

BARRISTER

Murray Chambers
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Gillian regularly appears in all major courts and tribunals and accepts briefs in most areas of civil and commercial law, including employment and industrial matters, insolvency and Corporations Act matters, construction disputes, appeals and regulatory proceedings. Pro bono Briefs are accepted via referral from JusticeNet SA or similar entities.

ACADEMIC QUALIFICATIONS AND ADMISSION TO LEGAL PRACTICE

BA LLB (Hon) – Macquarie University	2000
Admitted to practice	2003
Signed the South Australian Bar Roll	2010
LLM – University of Melbourne	2013
Appointed Senior Counsel	2022

PREVIOUS EMPLOYMENT

Senior Associate, DMAW Lawyers (Adelaide)	2007 – 2010
Lawyer, Minter Ellison Lawyers (Sydney)	2002 – 2007
Tipstaff to the Honourable Paul Stein AM, QC Court of Appeal, Supreme Court of New South Wales	2001

ROLES WITH PROFESSIONAL ASSOCIATIONS

Women at the Bar Committee of the South Australian Bar Association	2019 to date
Member of the Board of Examiners	2019 to date
Member of the Ethics and Practice Committee of the Law Society of SA	2021 to date
Member of Council of the South Australian Bar Association	2010 to 2020

EXAMPLES OF RECENT EXPERIENCE

(Appearances were unled unless otherwise noted)

Appellate Matters

Appeared for the successful Respondent on an appeal regarding the proper construction of the test for orders extending to time for removal of a caveat: *Reschke v Trevor Reschke Nominees Pty Ltd* [2019] SASCFC 27.

Appeared in two separate appeals for Respondents in appeals regarding the extension of a compensation scheme for defaulting land agents to persons who lost funds in the Charterhill Group collapse: *Commissioner for Consumers Affairs v Piantadosi* [2018] SASCFC 109; *Commissioner for Consumers Affairs v McMurray* [2017] SASCFC 16.

Appeared for the Fair Work Ombudsman on an appeal by an employer to the Full Federal Court: *Complete Windscreens (SA) Pty Ltd v Fair Work Ombudsman (No 2)* [2017] FCAFC 212.

Appeared as junior counsel for the ACCC on appeal regarding attempted cartel conduct: *ACCC v Australian Egg Corporation Limited* [2017] FCAFC 152.

Appeared in various appeals to a single judge of a superior court. See for example *Dowker v Secretary, Dept of Social Services* [2017] FCA 1175.

Corporations Act and Bankruptcy Disputes

Appearing as junior counsel for ASIC in Federal Court proceedings against Select AFSL Pty Ltd and related companies and their director seeking relief in respect of alleged unconscionable conduct towards vulnerable consumers arising out of telephone sales of insurance and alleged contraventions of the conflicted remuneration provisions of the *Corporations Act 2001*. ASIC was overwhelmingly successful. See *ASIC v Select AFSL Pty Ltd (No 2)* [2022] FCA 786.

Appeared for the successful defendants in application for an inquiry into the external administration of a company and whether the liquidator had failed to duly administer the liquidation. See *ACN 153 364 491 Ltd (in liq) v GP No 1 Pty Ltd (in liq), in the matter of GP No 1 Pty Ltd (in liq) (No 3)* [2020] FCA 694.

Appeared as junior counsel for ASIC in proceedings in which it was found that the companies made and distributed offers for the acquisition of shares without disclosure. Banning orders were obtained against the directors: *ASIC v Astra Resources Plc & Ors* [2015] FAC 759; *ASIC v Astra Resources Ltd (No 2)* [2016] FCA 560.

Appears for insolvency practitioners in a variety of jurisdictions. See for example *Liquidators of UUB Pty Ltd & Anor v NWO & Anor* [2020] SASC 121; *Strazdins v Enterprise Global Resources Pty Ltd* [2018] SASC 160; *Naudi and Reid v Albarouki (No 2)* [2019] FCCA 2187.

Commercial, Construction, and Tortious Disputes

Appearing in for the Commonwealth in a negligence claim brought by a former immigration detainee, in which the hearing of evidence took 139 hearing days. See *Saadat v Commonwealth* [2019] SASC 28; *Commonwealth v Saadat* [2019] SASCFC 124 in respect of interlocutory aspects of the case.

Appeared as junior counsel for Leighton Contractors in a Construction and Australian Consumer Law dispute in which the client was substantially successfully, and obtained a significant indemnity costs order: *Basetec Services Pty Ltd v Leighton Contractors Pty Ltd (No 6)* [2016] FCA 1534; *Basetec Services Pty Ltd v Leighton Contractors Pty Ltd (No 8)* [2017] FCA 258.

Appeared as junior counsel for the Deputy Commissioner of Taxation in respect of long-running dispute over claims to funds the subject of a freezing order. See for example, *Deputy Commissioner of Taxation v Leo & Ors* [2019] SASC 146.

Appeared as junior counsel on behalf of a valuer in relation to a negligent valuation of a property. Successfully obtained an order on appeal that the damages award be reduced by 50% for the lender's contributory negligence: *Valcorp Australia v Angas Securities* [2011] FCA 190; *Valcorp Australia v Angas Securities* [2012] FCAFC 22.

Employment, Administrative and Safety Law

Regularly appears for employers, employees and the Fair Work Ombudsman in disputes regarding employee entitlements, restraint of trade provisions and contractual disputes. See for example *Winter v GHD Services Pty Ltd* [2019] FCCA 775; *4 yearly review of modern awards -*

Horticulture Award 2010 [2017] FWCFB 6037; *Fair Work Ombudsman v Ecosway Pty Ltd* [2015] FCA 102; *Fair Work Ombudsman v Lifestyle SA Pty Ltd* [2014] FCA 1151.

Appears for regulators and defendants in workplace safety matters. See for example *Comcare v Transpacific Industries Pty Ltd* [2014] FCA 1420.

Appears for a variety of Commonwealth agencies in the Federal Court and AAT. See for example: *Birdseye v Tax Practitioners Board* [2020] FCA 1235; *Leadenhall Australia Pty Ltd v ASIC* [2018] FCA 1792; *Corby v Comcare* [2015] FCA 1124; *Carson v Comcare* [2015] FCA 50; *Re Angas Securities Ltd and ASIC* [2019] AATA 807; *Re Leadenhall Australia and ASIC* [2018] AATA 4612; *Breakwell v Commissioner of Taxation* [2015] FCA 1471.

Appeared as junior counsel for the applicant on a successful application to set aside a decision of the Ombudsman on the basis of Wednesbury unreasonableness: *City of Port Adelaide Enfield v Bingham* [2014] SASC 36.

Defamation and Breach of Confidence

Appeared for the plaintiff on a successful application for injunctive orders requiring the defendant to remove certain material from a website, and refrain from further publishing such material: *Stokes v Ragless* [2014] SASC56. Also appeared for the plaintiff at trial, obtaining an order for a permanent injunction and payment of \$90,000 in damages: *Stokes v Ragless* [2017] SASC 159.

Appeared as junior counsel in successful application for injunctive orders restraining the director of a party to ongoing proceedings from committing future contempt of court: *Basetec Services Pty Ltd v Leighton Contractors Pty Ltd* [2015] FAC 762.

Disciplinary proceedings

Appears in various matters in the South Australian Health Practitioners Tribunal. See for example *Chiropractic Board of Australia v Shanahan* [2017] SAHPT 9; *Physiotherapy Board of Australia v Adey* [2017] SAHPT 3; *Medical Board of Australia v Richard Thompkins* [2019] SAHPT 18; *Nursing and Midwifery Board of Australia v Johnson* [2020] SACAT 17.

Appeared as junior counsel for the then Legal Practitioners Conduct Board at first instance, on appeal and in the High Court in proceedings which resulted in the striking off of a practitioner: *Viscariello v Legal Practitioners Conduct Board* [2012] SASC 92; *Viscariello v Legal Practitioners Conduct Board* [2012] SASCFC 147; *Viscariello v Legal Practitioners Conduct Board (No 2)* [2013] SASCFC 27; *Viscariello v Legal Practitioners Conduct Board* [2013] SASCFC 37; *Viscariello v Legal Practitioners Conduct Board* [2013] HCATrans 149.

Appears in various disciplinary matters in the Legal Practitioners Disciplinary Tribunal. See for example, the matter of Kruse dated 27 August 2014; the matter of Hill dated 8 August 2013; the matter of A and M dated 1 October 2015.

Appears for and against professional regulatory and disciplinary bodies. See for example *Birdseye v Tax Practitioners Board* [2020] FCA 1235; *Birdseye v Tax Practitioners Board* [2020] AAT 1250.