

BIANCA KABEL

YEAR OF CALL: 2016

With a practice that spans both commercial and public law, Bianca's experience extends across the full range of commercial, construction, insolvency, insurance, professional negligence and taxation disputes. Increasingly, her work also encompasses public and environmental law issues, particularly those arising in cases in the energy, mining and resources sectors.

Listed by Australian Financial Review *Best Lawyers* as a leading Australia junior counsel in Litigation and Construction/Infrastructure Law, Bianca is also recognised in Doyle's Guide as "Recommended" junior counsel for each of Commercial Litigation & Dispute Resolution, Insolvency & Restructuring. She is engaged frequently both as sole counsel and as part of larger teams in heavyweight litigation and arbitration. Bianca appears in all State and Federal Courts, and has experience as junior counsel before the High Court of Australia and in international arbitrations.

Before being called to the bar, Bianca was the Associate to the Honourable Justice David Jackson of the Supreme Court of Queensland and worked as a solicitor at an international firm. She holds a Bachelor of Laws with First Class Honours from the University of Queensland and a Bachelor of Civil Law with Distinction from the University of Oxford.

Bianca has also been appointed as the Sub-Editor for the Incorporated Council of Law Reporting (Queensland) and is responsible for assisting the Editor with the publication of the weekly Queensland Law Reporter.

AREAS OF PRACTICE

Arbitration, Banking, Building & Construction, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, Insurance, International, Judicial Review & Administrative, Land Law & Property, Native Title & Cultural Heritage, Professional Discipline & Regulatory, Professional Negligence, Resources & Energy, Shipping, Succession, Tax.

CASES

BCI Media Group Pty Ltd v CoreLogic Australia Pty Ltd (No 3)[2021] FCA 884
August 2021, Intellectual Property

LEVEL

TWENTY
SEVEN

CHAMBERS



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Australia Pacific LNG Pty Limited v Sooner Insurance Company[2021] QSC 43
March 2021, Insurance

Island Resorts (Apartments) Pty Ltd v Gold Coast City Council[2021] QCA 19
February 2021, Land Law & Property

Santos Limited v Fluor Australia Pty Ltd & Anor (No 1)[2020] QSC 372
December 2020, Contract

Equititrust Limited v Tucker[2020] QSC 269
September 2020, Corporations

Island Resorts (Apartments) Pty Ltd v Gold Coast Council[2020] QSC 145
May 2020, Land Law & Property

Australian Securities and Investments Commission v King[2020] HCA 4
March 2020, Corporations, Appellate

Currie v Meredith [2020] QDC 19
January 2020, Corporations, Tax

Equititrust Limited v Tucker and Others (No 2)[2019] QSC 248
October 2019, Commercial Equity, Corporations

Tisdall v Omeros [2019] QSC 220
September 2019, Competition & Consumer, Contract, Corporations

King v Australian Securities and Investments Commission[2019] QCA 121
June 2019, Corporations, Appellate

Equititrust Limited v Tucker and Others [2019] QSC 51
March 2019, Contract, Corporations, Corporate Insolvency & Bankruptcy

King & Ors v Australian Securities and Investments Commission[2018] QCA 352
December 2018, Appellate, Corporations

Firstmac Ltd & Ors v Hunt & Hunt (a firm)[2018] QSC 258
November 2018, Land Law & Property, Professional Negligence

Sentinel Citilink Pty Ltd v PS Citilink Pty Ltd [2018] QSC 239
October 2018, Land Law & Property, Contract

Neta Tires v Mitchell [2018] QDC 200
October 2018, Contract

BP Australia Pty Ltd v Valuer-General [2018] QLC 34

October 2018, Land Law & Property

Legal Services Commissioner v Nichols [2018] QCA 158

July 2018, Judicial Review & Administrative, Professional Discipline & Regulatory

Gailey Projects Pty Ltd v McCartney [2017] QSC 185

September 2017, Contract, Land Law & Property

EXPERIENCE

Notable matters as junior counsel include:

- › acting for a principal in a complex construction dispute, including appearing in an emergency arbitration conducted in Singapore, under the SIAC Rules;
- › appearing for the company group CEO in a two week appeal before the Queensland Court of Appeal, and appearing in subsequent special leave applications and a substantive appeal before the High Court of Australia;
- › appearing as junior counsel in a Supreme Court trial concerning allegations of professional negligence against the plaintiff's former solicitors
- › appearing in the Court of Appeal in respect of a challenge to a decision of the Legal Services Commissioner;
- › acting for a major resources company in respect of a mining lease application before the Land Court of Queensland;
- › acting for a liquidator in Supreme Court proceedings over debts alleged to be owed by the company in liquidation;
- › acting for a major property development group in Supreme Court proceedings against their former solicitors, alleging professional negligence in the conduct of a significant commercial property transaction;
- › acting for an insured and its foreign subsidiaries in a multi-million dollar claim against an insurer for indemnity under a professional indemnity insurance policy;
- › acting for non-bank lenders and mortgage managers in respect of professional negligence proceedings in the Supreme Court against their former solicitors;
- › acting and appearing for a regional authority in respect of native title proceedings before the Federal Court of Australia; and
- › advising a partner in respect of a number of matters including contractual construction, debt issues and strategic considerations arising from an international partnership dispute.

Recent matters as sole counsel include advising and appearing for litigants in taxation disputes, contractual disputes, insolvency disputes, commercial tenancy disputes and judicial review applications.

RECOMMENDATIONS

Doyle's Guide to the Australian Profession

2021 – 'Recommended' junior counsel for Commercial Litigation & Dispute Resolution (QLD)

2020 – 'Recommended' junior counsel for Insolvency & Restructuring (QLD)

2020 – 'Recommended' junior counsel for Commercial Litigation & Dispute Resolution (QLD)

2020 – 'Recommended' junior counsel for Construction & Infrastructure (QLD)

2019 – 'Recommended' junior counsel for Commercial Litigation & Dispute Resolution (QLD)

Australian Financial Review *Best Lawyers*®

2022-23 – Litigation and Construction/Infrastructure

APPOINTMENTS

2017 Sub-Editor for the Incorporated Council of Law Reporting (Queensland)

MEMBER

Bar Association of Queensland

EDUCATION

2016 Bachelor of Civil Law (with Distinction), University of Oxford (Magdalen College)

2013 Bachelor of Laws (Hons I), University of Queensland

2013 Bachelor of Commerce (Finance), University of Queensland

AWARDS

2016 University of Oxford Law Faculty Prize for Best Performance in the International Law of the Sea Paper

2013 University of Queensland Law Society Medal for the Most Outstanding Graduate of the Year

2013 Valedictorian of Law, University of Queensland

2013 Dean's Honour Roll Award for Outstanding Academic Achievement in the Bachelor of Commerce

PUBLICATIONS

Queensland's Human Rights Act: turning up the heat for Australian climate change litigation and development approvals?

June 2020, International, Class Actions, Land Law & Property, Native Title & Cultural Heritage, Planning & Environment

Gold Digger: what are your state security of payment recourses?

April 2020, Building & Construction

Fiduciary duties: a mystery or not?

November 2019, Corporations, Commercial Equity

Best Practice International Arbitration in Australia: an Australian view on current issues affecting the arbitral mandate

November 2019, Arbitration, International

International Arbitration - Trends, Developments and Opportunities for Future Growth

November 2018, Arbitration

International Arbitration: trends, developments and opportunities for future growth

April 2018, Arbitration, International

Pure economic loss and consequential loss: how to tell them apart?

August 2017, Corporate Insolvency & Bankruptcy, Corporations

Insolvency Law Reform Act and Insolvency Practice Rules - some of the essentials

April 2017, Corporate Insolvency & Bankruptcy

Watts v Watts (2015) EWCA Civ 1297 and the fair-minded, "uninformed" observer

June 2016, Contract

Liability limited by a scheme approved under professional standards legislation