Fitzgerald (No 3) [\[2013\] NSWSC 1945](#) (damages for breach of
post-termination restraint)

Ashby v Commonwealth of Australia (No 4) [\[2012\] FCA 1411](#) (abuse of process)

O'Sullivan Partners (Advisory) Pty Ltd v Foggo [\[2012\] NSWCA 40](#) (discretionary bonus
payments)

McDonald v The State of South Australia [\[2010\] HCATrans 25](#) (mutual trust and
confidence)

Industrial law

*Jennifer Wyborn v Australian Capital Territory as represented by ACT Health
Directorate* [\[2015\] FWC 7835](#) (application for scope orders regarding proposed
enterprise agreement)

Director of the Fair Work Building Industry Inspectorate v Cartledge (No 2) [\[2015\]
FCA 851](#) (contempt of court)

Re Australian Directors Guild Limited [\[2015\] FWC 1174](#) (application for registration
by an association of employees)

West v Director-General, NSW Ministry of Health in respect of Western Sydney Local Health District [\[2014\] NSWIRComm 1001](#) (public sector appeal – statutory interpretation)

Woolworths Ltd v Shop, Distributive and Allied Employees' Association [\[2013\] FCAFC 151](#) (public holiday entitlements under enterprise agreement)

Hollingsworth v Industrial Court of NSW [\[2007\] NSWCA 209](#) (reinstatement)

Commissions/Inquiries

Royal Commission into Trade Union Governance and Corruption – Construction, Forestry, Mining and Energy Union ACT hearing, 20-28 July 2015 (appeared for Milin Builders Pty Ltd)

Royal Commission into Institutional Responses to Child Sexual Abuse – Case Study 22: Yeshivah Melbourne and Yeshiva Bondi, 2-13 February 2015 (appeared as junior counsel for Rabbi Moshe Gutnick)

Independent Commission Against Corruption - Operation Acacia: Inquiry concerning mining exploration licences, 2013 (appeared for the Commonwealth Minister for Climate Change, Industry and Innovation)

Independent Commission Against Corruption - Investigation into Corruption in the Provision of Security Industry Training, 2009 (appeared for the Commissioner of Police)

Re Inquiry into matters relating to the availability of work at Tristar Steering and Suspension Australia Ltd (2007) 161 IR 50 (appeared as junior counsel for the NSW Minister for Industrial Relations)

Occupational Health and Safety

Safe Work New South Wales v Waycon Bulk Pty Ltd [\[2015\] NSWDC 254](#) (sentencing of a trustee)

Inspector Childs v Area Concrete Pumping Pty Ltd and others [\[2013\] NSWIRComm 110](#) (leave to withdraw pleas of guilty)

Inspector James v Paul [\[2011\] NSWIRComm 82](#) (Appeal against application of s 10 Crimes (Sentencing Procedure) Act 1999)

Inspector Spence v Gauci & Stephenson's Cranes Pty Ltd [\[2011\] NSWIRComm 79](#) (sentencing – crane operations)

Morrison v Liddell Coal Preparation Pty Ltd [\[2011\] NSWIRComm 46](#) (sentencing – colliery holding)

Inspector Hayes v Santos and Lorenzo [\[2009\] NSWIRComm 163](#) (prosecution of directors of corporation; overturned on appeal in *Lorenzo and Santos v Inspector Peter Hayes* [\[2011\] NSWIRComm 54](#), following the High Court judgment in *Kirk v Industrial Court of New South Wales* (2010) 239 CLR 531)

Constitutional/Administrative

Tristar Steering and Suspension Limited v Industrial Relations Commission of New South Wales [\(2007\) 158 FCR 104](#) (validity of a Ministerial reference inquiry – section 109 inconsistency)

Building Professionals Board v Hans (No 2) (GD) [\[2008\] NSWACTAP 48](#) (professional misconduct)
