

Christopher Parkin
Barrister
(Australia, England and Wales)
christopher.parkin@5wentworth.com

Chambers (Sydney)
5 Wentworth Chambers
5/180 Phillip St Sydney NSW 2000
+61 2 8066 6125

Chambers (London)
11 King's Bench Walk
Temple, London, EC4Y 7EQ
+44 2 7632 8500

Education

Admitted as a Lawyer, Supreme Court of New South Wales	2011
Called to the Bar, New South Wales	2015
Admitted as Barrister of the High Court of Australia	2015
Called to the Bar, England and Wales	2017

Core Practice Areas

- Criminal Law (Commonwealth, Appellate and State)
- Commissions and Inquiries
- Defamation, Communications and Media
- Employment, Discrimination and Workplace Law
- Administrative and Public Law
- Commercial

Qualifications

Master of Laws (Distinction) (1st in course) , King's College London <i>Specialisation in Intellectual Property and Information Law</i>	2014
Graduate Certificate in Commercial Law , Deakin University <i>Dean's Merit List</i>	2013
Master of Laws , Australian National University	2012
Bachelor of Laws (Hons I) , University of Sydney	2011
Bachelor of Arts (Government) , University of Sydney	2010

Publications

Author, *The Modern Contract of Employment (3rd edition)* (Thomson Westlaw), with I Neil SC and D Chin SC (forthcoming).

Contributor, *Tolleys Employment Handbook* (UK) (LexisNexis), chapters on Contract of Employment and Foreign Employees (2019-present)

Contributor, *Australian Torts Reporter* (CCH), chapter on Defamation (2016-2022)
Liability limited by a scheme approved under Professional Standards Legislation

Past roles

Casual academic , University of Sydney/UNSW/UTS <i>Subjects taught: Defamation and Privacy, Privacy, Publicity and the Media, Evidence, Torts, Civil and Criminal Procedure</i>	2011-Present
Associate to Chief Justice Allsop , Federal Court of Australia	2015
Judge's Associate , Federal Court of Australia (Flick J, Farrell J)	2012, 2014
Tipstaff to Justice Pembroke , Supreme Court of New South Wales	2011
Political Adviser , various State and Federal Members of Parliament	2007-2010

Selected Cases

Criminal Law (Commonwealth, Appellate and State)

Rex v Bigatton (2023), prosecution for contraventions of the *Corporations Act 2001* (Cth) in the District Court, unled for the accused (ongoing).

Macdonald v R; Obeid v R; Obeid v R (2023), appeal from conviction for conspiracy to commit misconduct in public office in the Court of Criminal Appeal, unled for the appellant, Mr Macdonald (judgment reserved).

Operation Ironside committal, examinations under section 82 of the *Criminal Procedure Act 1986* concerning whether AFP Operation Ironside involved contraventions of the *Telecommunications (Intercept and Access) Act 1979* (Cth), unled for multiple accused.

Chaarani v The Queen (2023), appeal against sentence for terrorism offences in the Victorian Court of Appeal, unled for the appellant.

AE v The Queen [2023] NSWCCA 74; appeal against sentence for drug importation offence, with J Lang for the appellant.

Ahmed Mohamed v The Queen [2022] VSCA 136; 368 FLR 482, appeal against sentence for terrorism offences, led by D Dann QC for the appellant.

R v Lazar (2021), 9 week trial (special hearing) concerning fraud and theft allegations arising out of a litigation funding agreement in the District Court, unled for the successful accused; costs awarded.

Constantinidis v The Queen; Lazar v The Queen [2022] NSWCCA 4, appeal against conviction for public justice offence in the Court of Criminal Appeal, led by G Bashir SC for the appellant, Ian Lazar; costs awarded: [2022] NSWCCA 248.

R v Lazar (2021), 9 week trial (special hearing) involving complex historical fraud and money laundering charges in the District Court, unled for the accused; costs awarded.

Lazar v R [2021] NSWCCA 132, waiver of legal professional privilege, unled for the appellant.

Sam Burgess v R [2021] NSWDC 165, appeal against conviction for an offence of intimidation, led by P Boulten SC for the appellant.

Elmir v R [2021] NSWCCA 19; 357 FLR 274, appeal against sentence for foreign incursion offence, leading A Vial for the appellant.

IM v The Queen [2020] HCATrans 194, application for special leave to appeal against sentence to the High Court, led by I Neil SC for the applicant.

R v Ali (2020), prosecution for tobacco importation in the District Court (Arnot DCJ), unled for the accused.

Booth v Khazaal [2020] FCA 1241; [2020] FCA 1528, application for terrorism control order in the Federal Court, leading J Elks for the respondent.

Neto v R [2020] NSWCCA 128, appeal against conviction for sexual offences, unled for the appellant.

Commissioner of Police v Vella (2019), application for a serious crime prevention order in the Supreme Court, led by G Bashir SC for the respondent (settled).

SY v R [2018] NSWCCA 6, appeal against conviction for indecent assault, led by P Boulten SC for the appellant.

Adams v R [2017] NSWCCA 215, appeal against conviction for murder, led by G James QC and P Lange for the appellant.

Kurniawan v R [2017] NSWCCA 171, appeal against sentence for drug offences, unled for the appellant.

Danny Lim v R [2017] NSWDC 231, appeal against conviction for offensive conduct in a political context, led by P Lange for the appellant.

R v SY (2016), jury trial for aggravated indecent assault in the District Court, led by G James QC for the accused.

R v Adams (2016), prosecution for murder in the Supreme Court of NSW (judge-alone, Button J), led by P Lange for the accused.

R v Adams [2016] NSWSC 1359, application for a judge-alone trial in a prosecution for murder in the Supreme Court of NSW, unled for the applicant.

R v Adams [2015] NSWSC 1960, pre-trial ruling on the admissibility of tendency evidence in a prosecution for murder in the Supreme Court of NSW, led by P Boulten SC for the accused.

Commissions and Inquiries

Providing representation in compulsory examinations before the investigative bodies such as the Independent Commission Against Corruption and the Australian Criminal Intelligence Commission.

Inquest – Monica Chetty (ongoing), unled for an interested party.

Independent Inquiry into Child Sexual Abuse (UK), led by A Sharland QC for Nottinghamshire County Council.

Royal Commission into Trade Union Governance and Corruption, led by N Hutley SC for the Australian Labor Party (Victorian Branch).

Defamation, Communications and Media

Stolz v Registered Clubs Association of New South Wales (2022), defamation and employment proceedings, leading A Duc for the Applicant (settled mid-trial).

Liability limited by a scheme approved under Professional Standards Legislation

Do v Kolsumdet Pty Ltd (ongoing), defamation proceedings, unled for the 1st and 3rd to 6th respondents.

John Barilaro v Jordan Shanks-Markovina & Anor (No 3) [2021] FCA 1100, application for a trial by jury in the Federal Court of Australia, led by Dr M Collins QC for Mr Shanks-Markovina.

John Barilaro v Jordan Shanks-Markovina & Anor (No 2) [2021] FCA 950, application to strike out imputations on the ground that parliamentary privilege operated to prevent a justification defence, led by Dr M Collins QC for Mr Shanks-Markovina.

Murphy v Nationwide News Pty Ltd [2021] FCA 381, defamation proceedings against The Daily Telegraph, led by S Chrysanthou SC for the applicant.

Burrows v Houda (No.2) [2021] NSWDC 127, unled, for the defendant. Application to strike out defences (substantive proceedings ongoing).

Night Lawyer for *The Sun* (United Kingdom) (2019-2020), providing pre-publication advice on contempt, defamation and privacy.

Employment, Discrimination and Workplace Law

Diawara v National Australia Bank Ltd (ongoing), application alleging race and sex discrimination – Federal Court of Australia, unled for the Applicant.

McDonald's Australia Rest Break Proceedings (ongoing), applications alleging contraventions of modern awards and enterprise agreements arising out allegations that 10 minute rest breaks were not provided to employees, led by R Dick SC and D Snyder for McDonald's Australia.

Target Australia Pty Ltd v Shop, Distributive and Allied Employees' Association [2023] FCAFC 66, appeal concerning proper construction of enterprise agreement, led by D Chin SC for the successful appellant.

WorkPac Pty Ltd v Rossato and Ors [2021] HCA 23; 392 ALR 39, casual employee test case – High Court of Australia, led by B Walker SC, I Neil SC and D Chin SC for the successful appellant (also appeared as junior counsel in the Full Federal Court: ([2020] FCAFC 84)).

Royal Mencap Society v Tomlinson-Blake [2021] UKSC 8; [2021] ICR 758; test case on UK national minimum wage – Supreme Court of the United Kingdom, led by Judy Stone for the Respondent.

SafeWork NSW v Ultra Refrigeration Pty Limited; SafeWork NSW v Romolo Prestia [2021] NSWDC 149, prosecution for a breach of duty under the *Work Health and Safety Act 2011*, led by David Chin SC for the defendant.

Numerous unled multi-day tribunal hearings in the UK Employment Tribunal.

Public and Administrative Law

Kristo Langker v Department of Premier and Cabinet; Kristo Langker v NSW Police Force (ongoing), administrative review of decision to refuse access to documents under the *Government Information (Public Access) Act 2010* (NSW), leading S Yates for the Applicant.

Commissioner of Police v Walker [2023] NSWSC 539, judicial review of decision by Local Court to make orders relying upon its implied power, unled for the Respondent.

Peter Hiscock v Australian Research Council (2022), judicial review of decision by the Australian Research Council, unled for the Applicant (settled).

Secretary, Attorney-General's Department v O'Dwyer [2022] FCA 1183; 117 ALD 113; 318 IR 216, appeal on question of law from the Administrative Appeals Tribunal, unled for the Appellant.

Sbat v Commissioner of Police [2021] NSWCATAD 174, administrative review of decision to refuse internal review, unled for the applicant.

Libdy v Commissioner of Police [2020] NSWCATAD 276; [2021] NSWCATAD 122, merits review of decision to impose a firearms prohibition order (proceedings related to confidentiality of evidence/exhibits), unled for the applicant.

Solomon v Commissioner of Police [2021] NSWSC 236, judicial review of decision to impose a firearms prohibition order, unled for the applicant.

Attorney-General v Honourable Mark Dreyfus [2016] FCAFC 119; 242 FCR 472, appeal against a decision of the Administrative Appeals Tribunal regarding an application under the *Freedom of Information Act 1988* (Cth), led by M Dreyfus QC.

Commercial

DXC Eclipse Pty Ltd ACN 051 758 199 v Wildsmith [2022] NSWSC 512, application for injunction to enforce restraint of trade provision in business purchase agreement, led by I Neil SC for the plaintiff.

Wondergarden Premium Early Learning v SMADA Group (2022), application for a declaration of a *Quistclose* trust, unled for the plaintiff (settled).

Crosby Textor Research Strategies Results Pty Limited v Syed [2020] NSWSC 1792, application to vary a freezing order, unled for the first defendant.