

James Mack

Barrister, Level 22 Chambers

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Clerk: Emily Giles

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Sydney based barrister who accepts briefs in commercial and public law. In addition to this focus, James accepts briefs in a wide range of law including defamation and criminal law.

Selected recent matters

Re Gallagher [2018] HCA 17

Constitutional law. Renunciation of dual citizenship (led by Gleeson SC).

Alley v Gillespie (2018) 92 ALJR 373; [2018] HCA 11

Constitutional law. Jurisdiction of High Court (led by Walker SC).

Bonham v Iluka Resources Ltd (2017) 252 FCR 58 [2017] FCAFC 95;

Preliminary discovery. Securities class action (led by Hutley SC).

Jennifer Walker v Salvation Army (NSW) [2017] FWC 32

Relief from unfair dismissal. Compensation.

Mehan v Arrium Limited & Anor [2016] NSWSC 1680

Insolvency. Deed of company arrangement. Leave to proceed.

Mortimer v Proto Resources (2015) 107 ACSR 13; [2015] FCA 654

Corporations Act. Restraint of general meeting.

AAV15 v MIBP (2015) 230 FCR 454; [2015] FCA 700

Procedural fairness. Requirement to put litigant on notice.

Perpetual Trustees v Cox (2014) 17 BPR 33313; [2014] NSWCA 328

Mortgage case. Ratification between principal and agent.

Expertise

Class actions. Expertise includes securities, tort and consumer class actions and extends to funder advice and appearance related work.

Licensing. Experience with a range of regulatory regimes. Particular expertise with licensing in the building sector (*Home Building Act 1989* (NSW)) and with running matters in the education sector arising under both the *Education Services for Overseas Students Act 2000* (Cth) and the *Tertiary Education Quality and Standards Agency Act 2011* (Cth).

Building and construction. In addition to contractual disputes, expertise with matters arising under *Home Building Act 1998* and *Building and Construction Industry Security of Payment Act 1999*. Regular appearances before Tribunal and Appeal Panel.

Consumer law. Including *Australian Consumer Law*, *Australian Securities and Investments Commission Act 2001* (Cth), Part 7 *Corporations Act* and the *Superannuation Industry (Supervision) Act 1993* (Cth).

Crime. Including *Work Health and Safety Acts 2011*, and *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth).

Employment. Expertise with mediations, conciliations and hearings at the Fair Work Commission.

Admission and experience

Barrister Called to the NSW Bar in April 2014

Bachelor of Laws (Hons Class I), University of Sydney, 2011

Career highlights

Counsel Assisting Appointed Counsel Assisting to ICAC for four week hearing in Operation Scania, 2016. Report has been tabled in NSW Parliament.

Tutor Tort and contract law, Sydney University, 2013 to 2015.

Editor BarNet JADE (Judgments and Decisions Enhanced), 2013.

Associate Associate to the Chief Justice of the Northern Territory, 2012.

Professional associations

Councillor NSW Bar Council, 2017, 2018

Chair New Barristers Committee of NSW Bar Association, 2018.

Member NSW Bar Association Technology Committee (current) and Practice Development Committee (past).

Member Francis Forbes Society for Australian Legal History, since 2013.

Member Australian Association of Constitutional Law, since 2013.

Executive member Sydney University Law Society, 2010.

