

## **CHARLES COLQUHOUN**

**Tenth Floor Chambers**  
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### **Education**

Master of Law (First Class Honours), University of Cambridge 2000-2001  
Bachelor of Arts/Laws (First Class Honours), University of Sydney 1994-1998

### **Admissions**

Supreme Court of England and Wales 2005  
Federal Court of Australia, High Court of Australia 2004  
Supreme Court of New South Wales 2000

### **Experience**

Tenth Floor Wentworth Selborne Chambers, Sydney 2007-present  
Herbert Smith, London (now Herbert Smith Freehills) 2004-2007  
Mallesons Stephen Jaques, Sydney (now King & Wood Mallesons) 2000-2004  
Federal Court of Australia, Sydney 1999-2000

### **Practice Areas**

Arbitration	Consumer protection
Banking	Corporate reconstruction and insolvency
Class actions	Corporations
Commercial	Equity
Commissions of enquiry	Insurance
Common law	Private international law
Competition (antitrust)	Real property

### **Recent cases**

See attached schedule

## Schedule - recent cases by practice area (since 2016)

Practice area	Case name and citation	Court	Senior counsel and instructing solicitors	Description
<b>Arbitration, private international law</b>	<i>Rinehart v Hancock Prospecting Pty Ltd</i> <a href="#">[2019] HCA 13</a> , <a href="#">(2017) 257 FCR 442</a> , <a href="#">(2016) 257 FCR 310</a>	High Court, Full Federal Court, Federal Court	Led by Hutley SC Instructed by Corrs Chambers Westgarth	Appearing for Hancock Prospecting on application under <i>Commercial Arbitration Act</i>
	<i>Hancock Prospecting Pty Ltd v Wright Prospecting Pty Ltd</i> <a href="#">[2020] WASCA 77</a> , <a href="#">[2019] WASCA 141</a> , <a href="#">[2018] WASC 407</a>	WA Court of Appeal, Supreme Court of WA	Led by Hutley SC Instructed by Corrs Chambers Westgarth	Appearing for Hancock Prospecting on application under <i>Commercial Arbitration Act</i>
	<i>First Property Holdings Pte Ltd v Nyunt</i> <a href="#">[2019] NSWSC 249</a>	NSW Court of Appeal, Supreme Court of NSW	Unled Instructed by HFW Australia	Appearing for Singaporean company on application to enforce foreign judgment
	<i>Lahoud v The Democratic Republic of Congo</i> <a href="#">[2018] FCA 478</a>	Federal Court	Unled Instructed by White & Case	Appearing on application to enforce foreign arbitral award
<b>Banking, real property</b>	<i>National Australia Bank Ltd v Charlton</i> <a href="#">[2020] NSWSC 283</a> , <a href="#">[2019] NSWSC 1477</a>	NSW Court of Appeal, Supreme Court of WA	Unled Instructed by Dentons	Appearing for NAB in claim for possession and debt
<b>Class actions</b>	<i>Mastoris v DSHE Holdings Ltd; Findlay v DSHE Holdings Ltd</i>	Supreme Court of NSW	Led by Darke SC Instructed by Colin Biggers & Paisley	Appearing for defendant in Dick Smith class action
	<i>Lloyd v Belconnen Lakeview Pty Ltd</i> <a href="#">[2019] FCA 2177</a>	Federal Court	Led by Bannon SC Instructed by Corrs Chambers Westgarth	Appearing for applicants in class action to recover GST
	<i>Gill v Ethicon Sàrl</i> <a href="#">[2019] FCA 1905</a>	Federal Court	Led by Bannon SC and Graham SC Instructed by Shine	Appearing for applicants in pelvic mesh class action
	<i>Santa Trade Concerns Pty Ltd v Robinson</i> <a href="#">[2018] FCA 1491</a> , <a href="#">[2016] FCA 1510</a>	Federal Court	Unled Instructed by Minter Ellison	Appearing for defendant to shareholder class action
	<i>Clarke v Sandhurst Trustees Ltd</i> <a href="#">[2018] FCA 511</a>	Federal Court	Led by Hutley SC Instructed by Corrs Chambers Westgarth	Appearing for funder on settlement approval application
<b>Commercial, equity</b>	<i>Qantas Ltd v Jones Lang Lasalle (NSW) Pty Ltd</i>	Supreme Court of NSW	Led by Darke SC Instructed by Norton Rose Fulbright	Appearing for Qantas in claim arising from toxic foam spill at Brisbane airport
	<i>Rinehart v Rinehart</i> <a href="#">[2020] NSWSC 68</a> , <a href="#">[2017] NSWSC 803</a>	Supreme Court of NSW	Led by Giles SC Instructed by Corrs Chambers Westgarth	Appearing for Hancock Prospecting in oppression, directors' duties proceeding

Practice area	Case name and citation	Court	Senior counsel and instructing solicitors	Description
	<i>Anchorage Capital Master Offshore Pty Ltd v Sparkes</i> <a href="#">[2019] NSWCA 199</a> , <a href="#">[2019] NSWSC 384</a>	NSW Court of Appeal, Supreme Court of NSW	Led by Bannon SC Instructed by Gilbert + Tobin	Appearing for plaintiffs in claim against former directors and officers of Arrium
	<i>Innes v AAL Aviation Ltd</i> <a href="#">(2017) 259 FCR 246</a> , <a href="#">[2016] FCA 93</a>	Full Federal Court, Federal Court	Led by Lockhart SC Instructed by Johnson Winter & Slattery	Appearing for AAL Aviation (Qantas) in Federal Court proceedings brought by former employees
	<i>Sharp v National Rugby League Ltd</i> <a href="#">[2016] NSWSC 730</a>	Supreme Court of NSW	Led by Gyles SC Instructed by Kennedys	Appearing for the NRL in proceedings brought by directors of the Parramatta Eels
<b>Commissions of enquiry</b>	<i>Royal commission into national natural disaster arrangements</i>	Royal Commission	Instructed by Herbert Smith Freehills	Acting for party in bushfires royal commission
	<i>Royal commission into misconduct in the banking, superannuation and financial services industry</i>	Royal Commission	Instructed by Clayton Utz	Acting for bank in banking royal commission
<b>Common law, insurance</b>	<i>Hughes v Fong</i> <a href="#">[2016] NSWSC 1451</a>	Supreme Court of NSW	Unled Instructed by Kennedys	Appearing for accountant in professional negligence claim
<b>Competition</b>	<i>ACCC v Ramsay Health Care Australia Pty Ltd</i> <a href="#">[2020] FCA 308</a>	Federal Court	Led by Bannon SC and Lockhart SC Instructed by Johnson Winter & Slattery	Appearing for Ramsay in misuse of market power and exclusive dealing case
	<i>ACCC v Ormaechea</i>	Local Court	Led by Bannon SC Instructed by Arnold Bloch Leibler	Appearing for defendant in criminal cartel proceeding
	<i>Application by Sea Swift Pty Limited</i> <a href="#">[2016] A CompT 9</a>	Australian Competition Tribunal	Led by Lockhart SC Instructed by Minter Ellison	Appearing for Toll on application for authorisation
<b>Corporations, insolvency</b>	<i>In the matter of Tasmanian Botanics Pty Limited</i> <a href="#">[2019] NSWSC 885</a>	Supreme Court of NSW	Unled Instructed by Thomson Geer	Appearing on application to transfer proceedings
	<i>van Royden v DSHE Holdings Ltd ACN 166 237 841 (Recs and Mgrs Apptd) (In Liq)</i> <a href="#">[2018] NSWSC 1773</a>	Supreme Court of NSW	Unled Instructed by Colin Biggers & Paisley	Appearing for company in liquidation on application for leave to proceed
	<i>In the matter of ACN 004 410 833 Limited (formerly Arrium Limited)</i> <a href="#">[2018] NSWSC 1536</a> , <a href="#">[2018] NSWSC 747</a>	Supreme Court of NSW	Unled Instructed by Gilbert + Tobin	Appearing in public examinations of former directors and officers of Arrium Limited