

FIONA CAMERON

PROFILE

Fiona is a Melbourne-based barrister practising in private international and domestic commercial and administrative disputes, with a particular focus on construction, taxation and complex commercial matters. In addition to representing her clients in litigious and arbitral matters, Fiona has experience in relation to the conduct of investigative processes. Fiona is a member of the Chartered Institute of Arbitrators, and has been recommended in Doyle's Guide to Leading Commercial Litigation and Dispute Resolution Junior Counsel.

EXPERIENCE

BARRISTER / VICTORIAN BAR

Signed Victorian Bar Roll on 30 April 2015

A selection of Fiona's recent cases include:

Technology, Engineering and Construction

- *TEDRA Australia Pty Ltd v City West Water Corporation* (ongoing, with Nick Hopkins QC and Kieren Naish) - Fiona is currently instructed on behalf of the respondent Principal in relation to a substantial dispute concerning the design and construction of a recycled water treatment plant.
- *In the matter of an arbitration (Confidential)* (with Jeff Gleeson QC and Katie Stynes) - Fiona assisted in advising as to international arbitral proceedings under Singaporean and Australian law.
- *Hills Ltd v CNG Systems Pty Ltd* (ongoing, with Rodney Garratt QC) - Fiona is presently instructed on behalf of a specialist critical communications contractor in relation to a defect and product liability claim concerning emergency warning speakers installed in a road tunnel.
- *Delta Electrics NT Pty Ltd v Nilsen (NT) Pty Ltd* (with Alistair Wyvill SC) - Fiona was briefed on behalf of an electrical contractor in relation to a dispute concerning the design and installation of a generator and fuel system as part of the Palmerston Regional Hospital project.
- *Owners Corporation PS 623721 & Ors v Shangri La Construction Pty Ltd & Ors* (ongoing, with John Tesarsch) - Fiona is currently instructed on behalf of a registered building surveyor in relation to a dispute concerning the alleged use of combustible cladding in a major residential development and other defects.

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📍 c/o Young's List Barristers
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QUALIFICATIONS

MASTER OF PUBLIC & INTERNATIONAL LAW University of Melbourne

2019

MEMBER

Chartered Institute of Arbitrators

2018 (International Arbitration)

ADMITTED TO PRACTICE

Supreme Court of Victoria

10 December 2013

GRADUATE DIPLOMA OF LEGAL PRACTICE

Australian National University

2013

BACHELOR OF LAWS (HONS)

University of Adelaide

2013

AREAS OF PRACTICE

- Administrative Law
- Arbitration
- Building & Construction
- Commercial Litigation
- Regulatory Law
- Shipping and Transport
- Taxation Law
- Technology & Engineering

EXPERIENCE CONTINUED

Commercial

- *Adaz Nominees Pty Ltd & Ors v Castleway Pty Ltd & Anor* [2017] VSC 578 (appeal presently reserved) (with Rodney Garratt QC, and Philip Solomon QC during interlocutory proceedings) - Fiona appeared on behalf of the Plaintiff in a contractual dispute also raising issues of estoppel, alleged breaches of directors' duties and conspiracy, and in a subsequent reference to an accounting Special Referee.
- *Motors Pty Ltd & Anor v Australia and New Zealand Banking Corporation Ltd* (resolved prior to hearing, with Rodney Garratt QC) - Fiona was engaged to draw pleadings and to appear in relation to a dispute before the Supreme Court of Victoria concerning fraudulent international transactions.

Taxation

- *Sandini Pty Ltd & Ors v Ellison & Ors* [2018] HCATrans 190 (with Helen Symon QC) - Fiona was instructed to draw the response of the First Respondent to Special Leave proceedings before the High Court of Australia.
- *Andrew Watson atf the Murrindindi and Kilmore - East Kinglake Bushfire Settlement Funds v Commissioner of Taxation* [2019] FCA 228 (with David Bloom QC and Daniel McInerney) - Fiona was briefed on behalf of the trustee of the Murrindindi and Kilmore - East Kinglake Bushfire Settlement Funds in relation to proceedings before the Federal Court of Australia concerning the deductibility of costs incurred in the administration of the Funds.
- *Living and Leisure Australia Pty Ltd v Commissioner of State Revenue* [2017] VSC 675, [2018] VSCA 237 (with Chris Horan QC) - Fiona appeared on behalf of the Commissioner in relation to an application for judicial review of assessments for land tax, raising issues as to the legal status of statutory leases over Crown land reserved as alpine resorts. Special leave to appeal to the High Court was refused.
- *BHP Billiton Ltd v Commissioner of Taxation* (resolved prior to hearing, with Greg Davies QC, Diana Harding QC, Andrew de Wijn and Melanie Baker) - Fiona was engaged to assist the Commissioner in relation to an extensive audit and objection process regarding BHP's transfer pricing arrangements with its Singapore-based marketing office, extending over thirteen income years and involving over AUD\$1 billion of revenue.

Other

- *MZAPJ v Minister for Immigration and Citizenship* [2019] FCCA 3503 - Fiona appeared as *amicus curiae* at the request of the Federal Circuit Court of Australia in relation to a test case seeking to determine the impact of a ruling by the Full Federal Court of Australia regarding Registrars' powers. The resolution of the test case was estimated to impact approximately 400-500 other proceedings.

PRESENTATIONS AND PUBLICATIONS

Australia's Regulatory Framework for the Decommissioning of Offshore Petroleum Projects: Reforms for a Low-Carbon Future

Published in the Oil Gas and Energy Law Journal (2019, Volume 1, available [online](#))

Income tax, CGT and GST on judgments and settlements

'CPD In Session' filmed March 2018 for the Victorian Bar's continuing professional development program (with Michael Bearman)

Thomas v Commissioner of Taxation - What are the implications for trustees?

Presented to solicitors, accountants and the Victorian Bar, May 2017 (with Terry Murphy QC and Michael Bearman), to the Australian Taxation Office, June 2017, and to the Tax Institute of Australia's Litigation Masterclass, September 2017.

Loss Minimisation Strategies in Fraud Claims

Presented to AIG Insurance claims teams across the Asia Pacific Region, March 2017 (with Patrick McGrath and Brendan Charles of Sparke Helmore, and Craig Macaulay and David Lehmann of Korda Mentha)

Don't bank on it: the rule against penalties following the decision in *Paciocco v ANZ*

Published in the Law Institute Journal December 2016 (with John Eldridge) (available [online](#))

EXPERIENCE CONTINUED

- *DPP v Brosnan & Dailakis* [2017] VCC 688 - Fiona appeared unled on behalf of the first-named accused, a former financial controller of an insurance company, in a criminal jury trial before the County Court of Victoria involving multiple charges of theft (approximate quantum \$2m).
- *ACCC v Clinica Internationale Pty Ltd (No 2)* [2016] FCA 62 - Fiona appeared unled on behalf of the Respondents at the mediation and subsequent trial of an action by the Australian Competition and Consumer Commission for misleading and deceptive and unconscionable conduct (decision reversed in favour of Respondents on appeal: [2017] FCAFC 45).

ASSOCIATE / FEDERAL COURT OF AUSTRALIA

February 2014 to February 2015

As Associate to the Honourable Justice Pagone, Fiona's key responsibilities included assisting his Honour in the judgment writing process, preparing for and assisting his Honour during hearings including interstate Full Court sittings, legal research and diary management. In this role Fiona assisted in proceedings across the full range of the Federal Court's jurisdiction, including admiralty and maritime matters, judicial review of administrative action, and taxation disputes.

ASSOCIATE / SUPREME COURT OF VICTORIA

February 2013 to February 2014

Fiona provided assistance to their Honours Justice Davies (February to July 2013), Justice Bongiorno (August/September 2013) and Justice Hargrave (June 2013 to February 2014) in respect of the preparation and conduct of proceedings in the trial division and in civil and criminal appeals.

OTHER EXPERIENCE

2015-2019

Updating author (Victorian Courts Civil Procedure Commentary) and Reporter (Federal Court Reports), Thomson Reuters

2015-2016

Sessional Tutor, Monash University (Administrative Law, Public Law and Statutory Interpretation, Torts)

SPECIALIST SKILLS AND TRAINING

- High level **advocacy** skills, with experience appearing both led and unled in multiple fora, and in alternative dispute resolution processes
- Familiarity with common rules and procedural issues in **international arbitral proceedings** following completion of the Chartered Institute of Arbitrators' Fast-track Course in International Arbitration (December 2018) and ICC Institute Training for Tribunal Secretaries (June 2017)
- High level of written and spoken **French** (including technical legal), following study at Université de Poitiers, France (2012)