

## **DOMINIQUE HOGAN-DORAN SC**

Dominique Hogan-Doran SC has a national practice in corporate & commercial matters, including banking & financial services, trusts & superannuation; regulatory compliance & enforcement action; and public inquiries involving governance & integrity issues.

Prior to the Bar, Dominique was a lawyer with Mallesons Stephen Jaques, and Research Director to the Chief Justice of New South Wales, the Hon. A.M. Gleeson AC.

### **Professional Recognition & Awards**

*Leading Commercial Litigation & Disputes Resolution Senior Counsel NSW* – Doyle’s Guide to the Australian Legal Profession (2016, 2017, 2018)

*Leading Mediators NSW* – Doyle’s Guide to the Australian Legal Profession (2018)

*Barrister of the Year* – Lawyers Weekly Australian Law Awards (2016)

*Woman of the Year Finalist* – Money Management and Super Review Australian Women in Financial Services Awards (2013)

### **Academic Qualifications**

*Master of Laws* – University of Sydney (2004)

*Bachelor of Civil Law (First Class Honours)* – Balliol College, University of Oxford (1995)

*Bachelor of Laws (First Class Honours)* – University of Sydney (1992)

*Bachelor of Economics (Social Sciences)* – University of Sydney (1990)

### **Academic Scholarships & Awards**

*Sir Robert Menzies Memorial Scholarship in Law* – University of Oxford (1994)

*Fulbright Scholarship* – Harvard University (not taken up) (1993)

*Convocation Medal* – University of Sydney (1993)

*Nancy Gordon Smith Prize for Honours at Graduation in Law* (3rd in year) (1992), *Tress Cox Maddox Scholarship* (1991), *Phillips Fox John L Mant Scholarship* (1990), 1st Place in Corporations Law, 1st Place in Criminal Law (*Aaron Levine Prize*, 1990) – University of Sydney

### **Professional Development**

*Program on Negotiation and Leadership* – Harvard Law School (2015)

*Diploma in International Arbitration* – Chartered Institute of Arbitrators (2015)

*Joint Course on International Commercial Arbitration* – Columbia University & Chartered Institute of Arbitrators (New York Branch) (2015)

*Trustee Directors Course* – Australian Institute of Superannuation Trustees (2015)

*Company Directors Course* – Australian Institute of Company Directors (2004, 2017)

*US & International Anti-Corruption Law* – American University Washington College of Law (2014)

*Practitioner’s Certificate in Mediation* – Institute of Arbitrators and Mediators of Australia (2013)

## **2018 matters include:**

### *Royal Commissions and Public Inquiries*

- Commonwealth Bank of Australia (Aussie Home Loans), briefed by *Clayton Utz* - Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry
- Trustee of an industry superannuation fund (not called), briefed by *Hall & Wilcox* - Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry
- WaterNSW, briefed by *Norton Rose Fulbright* - NSW Ombudsman's investigation into Water Compliance and Enforcement, and the South Australian Murray-Darling Basin Royal Commission
- RSL LifeCare Ltd, briefed by *Clayton Utz* - NSW Public Inquiry into Charitable Fundraising

### *Civil Penalty Litigation & Regulatory Investigations*

- Canberra Raiders Sports Club, briefed by *Snedden, Hall & Gallop, Canberra* - ACT Supreme Court and ACT Civil & Administrative Tribunal proceedings against the ACT Gambling and Racing Commission (successfully set aside civil penalty & licence conditions, reprimand substituted)
- Registered Organisations Commissioner, briefed by *Lander & Rogers, Melbourne* - Federal Court civil penalty proceedings against the Communications, Electrical, and Plumbing Union of Australia
- Husqvarna Australia, briefed by *Holman Webb* - Australian Competition & Consumer Commission investigation into Husqvarna's franchise arrangements (EU accepted)
- RSL LifeCare Ltd, briefed by *PWC & Clayton Utz* - Australian Charities & Not-for-profits Commission's investigation (EU accepted)

### *Commercial Disputes*

- Re Bridgeland Investment - termination of winding up - Supreme Court of NSW (orders made)
- Dispute between competing international distributors of fire safety equipment

### *Trusts & Superannuation*

- Victorian beneficiary of a substantial testamentary trust, briefed by *Bradley, Allen, Love, Canberra* - Supreme Court of Qld judicial advice application (distribution directed)
- Queensland financial advisor, briefed by *Hall & Wilcox* - in re potential enforcement action by the Australian Securities and Investments Commission for alleged contraventions of the conflicted remuneration prohibition & SMSF advice
- Trustee of an industry superannuation fund, briefed by *Sparke Helmore* - re its defined benefits pension scheme & prudential regulation
- Trustee of a major retail superfund, briefed by *K&L Gates* - re insurance governance arrangements

### *Class Actions & Grouped Disputes*

- Various funders & insureds - class actions (continuous disclosure & consumer protection) - prospects & coverage opinions
- Greek Atlas League Inc - Supreme Court of NSW dispute re elections for community association (declarations made at final hearing)

## **Current Appointments**

### *Mediation:*

NSW Bar Association BarADR – Accredited Mediator NMAS  
Supreme Court of New South Wales – Mediators Panel  
District Court of New South Wales – Mediators Panel  
Australian Franchising Code of Conduct – Mediators Panel

### *Arbitration:*

Chartered Institute of Arbitrators – Fellow  
NSW Bar Association BarADR – Accredited Arbitrator  
Australian Energy Regulator – Arbitral Panel  
National Broadband Network – Arbitral Pool  
Essential Services Commission of South Australia – Arbitral Panel  
Economic Regulatory Authority of Western Australia – Arbitral Panel  
Superannuation Transactions Gateway Network Governance Body – Disputes Resolution Panel

### *Other:*

Chartered Accountants Australia and New Zealand – Professional Conduct Committee  
UNSW Centre for Law, Markets and Regulation – Adjunct Associate Professor  
Australian Bar Association – International Committee  
International Bar Association – Bar Issues Commission’s Regulation Committee  
G20 Business Dialogue – Integrity & Compliance Taskforce

## **Recent Papers**

*The Banking Executive Accountability Regime* - UNSW Centre for Law, Markets & Regulation (2018)

*Royal Commissions in Australia* - South Australian Bar Association (2018)

*“Computer says ‘No’”: Automation, Algorithms and Artificial Intelligence in Government Decision-Making* (2017) 13 *The Judicial Review* 1 (published by the Judicial Commission of New South Wales)

*What role has good advocacy in mediations?* - International Bar Association, Annual Conference (2017)

*Challenges for the Legal Profession: Data Management, Confidentiality and Cyber Security* - Fiji Law Society Annual Convention (2017)

*Modern Corporate Governance* - Governance Institute of Australia, Corporate Governance Forum (2017)

*Conflicts of Interest and Duty* - Women on Boards Australia, Sydney Directors' Circle (2017)

*Directors and Officers Duties - Recent Cases and Regulatory Developments* - UNSW Centre for Law, Markets & Regulation Practitioners' Forum (2017)

*Accountability Mechanisms* - Law Council of Australia Annual Immigration Law Conference (2017)

*Advocating the Complexity of Corporate Law* - Governance Institute of Australia National Conference (2016)