

PATRICK KNOWLES

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AREAS OF PRACTICE

- Commercial law
- Corporations and insolvency law, including regulatory investigations
- Equity
- Negligence, including professional negligence
- Public law, including constitutional law, administrative law, anti-discrimination and immigration law
- Sports law

ADMISSIONS

2009	Barrister, New South Wales
2004	Legal Practitioner, Supreme Court of New South Wales and High Court of Australia

MEMBERSHIPS AND PROFESSIONAL ACTIVITIES

2009-2014	New South Wales Bar Association New Barristers' Committee
2011-2018	New South Wales Bar Association Practice Development Committee
2013-2014	New South Wales Bar Association Education Committee
2003 to date	Australian Association of Constitutional Law

PRIZES AND AWARDS

2009	Christopher Gee QC Memorial Prize – for evidence and advocacy during the NSW Bar Association's Readers Course
2006	Pegasus Scholarship – awarded by the Inner Temple, providing funding for a three month internship at the Inns of Court in London
2005	Chevening Scholarship – awarded by Cambridge Commonwealth Trust

EDUCATION

2006	University of Cambridge Masters of Laws (first class) Chevening Scholar
2003	University of New South Wales Bachelor of Arts / Bachelor of Laws

PREVIOUS PROFESSIONAL EXPERIENCE

2004 – 2009	Solicitor, Freehills (now Herbert Smith Freehills), commercial litigation group
2003 – 2004	Associate to the Hon. Justice Beaumont, Federal Court of Australia

SELECTED MATTERS

Public Law

HFM043 v The Republic of Nauru [2018] HCA 37 (led by Chris Horan QC) – High Court appeal considering statutory interpretation of retrospective legislative amendments conferring protection upon refugees and members of their families

Minister for Immigration and Border Protection v Kumar [2017] HCA 11; (2017) 91 ALJR 466 (led by Geoffrey Kennett SC) – High Court appeal considering the operation of extension of time provisions in the *Acts Interpretation Act 1901* (Cth)

Gold Coast Lifestyle Association Inc and Minister for Infrastructure and Regional Development [2017] AATA 368 (unled) – Merits review application in relation to airport runway redevelopment

Commissioner of Police (NSW) v Guo [2016] FCAFC 62 (led by Tom Howe QC) – Appeal in relation to the application of public interest immunity in the Administrative Appeals Tribunal

Maiocchi v Royal Australian and New Zealand College of Psychiatry [2016] FCA 33 (unled) – Racial discrimination claim by a psychiatry trainee

Uelise v Minister for Immigration and Border Protection (2015) [2015] HCA 15; (2015) 256 CLR 203 (led by Geoffrey Johnson SC) – High Court appeal considering the procedure of the Administrative Appeals Tribunal in matters involving the cancellation of a visa on character grounds

Maritime Union of Australia v Minister for Infrastructure and Regional Development [2015] FCAFC 187; (2015) 238 FCR 464 (led by Geoffrey Johnson SC) – Judicial review of shipping licence decision

Chief Commissioner of State Revenue v Print National Pty Ltd [2013] NSWCA 96 (led by Alister Henskens SC) – Jurisdiction of the Administrative Decisions Tribunal in payroll tax cases

ACCC v MSY Technology Pty Ltd (2012) 201 FCR 378 (led by Geoffrey Kennett SC) – Consideration of the Federal Court's power to grant declaratory relief by consent

Appearing unled in more than 100 applications for merits and judicial in the High Court, Full Federal Court, Federal Court, Federal Circuit Court and the Administrative Appeals Tribunal

SELECTED MATTERS

Commercial law, corporations law, insolvency and equity

In the matter of Sirtex Medical Limited [2018] FCA 584 (led by Jeremy Giles SC) – scheme of arrangement application in the context of competing bids for a target company

HP Mercantile Pty Ltd v Hartnett [2016] NSWCA 342, *HP Mercantile Pty Ltd v Clements* [2015] NSWCA 212 and *HP Mercantile Pty Ltd v Dierickx* [2013] NSWCA 87 (led by Bret Walker SC) – Principles of contractual construction relating to an investment in an agricultural scheme

Creighton v Australian Executor Trustees Limited [2016] NSWSC 17 (led by Matthew Darke SC) – Application considering multiple class action proceedings arising from the collapse of an issuer of mortgage debentures

Briefed to represent a senior employee of a major bank in compulsory examinations conducted by the Australian Securities and Investments Commission (2016)

Grant Samuel Corporate Finance Pty Ltd v Fletcher [2015] HCA 8; (2015) 254 CLR 477 (led by Tony Bannon SC) – High Court appeal considering power to extend the time for a liquidator to commence proceedings for a voidable transaction

Westnet WA Infrastructure Holdings Limited [2015] NSWSC 658 (unled) – Application for judicial advice by the liquidator of the Alinta group of companies

Lachlan v HP Mercantile Pty Ltd [2015] NSWCA 130; (2015) 89 NSWLR 198 (unled) – Enforcement of a settlement deed involving consideration of the doctrine of penalties and the Court's discretion to set aside consent orders

GIO General Limited v Centennial Newstan Pty Ltd [2014] NSWCA 13 (led by Lachlan Gyles SC) – Principles of contractual construction relating to an indemnity in a labour-hire agreement

In the matter of Ashington Bayswater Pty Limited (in liq) [2013] NSWSC 1008 (unled) – recovery of insolvent transactions and uncommercial transactions

In the matter of Sino Gold Mining Limited [2009] FCA 1277; (2009) 74 ACSR 647 (led by Julian Sexton SC) – consideration of the treatment of option holders in a scheme of arrangement

SELECTED MATTERS

Negligence (including professional negligence)

Dougall v Melville [2017] NSWCA 309 (unled) – Limitations period applicable to claims for professional negligence against legal professionals

Plaintiff S99 v Minister for Immigration and Border Protection [2016] FCA 483; (2016) 243 FCR 17 (led by Geoffrey Kennett SC) – Liability of the Commonwealth for the health care needs of persons in offshore detention centres

Bankstown City Council v Zraika [2016] NSWCA 51; (2016) 94 NSWLR 159 (led by Robert Sheldon SC) – Liability of a local government authority for planning decisions

Miller v Lithgow City Council [2015] NSWCA 320; (2015) 91 NSWLR 752; (led by Robert Sheldon SC) – Scope of the liability of a public authority for injury occurring during school sports activities

White v Forster (unled) – Claim for negligence against a solicitor considering the scope of the immunity of advocates

SELECTED MATTERS

Sports Law

In the matter of Dank and 16 players of the Essendon Football Club – Proceedings in the Australian Football League Anti-doping Tribunal (led by Malcolm Holmes QC) and, on appeal to the Court of Arbitration for Sport (unled), concerning supplements administered to members of a professional sporting team

Graham and Anti-Doping Rule Violation Panel [2016] AATA 807 (unled) – merits review proceeding of a doping finding against a sports administrator

Earl and Anti-Doping Rule Violation Panel [2014] AATA 968 (unled) – merits review proceeding of a finding of possible doping by professional rugby league players

In the matter of two NRL player agents (led by Tony Bannon SC) – arbitration before the Hon Kevin Lindgren SC regarding disciplinary proceedings against player agents involved in breaches of the National Rugby League’s salary cap

Various other anti-doping matters before the Court of Arbitration for Sport (all unled)