

Experience

Nine Wentworth Chambers, 2019-present

Australian Government Solicitor, 2013-2019, including:

- Executive Secretary, Australian Dispute Resolution Advisory Council, 2016-2017
- Corporate Counsel, Royal Commission into Institutional Responses to Child Sexual Abuse, 2014-2015
- Legal Officer, Australian Crime Commission, 2013

Tipstaff to the Honourable Justice John Basten, NSW Court of Appeal, 2012

Volunteer roles including Hawkesbury Nepean Community Legal Centre (2005-2007), Refugee Advice and Casework Service (2010) and Aboriginal Legal Service NSW/ACT (2011)

Expertise

Administrative and constitutional law – judicial review; merits review; tort claims involving public authorities

Law enforcement and security – applications for non-publication and suppression orders; claims of public interest immunity; applications for control and supervision orders

Commissions and inquiries – Lindt Siege Inquest; Royal Commission into Institutional Responses to Child Sexual Abuse

Alternative dispute resolution – including experience as conciliator and advocate

Privileges and immunities – public interest immunity; legal professional privilege; subpoenas; notices to produce

Criminal law – trial and sentencing; prosecutorial disclosure and privilege; subpoenas

Education

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

Bachelor of Arts (Honours Class I), University of Sydney, 2009

Selected cases

Robodebt Royal Commission – for the Commonwealth in respect of public interest immunity, legal professional privilege and parliamentary privilege

State of New South Wales v Fayad (Preliminary) [2023] NSWSC 115 – interim supervision order

DTO21 v Australian Crime Commission [2022] FCAFC 190 – contempt of the Australian Crime Commission; sentencing

SDCV v Director-General of Security [2022] HCA 32; *SDCV v Director-General of Security* [2021] FCAFC 51; 284 FCR 357 – judicial power of the Commonwealth; procedural fairness; confidential evidence; national security

Nicolson v Naizmand [2022] FCA 1108 – interim control order

BHL19 v Commonwealth of Australia (No 2) [2022] FCA 313 – mandamus; mandatory injunction; migration decisions

Vargas v Minister for Home Affairs [2021] FCAFC 162; 286 FCR 387 – migration decisions; natural justice; unreasonableness

Egan v Minister for Home Affairs [2021] FCAFC 85; 285 FCR 648 – citizenship; jurisdictional error; jurisdictional facts; foreign law

State of New South Wales v Church (Preliminary) [2021] NSWSC 246 – interim supervision order

Booth v Dakkak [2020] FCA 1882 – interim control order

Director of Public Prosecutions (Cth) v Kinghorn [2020] NSWCCA 48; 102 NSWLR 72 – prosecutorial duty of disclosure; waiver of legal professional privilege

Kishore v Tax Practitioners Board [2016] FCA 1328; 244 FCR 320 (as solicitor advocate) – appeals from the Administrative Appeals Tribunal

Publications and presentations

M Varley and T Lockwood, 'Judicial review and public interest immunity' (2020) 99 *Australian Institute of Administrative Law Forum* 34

P Melican and M Varley, 'Public interest immunity and protective orders', 2017 (Presentation to Australian Government Solicitor Government Law Group, Sydney)

6 March 2023