MATTHEW SAXON WHITE S.C., FCIArb

CURRICULUM VITAE

DEGREES: BA (Hons), LLB (Syd), BCL (Oxon)

PROFESSIONAL QUALIFICATIONS

1988 – Certificate of Practice, College of Law (NSW)

1 July 1988 - Admitted as a Solicitor in New South Wales

24 May 1991 – Admitted as a Practitioner in the Federal and High Courts of Australia

2 April 1996 – Admitted as a Solicitor in England & Wales

26 February 1999 – Admitted as a Barrister-at-Law in New South Wales

Appointed Senior Counsel October 2013

Diploma in International Arbitration (CIArb) June 2019

Appointed Fellow of the Chartered Institute of Arbitrators, London, February 2021

Recommended Leading Professional Indemnity Senior Counsel – NSW in 2026 Doyle's Guide

EMPLOYMENT

March 1999 to date: Barrister-at-law, 6th Floor Selborne Wentworth Chambers, and Nine Wentworth Chambers, Phillip Street, Sydney.

1998 to 1999: Senior Associate *Phillips Fox*/Seconded *Crown Solicitor's Office* for Federal Court litigation.

1995 to 1998 Solicitor *Rowe & Maw (London)* Insurance litigation, Lloyd's Building office

1991 to 1995 Solicitor (Senior Associate from 1993) *Phillips Fox* Insurance Litigation

1989 to 1991 Solicitor *Minter Ellison* Property, Insurance Litigation, Commercial Litigation

PROFESSIONAL EXPERIENCE

Areas of practice at the Bar:

- insurance law
- trade practices law
- professional indemnity/public liability actions
- personal injuries claims
- construction/building claims/ references/arbitrations

- general commercial and equity work
- employment law
- *Workplace Relations Act/Fair Work Act* applications and prosecutions
- *Family Provisions Act/Succession Act* claims
- defamation and injurious falsehood claims
- Inquests/inquiries, including coronial inquests
- injunctions and mareva applications

Previous areas of practice as a solicitor (1988-1998):

Insurance litigation (Australia and UK): mainly professional indemnity and public liability insurance litigation, including LawCover claims.

Property: domestic and commercial conveyancing; commercial leasing; sale and purchase of businesses; negotiating and advising on commercial leases on behalf of corporate owners of large commercial property portfolios including shopping centres, office blocks and factory premises.

General litigation: general commercial claims, including defamation, advising universities in employment disputes, and litigation concerning the ordination of women as priests. Participation in successful multi-party mediations and court ordered settlement conferences.

Insolvency: bankruptcy and winding-up; advising liquidators and receivers; acting for both companies and individuals threatened with insolvency and for liquidators and receivers appointed on winding up of companies; winding up applications and bankruptcy applications.

Other legal work and committee work

1990 to 2003	**Law Reporting** Australian Law Reports, All England Law Reports, Federal Law Reports and Federal Court Reports
2012 – 2018, **2026 – to date**	**Professional Conduct Committee of the NSW Bar Association**, Committee Member
2001 to 2004	**NSW Soccer Federation/Soccer NSW Ltd, Appeals Board,** Chairman. (and acted as counsel assisting General Purposes Tribunal)
1999 to 2002	**Anglo-Australasian Lawyers' Society,** Treasurer and Founding Committee Member. (Continuing member).
2000-2001	**Constitutional Centenary Foundation**, Committee Member
2007 to 2016	Floor Secretary, **Sixth Floor Selborne Wentworth Chambers (Director and Secretary, Sixth Floor Limited)**

2011 to 2019	**Director, St Paul's College Foundation**
2012-2014	**Joint Colleges-University Working Group, University of Sydney** This Working Group drafted and put into place a Joint Investigation Protocol for co-operation between the Colleges and University in investigating and dealing with student disciplinary complaints
2021 to date	**Professional Conduct Committee of the Chartered Institute of Arbitrators, London**, Committee Member
2023 to date	**ADR Committee of the NSW Bar Association,** Committee Member
2021 to 2026	**5 Oceans Arbitration and Mediation Pty Ltd,** Director
2025 to date	**Council of the Rod Fishers' Society of NSW,** Member

CASE LIST

Reported cases appeared in

Cinevest Pty Ltd v Yirandi Productions Ltd (1999) A Def R [53,050] (defamation) (led by T Hale SC)
Cinevest Pty Ltd v Yirandi Productions Ltd (2001) Aust Torts Rep 81-610 (defamation) (Court of Appeal) (led by T Hale SC)
Kabushiki Kaisha Sony Computer Entertainment v Stevens (2003) 132 FCR 31 (Full Court) (copyright) [also appeared at first instance: [2002] FCA 906; (2002) 55 IPR 497]
Whitehead v Whitehead [2002] NSW ConvR 56-045 (real property, s 66G applications)
QBE Mercantile Mutual Ltd v Hammer Waste Pty Ltd (2004) ANZIC 61-586 (insurance) [also appeared at first instance: (2003) 12 ANZIC 61-553]
Rap Pty Ltd v Watkins Tapsell (2004) 1 DCLR (NSW) 245 (valuer's negligence)
Helmos Enterprises Pty Ltd v Jaylor Pty Ltd (2005) 12 BPR 23,021 (Court of Appeal) (contract) (led by M Walton SC)
Portal Software International v Bodsworth (2005) 58 AILR 200-211 (restraint of trade)
McGirr v Xenos (2006) 144 LGERA 172 (contempt of court) (led by T Hale SC)
Kearney v Crepaldi (2006) 58 AILR 200-224 (restraint of trade)
Hadgkiss v CFMEU (2006) 152 FCR 560 (s 38 cross-examination)
CFMEU v Hadgkiss (2007) 169 FCR 151, (2007) 173 IR 360 (industrial law)
Green v CGU Insurance Limited (2008) 66 ACSR 398 (insurance, insolvent trading) (led by D Davies SC)
Green v CGU Insurance Ltd (2008) 67 ACSR 105 (Court of Appeal) (security for costs) (Led by D Davies SC
Hadgkiss v CFMEU (No 5) (2008) 178 IR 123 (industrial law) (Led by J Fernon SC)
Hadgkiss v CFMEU (2008) 166 FCR 376, (2008) 170 IR 100, [2008] FCAFC 22 (industrial law) (led by J Fernon SC)

Alfred v Wakelin (No 2) (2008) 176 IR 430 (industrial law) (led by R Goot SC)
Construction, Mining, Forestry and Energy Union v Hadgkiss (2009) 174 FCR 237 (industrial law)
Alfred v Wakelin (No 3) (2009) 179 IR 76 (industrial law) (led by R Goot SC)
Friend v Brooker (2009) 83 ALJR 724; 239 CLR 129, 255 ALR 601 (equitable contribution, fiduciary duties) (led by B Walker SC)
Haviv Holdings Pty Ltd v Howards Storage World Pty Ltd (2009) 254 ALR 273 (trade practices) (led by M Christie)
Dale v Veda Advantage Information Services and Solutions Ltd (2009) 176 FCR 456 (negligence and defamation) (led by B McClintock SC)
Alfred v Wakelin (No 4) (2009) 180 IR 335 (industrial law) (led by R Goot SC)
Nau v Kemp & Associates Pty Ltd (2010) 77 NSWLR 687 (effect of settlement against one tortfeasor) (led by A Leopold SC)
Metcash v Jardim (No 3) (2010) 273 ALR 407 (restraint of trade) (led by J Fernon SC)
Jardin v Metcash Limited (2011) 214 IR 448; 285 ALR 677 (restraint of trade) (led by J Fernon SC)
Ecolab Pty Ltd v Garland (2011) 216 IR 410 (restraint of trade) (led by J Fernon SC)
BIS Industries v Toll Holdings (2012) 228 IR 284 (restraints of trade)
Ninan v St George Bank Ltd (2012) 294 ALR 190 (security for costs)
Cordon Investments v Lesdor Properties (2013) 29 BCL 329 [2012] NSWCA 184 (contracts/building and construction) (led by T Hale SC)
Director of Fair Work Building Industry Inspectorate v Baulderstone Pty Ltd (2014) 284 FLR 403 (industrial law)
Stratton Finance v Webb (2014) 245 IR 223, (2014) 314 ALR 166 (Full Court) (contract law)
Casaclang v Wealthsure Pty Ltd (2015) 238 FCR 55 (Corporations Act, financial services)
Australian Building and Construction Commissioner v Parker (2017) 266 IR 340 (industrial law)
Australian Building and Construction Commissioner v Parker (No 2) (2017) 270 IR 165 (civil penalties)
Parker v Australian Building and Construction Commission (2019) 270 FCR 39 (Full Court) (industrial law)
ET-China.com International Holdings v Cheung (2019) 142 ACSR 121 (directors' duties)
Australian Building & Construction Commissioner v CFMMEU (No 3) (The Botany Cranes case) (2021) 304 IR 428 (industrial law – civil penalties)
Australian Building and Construction Commissioner v CFMMEU (Kiama Aged Care Centre Case) (2021) 309 IR 353 (industrial law)
Boros v Pages Property Investments (2021) 395 ALR 756; [2021] NSWCA 288 (director's duties)
Fair Work Ombudsman v CFMMEU (Kiama Aged Care Centre Appeal) (2023) 297 FCR 338, [2023] FCAFC 63 (civil penalties)
CFMMEU v Fair Work Ombudsman (The Botany Cranes Case) (2023) 297 FCR 438, [2023] FCAFC 40 (civil penalties)
Mount v Dover Castle Metals Pty Ltd (2025) 173 ACSR 123, [2025] FCA 101
Rock v Henderson (2025) 117 NSWLR 1, [2025] NSWCA 47 (malicious prosecution) (Special leave refused [2025] HCA Disp 199)

Selection of unreported cases

Bashford v Information Australia (Newsletters) Pty Ltd [2001] NSWCA 470 (defamation) (led by T Hale SC)
Howland-Rose v Commissioner of Taxation [2002] FCA 246 (taxation) (led by D Bloom QC)
Sydney United Football Club v Soccer NSW [2005] NSWSC 474 (administrative law) (led by T Bathurst QC)
Echo Publications Pty Ltd v Tucker [2007] NSWCA 73 (defamation) (special leave refused)
Hristoforidis v Fair Trading Administration Corporation [2007] NSWSC 1243 (administrative law) (led by J Griffiths SC)
P & H Property Services Pty Ltd v Branigan [2008] NSWCA 195 (personal injury)
A I McLean Pty Ltd v Hayson [2008] NSWSC 927 (professional negligence) (led by D Davies SC)
Al-Shennag v Statewide Roads Limited [2008] NSWCA 300 (defamation)
Bailey v Veda Advantage Information Services (No 2) [2008] FCA 730 (trade practices) (led by B McClintock SC)
Wilson v Interhealth Energies Pty Limited [2008] NSWSC 1137 (equitable jurisdiction)
Eko Investments Pty Ltd v Austruc Constructions Limited [2009] NSWSC 208 (review of referees' reports) (led by M Rudge SC)
Artistic Builders Pty Limited v Nash [2010] NSWSC 1442 (professional negligence) (led by D Fagan SC)
Montage Group Pty Ltd v Wong (No 2) [2011] NSWSC 774 (statutory demand)
McClymont v Critchley [2011] NSWSC 493 (trade practices, negligence)
Al-Shennag v Bankstown City Council (No 2) [2011] NSWIRComm 22 (implied undertaking in relation to documents)
Konstantopoulos v R M Beechey Carriers Pty Ltd [2011] NSWCA 388 (leases)
Walker v Veda Advantage Information Services [2011] QSC 316 (defamation and negligence)
Hull v Brailey [2012] NSWSC 980 (financial advice/negligence)
Orchard Holdings v Paxhill [2012] WASC 271 (real estate agent negligence/ trade practices)
Saffron v Cowley [2012] NSWSC 1108 (Estates/Family Provision)
Allan v The Migration Institute of Australia [2012] NSWSC 965 (Defamation/Injunctions)
Marshin Holdings v Attorney-General of NSW [2013] NSWSC 326 (trusts)
Larsson v Wealthsure Pty Ltd [2013] FCA 926 (representative proceedings)
Parker v City of Bankstown RSL Community Club Ltd [2014] NSWSC 772 (personal injury)
Parker v City of Bankstown SL Club Ltd [2015] NSWCA 246 (personal injury)
Tzaneros Investments v Walker Group Constructions [2016] NSWSC 50 (building and construction)
CFMEU v De Martin & Gasparini (No 2) [2017] FCA 1046 (industrial law)
Manly Property Holdings v Lisker [2017] NSWSC 1395 (equity)
Owners Corporation SP 80609 v Paragon Constructions [2018] NSWSC 266 (cross-claims)

CFMEU v De Martin & Gasparini (No 3) [2018] FCA 1395 (civil penalty)
Westpork Pty Ltd v Bio-Organics Pty Ltd [2018] WASC 291 (contract)
Boros v Pages Property Investments [2018] NSWCA 269 (abuse of process)
Australian Building and Construction Commissioner v CFMMEU [2019] FCA 998 (cross-claims)
CGI Glass Lewis v Vasey [2019] NSWSC 794 (restraint of trade)
Australian Building and Construction Commissioner v CFMMEU (No 7) [2020] FCCA 351 (industrial civil penalties)
Pages Property Investments v Boros [2020] NSWSC 1270 (directors' duties)
Mount v Dover Castle Metals [2021] FCA 1356 (preliminary discovery)
Australian Building and Construction Commissioner v Rielly (No 3) [2022] FedCFamC2G 1 (industrial law)
Collinson v Paxus Australia (No 3) [2022] NSWSC 438 (Deeds of release)
Hannam v State of New South Wales (No 11) [2023] NSWSC 472 (costs claim against legal practitioner)
Filby v TEG Live Pty Ltd [2023] NSWCA 320 (breach of confidence)
Harrison v Combined Towing Pty Ltd [2023] NSWSC 1524 (limitation periods)
Chambers v Commonwealth of Australia (Bureau of Meteorology) [2024] FedCFamC2G 100 (adverse action, Fair Work Act)
Absolute Tiling Solutions v Underwriters at Lloyd's [2024] NSWSC 364 (insurance)
Shun Sheng v Lei (No 2) [2024] NSWCA 105 (partnership dispute)
Access Group Training Ltd v Jane [2024] NSWCA 204 (contract)
Weston Energy Pty Ltd v National Ceramic Industries Australia Pty Ltd [2026] NSWCA 7 (misleading and deceptive conduct)

Arbitrations, Adjudications and References

Granitek Pty Ltd v Better Tiles Projects Pty Ltd (2002 Reference, Janet Grey Referee)
A W Edwards Pty Ltd v Jadebay Pty Ltd (2005 Adjudication)
John Goss Projects Pty Ltd v Leighton Contractors Pty Ltd (2006 Adjudication)
SP63191 v Eastern Suburbs Bricklaying Service Pty Ltd (2006 Reference, Barry O'Mara Referee)
Eko Investments Pty Ltd v Austruc Constructions Pty Ltd (2009 Reference, John Brownie Referee)
Cordon Investments Pty Ltd v Lesdor Properties Pty Ltd (2009-2010 Reference, Janet Grey Referee)

Insurance Arbitration appointed by TAL Life Insurance Services (otherwise confidential) – sitting as one of three Arbitrators. Hearing June 2024, Award July 2024

Inquests

Inquest into the disappearance of Marion Barter, Lismore May 2023
Inquest into the death of Steven Rausch, Port Macquarie May 2025
Inquest into the death of Kerry Bromley, Lidcombe September 2025
Inquest into the death of Steven Fenwick, Newcastle 2026 (listed for hearing November 2026)

Publications

God - Is She Above the Law? Public Interest Law Conference Papers 1992,

Property Damage Revisited Global Reinsurance, Vol 5 Issue 5, July/Aug 1996;

Indemnity for the costs of reducing or avoiding a claim (1997) 8 Insurance Law Journal 264;

Chapter on "Declarations" in Butterworths, *Principles of Practice and Procedure* Service.

Civil Penalties No Deterrence in Industrial Litigation, Law Society Journal, May 2017

Duty of Care to Avoid Causing Economic Loss, Society of Construction Law Hong Kong Seminar, May 2021

Oppression under Hong Kong's New Security Law, Quadrant, July-August 2022

Dated: October 2026