

## **Dr Juliet Lucy**

## **Barrister**

10th Floor Chambers  
174-180 Phillip Street, Sydney 2000;  
DX 375 SYDNEY

Tel: (02) 9232 4609; Mob: 0405 779 994  
Email: [juliet@julietlucy.com](mailto:juliet@julietlucy.com)  
[www.julietlucy.com](http://www.julietlucy.com)

Admitted as a legal practitioner in 2005; called to the bar 2012

Member, Bar Association Legal Aid Committee (2014-15)

Member, Bar Working Party to prepare response to NSW Department of Justice Civil Justice Consultation Paper (2017)

Member, Diversity and Inclusion Committee, Australian Bar Association (2018)

### **Areas of Practice**

Administrative and Constitutional  
Equity  
Insurance

Commercial and Contract  
Family Provision

### **Education**

PhD (University of Sydney) (in English Literature) (2001)

Bachelor of Arts (Honours, Class One) (University of Sydney) (1995)

Bachelor of Laws (Honours, Class One) (University of Sydney) (1994)

Graduate Diploma of Legal Practice (College of Law) (2005)

### **Employment History**

Part-time Senior Member, NSW Civil and Administrative Tribunal (Appeal Panel; Administrative and Equal Opportunity Division; Occupational Division; Consumer and Commercial Division) (2014 - )

Sessional academic (teaching Contract Law), Macquarie University (2014)

Senior Solicitor, NSW Crown Solicitor's Office (July 2008 – April 2012)

Principal Lawyer, Queensland Department of Natural Resources and Water (Jan–Jul 2008)

Solicitor, Clayton Utz, Brisbane, Energy and Resources team (Nov 2006 – Dec 2007)

Senior Lawyer, Queensland Department of Natural Resources, Mines and Water (Feb-Oct 2006)

Research Associate to the President, Administrative Decisions Tribunal of NSW (Mar 2004-Jan 2006)

Lecturer, University of Western Sydney (2000-2003)

Part-time lecturer, University of Sydney (1996)

## Selected Cases and Reviews

### Administrative law

- *Nigam v Minister for Immigration and Border Protection* [2017] FCAFC 127 (not led)
- *Selia v Commonwealth of Australia* [2017] FCA 7 (led by Mark Robinson SC)
- *Ku-ring-gai Council v West* [2017] NSWCA 54 (led by Neil Williams SC)
- *Woollabra Municipal Council v Minister for Local Government* [2016] NSWLEC 44 (not led)
- *Minister for Immigration Multicultural Affairs and Citizenship v Singh* [2014] FCAFC 1 (not led)

### Constitutional

- *Buckman v The Queen* [2013] NSWCCA 258 (led by Chrissa Loukas SC)

### Class Actions

- *Lock v ASIC* (2016) 334 ALR 250; (2016) 111 ACSR 318; [2016] FCA 31 (led by AS Martin SC and M Robinson SC)

### Family provision

- *Tanev v Tanovski* [2017] NSWSC 1301 (not led)
- *Mitar v Mitar* [2017] NSWSC 647 (not led)

### Insurance

- *Australian Bushman's Campdraft and Rodeo Association Ltd v Gajkowski* [2017] NSWCCPD 54 (not led)
- *The Camden Show Society Inc v Gajkowski* [2017] NSWCCPD 55 (not led)
- *Insurance Australia Limited v Kong Lai Kai* [2018] NSWSC 958 (led by Mark Robinson SC)

### Other

- [Independent Review](#) for Catholic Archdiocese of Canberra and Goulburn of the processes surrounding the decision to place a priest with sustained findings of inappropriate behaviour into Lanigan House, Garran, ACT
- Royal Commission into Institutional Responses to Child Sexual Abuse, Case Study 24, Sydney, 2015 (assisting Gail Furness SC, Counsel assisting) (and also prepared several significant research papers for Commission)

## NSW Civil and Administrative Tribunal

Juliet regularly sits as a member at the NSW Civil and Administrative Tribunal, including on the Appeal Panel. From 2017, she has been one of two members responsible for the Community Services list which includes reviews of decisions made under the working with children legislation. The decisions which she has made are available at <http://www.caselaw.nsw.gov.au/>.

## Publications

### Books

- Robinson, Mark, Juliet Lucy and John Fitzgerald, *NCAT – Practice and Procedure*, Lawbook Co, 2015.
- Lucy, Juliet. *Water Regulation: The Laws of Australia*. Thomsons, 2008.
- Cummins, Juliet and David Burchell, eds. *Science, Literature and Rhetoric in Early Modern England*. Ashgate Publishing, 2007.
- Cummins, Juliet, ed. *Milton and the Ends of Time*. Cambridge: Cambridge University Press, 2003. 264p (including author of Introduction and chapter).

### Journal Articles and Book Chapters

- Lucy, Juliet. “Merits Review and the Twenty-First Century Tribunal,” (2017) 24 AJ Admin L 121.
- Lucy, Juliet. “Judicial Review of Administrative Action, Procedural Fairness,” “Error of Law and Want of Jurisdiction” and “Failure to Exercise Discretion” in Mark Robinson SC (ed), *Judicial Review - The Laws of Australia*, Thomson Reuters, 2014.
- Lucy, Juliet. “Case Note: *Re JS* [2014] NSWSC 302,” (2014) 8 *Elder Law Review*.
- Lucy, Juliet. “The Demise of the Guardianship Tribunal and the Rise of the NSW Civil and Administrative Tribunal,” (2013) 7 *Elder Law Review*.
- Lucy, Juliet. “Australian Privacy Legislation: An Overview.” *Precedent* 108 (2012): 4-9.
- Cummins, Juliet Lucy. “Relationship Debt for the Aged: Welfare vs Commerce in the Law of Guarantees.” *Alternative Law Journal* 27:2 (2002): 63-67.

### Legal Commentary

- (Updating author), “Error of Law and Want of Jurisdiction” and “Failure to Exercise Discretion,” *The Laws of Australia*, Thomson Reuters, 2014.
- “Water Licences.” *Practical Forms and Precedents*. Thomson Reuters, 2012.
- (Updating author), “Water,” *The Laws of Australia*, Thomson Reuters, 2008.
- (Updating author), “Judicial Review of Administrative Action, Procedural Fairness,” *The Laws of Australia*, Thomson Reuters, 2006, 2010 and 2014.
- Privacy commentary in *New South Wales Administrative Law*, Thomson Reuters (October 2004 and quarterly updates to present).
- (Updating author), “Complaints to the Commonwealth Privacy Commissioner,” *The Lawyers Practice Manual*, Thomsons, 2004.

## Selected Conference and Seminar Papers

- “Family Provision Claims: Lessons from Recent Cases,” Wills and Estates Masterclass: Elevating Your Practice, Legalwise, 6 June 2018
- “When an Error of Fact is an Error of Law,” Fourth Annual Public Sector Law Conference, 21 March 2018
- “Privacy Considerations in Decision Making and Reason Writing,” Legalwise Seminar, 14 September 2017
- “The Dream of Merits Review in the Reality of a Super Tribunal,” Council of Australasian Tribunals National Conference, 6 June 2015
- “Recent Developments and Changes in Statutory Interpretation,” Legalwise Seminar, 20 August 2014
- “The fate of expectations which were once legitimate,” NSW Bar Association, 18 August 2014
- “Recent Trends in Statutory Interpretation,” State Legal Conference, 31 March 2014
- “Tribunal Practice: Inquisitorial or Adversarial?” Legalwise Seminar, 19 March 2014
- “Procedural Fairness: Tips and Traps for Government Lawyers,” Holding Redlich Government Lawyers Half Day Conference, 26 February 2014.
- “Recent Developments concerning Privacy and the *Government Information (Public Access) Act 2009*”, Government Solicitors’ Conference, 3 September 2013.
- “Core Principles of Merits Review,” Legalwise Seminar, 4 September 2013.
- “Effect of NSW Civil and Administrative Tribunal on Practitioners in Guardianship Matters,” State Legal Conference, 29 August 2013.
- “Recent Developments in Information Regulation” (with Joanna Davidson), Crown Solicitor’s Office client seminar, “Administrative Law Update,” 24 August 2011.
- “Recent water cases,” Third Annual Water Leaders Congress, 31 March 2011.
- “Government Contracts and the *Government Information (Public Access) Act 2009*,” LexisNexis Contracts 2011 Conference, 16 February 2011.
- NSW Bar Association seminar, “Constitutional Guarantees and Natural Resources,” 23 June 2010.