

153 PHILLIP

BARRISTERS

CURRICULUM VITAE

Barry Dean

Tel: +61 2 9132 5720

Fax: +61 2 9132 5701

Email: dean@153phillip.com.au

Areas of Practice

Corporate and Commercial:	Banking, Bankruptcy, Competition, Consumer protection law, Contractual disputes, Corporate Insolvency, Corporations Law, Fraud, Revenue, Securities and Investments, Telecommunications and Broadcasting
Equity and Trusts:	Real Property, Trusts, Joint Ventures, Confidential information
Regulatory and administrative:	Inquiries and regulatory investigations, Disciplinary proceedings, Judicial review and administrative law, Merits Review
Criminal:	White Collar and Corporate Crime, Proceeds of Crime, Appellate
Torts:	Defamation, Malicious prosecution

Date of Admissions

2012	Barrister, New South Wales and High Court of Australia
2005	Attorney, New York, USA
2005	Solicitor, Victoria and High Court of Australia
2003	Legal Practitioner, New South Wales

Qualifications

Master of Laws	University of Sydney	2011
	(coursework focus on corporate and financial markets regulation)	
Bachelor of Laws	University of Sydney	2003
	(First class honours)	
Bachelor of Optometry	University of New South Wales	1999
	(First class honours; Head of School's prize for distinguished performance throughout the degree)	

Liability limited by a scheme approved under Professional Standards Legislation.

Appointments

- Legal member, NSW Occupational Therapy Council: July 2018 to June 2021.
- Justice NSW Panel of Legal Practitioners to Represent Persons appearing before Investigative Bodies: 1 June 2017 – 30 May 2022.
- Legal Aid NSW Indictable Criminal Law Barrister Panel: 2019 to 2024.
- Legal Aid NSW Appellate Criminal Law Barrister Panel: 2019 to 2024.

Selected Publications

- Barry Dean, Jennifer Dean and Shyla Sharma, “The Deregulation Agenda for Australian Media Ownership: Can Competition do the Heavy Lifting?”, *Communications Law Bulletin*, volume 33(2) June 2014.
- Roger Forbes and Barry Dean, “Recent developments in Australia: Advancing towards criminalisation of cartels”, *American Bar Association Section of Antitrust Law 2008 Newsletter of the Cartel and Criminal Practice Committee*, volume 37(1).

Prior experience

Australian Securities & Investments Commission | Sydney

Senior Lawyer March 2009 – April 2012

- Legal advice on all aspects of civil and criminal investigations into suspected contraventions of the *Corporations Act* involving the financial markets including insider trading, continuous disclosure, market manipulation and other market misconduct offences.
- Conduct of examinations under s19 of *Australian Securities and Investments Commissions Act*.

Mallesons Stephen Jaques (now King & Wood Mallesons) | Sydney & Melbourne

Solicitor April 2004 – March 2009

Competition and Dispute Resolution groups

- Corporate and commercial litigation such as the defence of the ASIC civil penalty prosecution of James Hardie Industries for alleged breaches of sections 180, 674,

Liability limited by a scheme approved under Professional Standards Legislation.

1041H and 1041E of the *Corporations Act*.

- Competition and consumer law advice and litigation.
- Responses to regulatory investigations including: a successful application under the ACCC cartel immunity policy in relation to an international cartel subject to criminal prosecutions in other jurisdictions; and assisting client in the financial services industry in relation to CDPP prosecution of former employees for dishonest conduct that caused significant market losses.
- Legal advice in relation to commercial and regulatory issues in the telecommunications industry including ACCC decisions on access undertakings and appeals to the Australian Competition Tribunal of those decisions.

Supreme Court of New South Wales | Sydney

Tipstaff and researcher to Mr Justice Dunford, Common Law Division, Administrative Law List and Court of Criminal Appeal, November 2002 – February 2004

Other information

- Occasional member of Basketball NSW disciplinary tribunals from 2000-2015.
- Optometrist: first registered in NSW in 1998; non-practising registration under the National Health Practitioners Regulation Law since 2011; practiced as an optometrist in full-time, part-time and locum primary care positions from 1999 to 2002.

Memberships

- New South Wales Bar Association
- New York State Bar Association
- Sydney Swans Football Club
- Australian Turf Club

Liability limited by a scheme approved under Professional Standards Legislation.