

Christine Ernst

Tenth Floor Chambers | 180 Phillip St SYDNEY NSW 2000

Ph: (02) 8915 2397 | ernst@tenthfloor.org

Professional experience

- 2019- **Barrister, Tenth Floor Chambers**
- 2018-19 **Counsel Assisting the Solicitor-General of the Commonwealth**
- 2015-18 **Senior Legal Officer/Legal Officer, Commonwealth Attorney-General's Department**
- 2017 **Tutor, Australian National University (Australian Public Law, International Law)**
- 2013-14 **Lawyer, Allens, Sydney (Litigation & Dispute Resolution, Competition Law)**
- 2012-13 **Associate to the Hon Justice Susan Kiefel AC, High Court of Australia**

Academic qualifications

- 2015 **Bachelor of Civil Law (Distinction), St John's College, University of Oxford**
Awarded the Sir Ninian Stephen Scholarship by the Sir Robert Menzies Foundation
- 2011 **LLB (Hons I)/Bachelor of Economic and Social Sciences, University of Sydney**
Pitt Cobbett and C A Hardwick prizes for Federal Constitutional Law

Areas of practice

Christine has a broad practice, advising and appearing for both commercial and public sector clients in regulatory matters, commercial disputes, public law matters and insurance matters.

Selected appearances

Commercial matters

- *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd*, Supreme Court of Western Australia (ongoing) (for J Hancock and B Rinehart, led by C Withers SC and A Hochroth)
- *KTC v David & Ors* [2022] FCAFC 60 (for the respondents in an application for leave to appeal against a summary dismissal, led by A Bannon SC)

- *In the matter of Spitfire Corporation Ltd (in liq)* [2022] NSWSC 340 (for the Commonwealth represented by the Attorney-General's Department, led by M Izzo SC)
- *Krejci, in the matter of Union Standard International Group Pty Ltd (in liq)* [2021] FCA 1483 (for the liquidators, led by R Scruby SC)
- *TWW Yachts SARL v The Yacht "Loretta" (No 1)* [2021] FCA 240; *(No 2)* [2021] FCA 241 (for the plaintiff in an action in rem under the *Admiralty Act 1988* (Cth), led by M McHugh SC)
- *Woolworths v SCT Logistics* [2021] NSWSC 344 (for the defendant insurer, led by M McHugh SC)
- *Lavigne v Kumar* [2020] NSWSC 1120 (for the defendant in a property dispute, led by S Lawrance)
- *TX Australia Pty Ltd v Australian Competition and Consumer Commission* [2020] FCA 1100 (for the intervener in an access dispute under the *Broadcasting Services Act 1992* (Cth), led by K Morgan SC)
- *Hurford Hardwood Kempsey Pty Ltd v Kempsey Timbers (Sawmilling) Pty Ltd (No 5)* [2020] NSWSC 287 (for the defendants in an application for a third-party costs order, led by R Scruby SC)
- *Zaps Transport (Aust) Pty Ltd (in liquidation) (controlled appointed) v Catlin Syndicate No 2003* [2020] FCA 1311 (for the insurer seeking security for costs, led by M McHugh SC)
- *Calacoci v Calacoci* [2020] NSWSC 476 (for defendants in a partnership dispute, led by S Balafoutis SC)
- *In the matter of Merlin Diamonds Limited (Provisional Liquidator Appointed)*, NSWSC no. 2019/335350 (for the Australian Securities and Investments Commission intervening, unled)

Public law matters

- *Ruddick v Commonwealth* [2022] HCA 9 (for the Commonwealth, led by S Donaghue QC and B Lim)
- *Taylor v Attorney-General* [2019] HCA 30 (for the Attorney-General of the Commonwealth, led by S Donaghue QC, T Begbie and K Evans)
- *Lordianto v Commissioner of the Australian Federal Police; Kalimuthu v Commissioner of the Australian Federal Police* [2019] HCA 39 (for the Australian Federal Police, led by S Donaghue QC and L Livingston)
- *Roberts-Smith v Fairfax Media Publications Pty Limited*, Federal Court (ongoing) (for the Commonwealth, led by K Stern SC, A Mitchelmore SC and J Edwards; in a public interest immunity claim for the Inspector-General of the Australian Defence Force, led by A Berger QC and J Edwards)
- *LibertyWorks Inc v Commonwealth* [2021] FCAFC 90 (for the Commonwealth in challenge to overseas travel ban, led by S Donaghue QC and T Howe QC)
- *FKV17 v Minister for Home Affairs* [2022] FCAFC 93 (for the Minister, led by G Kennett SC)

- *Minister for Home Affairs v Lee* [2021] FCAFC 89 (for the Minister, led by G Kennett SC and P Knowles)
- *BDS20 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCAFC 91 (for the Minister, led by C Lenehan SC)
- *Will v Brighton* [2020] NSWCA 355 (for the RSPCA inspector, led by T McDonald SC)
- *Newman v Minister for Health and Aged Care* [2021] FCA 517 (for the Commonwealth in challenge to India travel pause, led by C Lenehan SC)
- *R v Collaery* [2022] ACTSC 108 (for the Commonwealth, led by P Herzfeld SC and T Begbie QC)
- *Minister for Home Affairs v Pender* [2021] NSWSC 1644 (for the Minister in an application for a continuing detention order, led by P Herzfeld SC and Z Heger)
- *BNL20 v Minister for Home Affairs & Ors* [2020] FCA 1180; *BNL20 v Dawson* [2020] WASC 315 (for the Commonwealth respondents) (led by P Knowles)
- *AKW22 v Commonwealth of Australia* [2022] FCA 869 (for the Commonwealth) (led by P Knowles)
- *Winston v Commonwealth* [2021] NSWSC 62 (for the Commonwealth in a personal injury claim concerning a naval collision, led by A Mitchelmore SC)
- *AFP v Li & Ors* [2022] VCC 868 (for the Commissioner of the AFP, led by D McLure SC)
- *Eggleton v Commissioner of Corrective Services NSW* [2021] NSWSC 1605 (for the Commissioner, unled)
- *Carberry v Australian Capital Territory* [2022] ACTCA 55 (for the Territory, unled)
- *FDT20 v Minister for Home Affairs* [2021] FCA 1484 (for the Minister, led by P Knowles and with C Roberts)
- *AIN19 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2022] FCA 866 (for the Minister, unled)
- *FJE20 v Minister for Home Affairs* [2021] FCCA 1900 (for the Minister, unled)
- *BHS19 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCCA 459 (for the Minister, unled)
- *DYN v Children’s Guardian* [2019] NSWCATAD 271, NCAT (for the Children’s Guardian, unled)

Recent publications

- Stephen Donaghue QC and Christine Ernst, ‘The Engineers’ Case and Intergovernmental Immunities: A Century On’ (2020) 31 *Public Law Review* 46