

MATTHEW HICKEY OAM

YEAR OF CALL: 2010

Matthew is highly experienced in trials and appeals in diverse practice areas. He typically appears for or against multi-nationals, public companies, external administrators and government entities.

Matthew has been identified by peer-review as being among Australia's *Best Lawyers*®, in: commercial law, insolvency & reorganisation, litigation, construction & infrastructure law, professional malpractice litigation and public law.

Doyle's Guide to the Australian Legal Profession ranks him as a leading counsel in commercial litigation & dispute resolution, insolvency & restructuring, and building & construction (Qld and Australia).

He has appeared in appeals to the High Court of Australia, in State and Federal Courts, various Tribunals, commissions of inquiry and inquests, and in complex commercial arbitrations and mediations.

He is frequently retained to mediate disputes of all kinds.

Matthew has been a board member and director of companies, and he continues to act in those roles for charitable associations, community groups, and universities.

Matthew was awarded the Medal of the Order of Australia, in the 2021 Queen's Birthday Honours List, for service to music and to the law, and in 2001 was awarded the Commonwealth Centenary Medal for distinguished service to the music industry.

AREAS OF PRACTICE

Appellate, Arbitration, Banking, Building & Construction, Class Actions, Commercial Equity, Contract, Corporate Insolvency & Bankruptcy, Corporations, Employment & Industrial, Human Rights & Discrimination, Inquiries & Coronial Inquests, Insurance, Judicial Review & Administrative, Land Law & Property, Professional Discipline & Regulatory, Professional Negligence, Resources & Energy.

CASES

LEVEL

TWENTY
SEVEN

CHAMBERS



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Palmer v Australian Securities and Investments Commission[2024] FCA 1167

October 2024, Corporations, Professional Discipline & Regulatory, Judicial Review & Administrative

Associated International Group of Nurseries Inc v Nutrafruit Pty Ltd [2024] QSC 234

October 2024, Intellectual Property

Sanders v ECQ (No 2)[2024] QSC 215

September 2024, Judicial Review & Administrative

Destination Brisbane Consortium Integrated Resort Operations Pty Ltd as Trustee v PCA (Qld) Pty Ltd (subject to a Deed of Company Arrangement)[2024] QSC 178

August 2024, Contract, Corporate Insolvency & Bankruptcy, Corporations

Sanders v Electoral Commission Queensland[2024] QSC 147

July 2024, Judicial Review & Administrative

Mining Standards International Pty Ltd v Atlantic Nickel Mineracao Ltda (No 2)[2024] FCA 666

June 2024, Banking, Corporations, International, Resources & Energy

Fox v Infosys Technologies Ltd[2024] QIRC 109

May 2024, Employment & Industrial

Park v Monreaccon Pty Ltd & Ors [2024] QSC 44

March 2024, Corporations, Corporate Insolvency & Bankruptcy

Palmer v Magistrates Court of Queensland & Ors; Palmer Leisure Coolum Pty Ltd v Magistrates Court of Queensland & Ors; Palmer v Magistrates Court of Queensland & Ors[2024] QCA 8

February 2024, Appellate, Corporations

Romanski v Stone; Black v Stone [2024] QMC 2

January 2024, Appellate, Professional Discipline & Regulatory, Resources & Energy

Windsor Family Assets Pty Ltd v Green Day Energy Pty Ltd (Administrators Appointed)[2023] FCA 1651

December 2023, Corporations, Corporate Insolvency & Bankruptcy

TFG Holding Pty Ltd and Aged Care Quality and Safety Commissioner[2023] AATA 3809

November 2023, Appellate, Judicial Review & Administrative

Icon Energy Limited v Chief Executive, Department of Resources[2023] QSC 227

October 2023, Judicial Review & Administrative, Resources & Energy

Romanski v Stone; Black v Stone [2023] QMC 11

August 2023, Appellate, Professional Discipline & Regulatory, Resources & Energy

Cape Byron Power 1 Pty Ltd & Ors v Downer Energy Systems Pty Limited & Ors[2023] QSC 76

April 2023, Contract

Cape Byron Power 1 Pty Ltd & Ors v Downer Energy Systems Pty Ltd & Ors[2022] QSC 294
December 2022, Contract

Devine Constructions Pty Ltd v Stowe Australia Pty Ltd & Ors (No 2)[2022] QSC 272
December 2022, Building & Construction, Contract

Demex Pty Ltd v John Holland Pty Ltd[2022] QSC 259
November 2022, Building & Construction

Palmer Leisure Coolum Pty Ltd v Magistrates Court of Queensland & Ors; Palmer v Magistrates Court of Queensland & Ors [2022] QSC 227
November 2022, Corporations

Cape Byron Power 1 Pty Ltd & Ors v Downer Energy Systems Pty Limited & Ors[2022] QSC 182
August 2022, Contract

Cottee v Eastern Australia Airlines Pty Ltd[2022] QDC 112
May 2022, Contract, Insurance

Devine Constructions Pty Ltd v Stowe Australia Pty Ltd & Ors[2022] QSC 51
April 2022, Building & Construction, Contract, Professional Negligence

Inquest into the death of Christopher Ian Powell
March 2022, Inquiries & Coronial Inquests

Parbery (Liquidator), in the matter of Queensland Nickel Pty Ltd (in liquidation) (No 2)[2022] FCA 101
February 2022, Corporate Insolvency & Bankruptcy

Brisbane Marine Pilots Pty Ltd v General Manager of Maritime Safety Queensland, Department of Transport and Main Roads and Ors [2021] QCAT 436
December 2021, Judicial Review & Administrative

Nicholson v Parole Board of Queensland[2021] QSC 325
December 2021, Judicial Review & Administrative

Bothar Boring and Tunnelling (Australia) Pty Ltd v Auspile Pty Ltd[2021] QCA 226
November 2021, Appellate, Building & Construction

Owen-D'Arcy v Chief Executive, Queensland Corrective Services[2021] QSC 273
October 2021, Human Rights & Discrimination, Judicial Review & Administrative

Point Bay Developments Pty Ltd v Perkins (WA) Pty Ltd[2021] QSC 272
October 2021, Commercial Equity, Banking

Yue v CN-AU Capital Pty Ltd[2021] QSC 248
October 2021, Contract, Land Law & Property, Commercial Equity

Inquest into the death of Tiahleigh Palmer

June 2021, Inquiries & Coronial Inquests

LWB QLD SBB Limited v State of Queensland[2021] NSWSC 462

May 2021, Commercial Equity, Contract

Kohler & others v Croton as delegate of the Minister for Natural Resources, Mines & Energy[2021] QSC 72

April 2021, Judicial Review & Administrative, Resources & Energy

Whiteley v Stone & Anor[2021] QSC 31

March 2021, Judicial Review & Administrative, Resources & Energy, Human Rights & Discrimination

Christensen & anor v Deputy State Coroner[2021] QSC 38

February 2021, Inquiries & Coronial Inquests, Judicial Review & Administrative

Re a Declaration Regarding Medical Treatment for "A"[2020] QSC 389

January 2021, Human Rights & Discrimination, Judicial Review & Administrative

KDR Gold Coast Pty Ltd v CPB Contractors Pty Ltd[2020] QSC 303

October 2020, Contract

Sochorova v Durairaj & Anor[2020] QCA 158

July 2020, Appellate, Insurance, Professional Negligence

Lonergan v Stilgoe & Ors (No 2)[2020] QSC 146

June 2020, Judicial Review & Administrative, Resources & Energy

Bowman Development Corporation Pty Limited v Young Forever Property Pty Ltd (No 2)[2020] QDC 77

May 2020, Contract, Land Law & Property

Lonergan v Stilgoe & anor[2020] QSC 86

April 2020, Judicial Review & Administrative, Resources & Energy

Smith v Reader[2020] QSC 48

March 2020, Professional Negligence

Lee Anthony Crocker v Queensland Building and Construction Commission[2020] QSC 24

March 2020, Building & Construction, Judicial Review & Administrative

Coronial Inquest into four deaths at Dreamworld

February 2020, Inquiries & Coronial Inquests, Professional Discipline & Regulatory

Jubilee Christian College Limited v Non-State Schools Accreditation Board[2020] QCAT 31

February 2020, Judicial Review & Administrative, Professional Discipline & Regulatory

Bowman Development Corporation Pty Limited v Young Forever Property Pty Ltd[2020] QDC 73

February 2020, Contract, Land Law & Property

Inquest into the death of Maria Aurelia Willersdorf

January 2020, Inquiries & Coronial Inquests, Professional Negligence

Sochorova v Durairaj & anor [2019] QSC 251

October 2019, Professional Negligence

Parbery (Liquidator), in the matter of Queensland Nickel Pty Ltd (in liquidation)[2019] FCA 1219

August 2019, Corporate Insolvency & Bankruptcy, Corporations

Health Ombudsman v White [2019] QCAT 36

May 2019, Professional Discipline & Regulatory

Inquest into the death of John Davis

April 2019, Inquiries & Coronial Inquests

State of Queensland (Department of Agriculture and Fisheries) v Humane Society International (Australia) Inc (2019) 164 ALD 400; [2019] FCA 534

April 2019, Appellate, Judicial Review & Administrative

Humane Society International (Australia) Inc v Department of Agriculture & Fisheries (Qld)[2019] AATA 617

April 2019, Judicial Review & Administrative, Planning & Environment

Palmer v Parbery & Ors; QNI Metals Pty Ltd & Ors v Parbery & Anor(2019) 136 ACSR 26; [2019] QCA 027

February 2019, Appellate, Corporate Insolvency & Bankruptcy, Corporations, Commercial Equity

Parbery & Ors v QNI Metals Pty Ltd & Ors [2018] QSC 249

November 2018, Corporate Insolvency & Bankruptcy

Parbery & Ors v QNI Metals & Ors [2018] QSC 245

October 2018, Corporate Insolvency & Bankruptcy

Inquest into the death of Joshua Ryan Stais

October 2018, Inquiries & Coronial Inquests

Parbery & Ors v QNI Metals Pty Ltd & Ors [2018] QSC 213

September 2018, Corporate Insolvency & Bankruptcy

Inquest into the death of Jay Maree Harmer

August 2018, Inquiries & Coronial Inquests

Kadam v MiiResorts Group 1 Pty Ltd (No 5)(2018) 129 ACSR 74; [2018] FCA 1086

July 2018, Class Actions, Commercial Equity, Corporations, International, Land Law & Property

Children's Health Queensland Hospital and Health Service v AT & Anor[2018] QSC 147

July 2018

Chibanda v Chief Executive, Queensland Health & Anor[2018] QSC 128

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

The Health Ombudsman v NLM[2018] QCAT 164

June 2018, Professional Discipline & Regulatory

Inquest into the death of Zachary Holstein

June 2018, Inquiries & Coronial Inquests

Parbery v QNI Metals Pty Ltd & Ors[2018] QSC 141

June 2018, Corporate Insolvency & Bankruptcy, Commercial Equity

Parbery v QNI Metals Pty Ltd & Ors[2018] QSC 121

May 2018, Corporate Insolvency & Bankruptcy, Corporations, Commercial Equity

Parbery v QNI Metals Pty Ltd & Ors (2018) 358 ALR 88; (2018) 127 ACSR 582; [2018] QSC 107

May 2018, Commercial Equity, Corporate Insolvency & Bankruptcy, Contract, Corporations

Hytch v O'Connell[2018] QSC 75

April 2018, Judicial Review & Administrative

Lock the Gate Alliance Ltd v Chief Executive under the Environmental Protection Act 1994[2018] QSC 22

February 2018, Judicial Review & Administrative, Resources & Energy

Lock the Gate Alliance Ltd v The Minister for Natural Resources and Mines[2019] 1 Qd R 1

February 2018, Judicial Review & Administrative, Resources & Energy

The Thistle Company of Australia Pty Ltd v Bretz[2018] QCA 6

February 2018, Professional Negligence, Building & Construction

Health Ombudsman v Dalziel[2017] QCAT 442

December 2017, Judicial Review & Administrative, Professional Discipline & Regulatory

Inquest into the death of Rodney Roy Jacobs

November 2017, Inquiries & Coronial Inquests

Musgrave v The Central and Northern Queensland Regional Parole Board[2017] QSC 271

November 2017, Judicial Review & Administrative

Fulmer v Thompson & Ors (No 2)[2017] QSC 256

November 2017, Contract, Corporations

Inkerman Station Pty Ltd as trustee for the Inkerman Station Trust v Allan & Ors (No 2)[2017] QSC 243

October 2017, Judicial Review & Administrative, Land Law & Property

***Parbery & ors v QNI Metals Pty Ltd & ors* [2017] QSC 231**

October 2017, Corporate Insolvency & Bankruptcy

***Palmer v Parbery* [2017] QCA 238**

October 2017, Appellate, Corporate Insolvency & Bankruptcy

***Paskins v Hail Creek Coal Pty Ltd* [2018] 2 Qd R 518**

September 2017, Professional Negligence, Insurance

***Kadam v MiiResorts Group 1 Pty Ltd (No 4)* (2017) 252 FCR 298; [2017] FCA 1139**

September 2017, Class Actions, Commercial Equity, Corporations, International, Competition & Consumer

***Kadam v MiiResorts Group 1 Pty Ltd (No 3)* [2017] FCA 1138**

September 2017, Class Actions, Commercial Equity, Corporations, Competition & Consumer, International

***Paskins v Hail Creek Coal Pty Ltd & Anor* [2017] QSC 190**

September 2017, Employment & Industrial

***Inkerman Station Pty Ltd as trustee for the Inkerman Trust v Allen* [2017] QSC 147**

July 2017, Judicial Review & Administrative

***Fulmer v Thompson & Ors* [2017] QSC 119**

June 2017, Contract, Corporations, Competition & Consumer

***Knight v Workers' Compensation Regulator* [2017] QSC 99**

June 2017, Judicial Review & Administrative

***Carrette v Superannuation Complaints Tribunal* [2017] FCA 640**

June 2017, Appellate, Judicial Review & Administrative, Insurance

Inquest into the death of Leila Michelle Trott

March 2017, Inquiries & Coronial Inquests

Inquest into the death of ES

February 2017, Inquiries & Coronial Inquests

***Qld Cooper Shale Pty Ltd v Minister for Natural Resources and Mines* (2016) 220 LGERA 92; [2016] QCA 352**

December 2016, Appellate, Judicial Review & Administrative, Resources & Energy

***Connor v Queensland Rail Ltd* [2016] QSC 270**

November 2016, Employment & Industrial, Judicial Review & Administrative, Insurance

***Annie Street JV Pty Ltd v MCC Pty Ltd & Ors* [2016] QSC 268**

November 2016, Building & Construction, Judicial Review & Administrative

***Kadam v MiiResorts Group 1 Pty Ltd* [2016] FCA 1205**

October 2016, Class Actions, Corporations, Commercial Equity

Inquest into the death of Mark Anthony Plumb

August 2016, Inquiries & Coronial Inquests

Trustees of the Property of Morris (Bankrupt) v Morris (Bankrupt)[2016] FCA 846

July 2016, Corporate Insolvency & Bankruptcy

Pointon & Ors v Oaks Hotels & Resorts Limited & Ors[2016] QSC 152

July 2016, Contract

Inquest into the death of James Patrick Talbot

July 2016, Inquiries & Coronial Inquests

Robinson Helicopter Company Incorporated v McDermott(2016) 331 ALR 550; (2016) 90 ALJR 679; [2016] HCA 22

June 2016, Appellate, Professional Negligence, Competition & Consumer

R v Ban [2016] QCA 41

February 2016, Appellate

Qld Cooper Shale Pty Ltd & Qld Cooper Energy Pty Ltd & Qld Shale Gas Pty Ltd v Minister for Natural Resources and Mines [2015] QSC 360

December 2015, Judicial Review & Administrative, Resources & Energy

Inquest into the death of John Michael Spence

November 2015, Inquiries & Coronial Inquests

Robinson Helicopter Company Incorporated v McDermott[2015] HCATrans 274

October 2015, Appellate, Professional Negligence, Competition & Consumer

Inquest into the death of a 13 year old girl (P)

October 2015, Inquiries & Coronial Inquests

Agripower Australia Ltd v Queensland Engineering & Electrical Pty Ltd[2015] QSC 268

September 2015, Building & Construction, Contract, Judicial Review & Administrative

Ban v Loxton (No.2) [2015] QDC 154

June 2015, Appellate

Ban v Loxton (on behalf of Queensland Police Service)[2015] QDC 123

May 2015, Appellate

Inquest into the death of Mark Geoffrey Bayliss

April 2015, Inquiries & Coronial Inquests, Professional Negligence

Markan v Queensland Police Service[2015] QCA 22

February 2015, Judicial Review & Administrative, Appellate

Dept. of Justice & Attorney-General Offender Debt Recovery Scheme v Richardson[2015] QCATA 8

January 2015, Judicial Review & Administrative, Appellate

York Civil Pty Ltd v BHP Billiton Mitsui Coal Pty Ltd[2014] FCA 1422

December 2014, Building & Construction, Resources & Energy, Appellate

McDermott v Robinson Helicopter Company Incorporated[2014] QCA 357

November 2014, Appellate, Professional Negligence, Competition & Consumer

Mowburn Nominees v Palfreyman [2014] QSC 289

November 2014, Judicial Review & Administrative

Turnbull v State of Queensland [2014] QCA 240

September 2014, Judicial Review & Administrative, Appellate

Caltex Refineries (Qld) Pty Ltd v Allstate Access (Australia) Pty Ltd[2014] QSC 223

September 2014, Building & Construction, Judicial Review & Administrative, Contract

McDermott & Ors v Robinson Helicopter Company (No 2)[2015] 1 Qd R 295

August 2014, Professional Negligence, Competition & Consumer

Department of Education, Training and Employment v HS[2014] QCAT 387

July 2014, Judicial Review & Administrative

Salary Packaging Australia Pty Limited v Andropov[2014] QSC 167

July 2014, Commercial Equity, Corporations, Intellectual Property

McDermott v Robinson Helicopter Company[2014] QSC 34

March 2014, Insurance, Professional Negligence, Competition & Consumer

Forsyth & Ors v Haraba Pty Ltd t/a Brisbane Gateway Resort (No 2)[2013] QCAT 708

December 2013, Judicial Review & Administrative, Land Law & Property, Contract

Maycock v Queensland Parole Board[2015] 1 Qd R 408

November 2013, Judicial Review & Administrative

Clampett v Attorney-General of Queensland[2013] QCA 325

October 2013, Appellate, Judicial Review & Administrative

Re Skyring [2013] QSC 137

July 2013, Judicial Review & Administrative

Kosteska v Magistrate Manthey & Anor[2013] QCA 105

May 2013, Appellate, Judicial Review & Administrative

DHG v State of Queensland (Represented by the Department of Justice and Attorney-General)[2015] 2 Qd R 201

April 2013, Employment & Industrial

Paroz v Paroz [2011] HCATrans 205

August 2011, Appellate, Commercial Equity

Lockwood v Barnes [2011] QDC 084

June 2011, Inquiries & Coronial Inquests

Triple C Furniture and Electrical Pty Ltd v Rural and General Insurance Ltd[2011] HCATrans 125

May 2011, Insurance, Appellate, Professional Negligence

Heslop v Secretary, Department of Families, Housing, Community Services and Indigenous Affairs[2010] FCA 1345

November 2010, Appellate, Judicial Review & Administrative

Johnson v Triple C Furniture & Electrical P/L [2012] 2 Qd R 337; (2010) 243 FLR 336; [2010] QCA 282

October 2010, Insurance, Appellate, Professional Negligence

EXPERIENCE

Matthew's experience includes:

- appearing for the chief scientist of the Queensland Forensic Laboratory at the Commission of Inquiry into Forensic DNA Testing
- appearing in a five-week Supreme Court trial of claims arising from the design and construction of a biomass-powered cogeneration power plant
- appearing in a Commercial List trial against Clive Palmer and his companies, which arose from the collapse of Queensland Nickel, led by Doyle KC and Sullivan KC (as his Honour then was), with Matthew Doyle.
- appearing (unled against silk), for the State of Queensland, in a Supreme Court challenge to a decision to keep a convicted murderer in solitary confinement, on the basis that the decision infringed the prisoner's human rights
- appearing (unled against silk), for the State of Queensland, in a high-profile challenge to the Shark Control Program conducted in the Great Barrier Reef Marine Park
- appearing (unled) for the family of one of the deceased, in the Coronial Inquest into the deaths of four people on the Thunder River Rapids Ride at Dreamworld
- appearing for Robinson Helicopter Corporation in a successful nine-week trial (led by Newton KC and then Bain KC), on intermediate appeal (led by Bain KC), and on successful appeal to the High Court of Australia (led by Doyle KC).
- appearing (led and alone against silk) for the owners of the Sheraton Mirage Resort, defending a Federal Court class action brought by 46,000 claimants said to be the victims of the world's biggest Ponzi Scheme (the Pearls Investment Fund, India)
- appearing (unled against silk) in a week-long Supreme Court trial, for the plaintiff, in a commercial dispute

arising from a share sale agreement

- appearing (unled against silk) in a week-long Supreme Court trial, for the defendant, in a case involving claims of breach of trust and knowing receipt
- appearing (unled against silk) in proceedings for orders in the Supreme Court's *parens patriae* jurisdiction, to authorise the urgent medical treatment of children
- appearing for the Attorney-General (led by E Wilson KC, as her Honour then was) to successfully resist an application to set aside Coronial findings into the disappearance of Bowen schoolgirl, Rachel Antonio
- appearing as Counsel Assisting the State Coroner at inquests into deaths in custody.
- appearing for the convicted murderer of Tiahleigh Palmer, at an inquest into her death, before the Deputy State Coroner.
- appearing unled in arbitral proceedings concerning a dispute arising from the construction of major infrastructure projects.
- appearing in arbitral proceedings concerning soft commodities producers, their marketing agent, and complex forward pricing mechanisms (led by Traves KC).

More examples (grouped by category) follow.

ADMINISTRATIVE LAW

> Appearing for the Queensland Chief Health Officer in challenges to mandatory vaccination health directions arising from the COVID-19 pandemic

> Appearing for the Department of Corrective Services in a human rights challenge to a convicted murderer's prolonged detention in solitary confinement

> Appearing for the Queensland Department of Agriculture & Fisheries as the respondent to an environmental group's high-profile challenge to the long-running Shark Control Program in the Great Barrier Reef Marine Park.

> Appearing for the Attorney-General of Queensland, as an intervener, in successfully resisting an application to set aside high-profile Coroner's findings into the disappearance of Bowen schoolgirl Rachel Antonio in 1998.

> Appearing for the Minister for Natural Resources and Mines, in a case concerning the proper construction of the *Land Act*.

> Appearing in and successfully resisting an appeal to the Queensland Court of Appeal (led by the Solicitor-General), on behalf of the Minister for Natural Resources and Mines, in a case concerning a decision to refuse exploration permits under the *Mineral Resources Act*.

> Appearing for the Queensland Department of Primary Industries to resist an application for judicial review of a decision to impose quarantine notices on a significant cattle grazing property.

> Appearing for the operator of the John Flynn Private Hospital to resist an urgent mandatory injunction to compel it to reinstate the credentials of a suspended practitioner.

> Appearing for the Premier of Queensland, the Honourable Campbell Newman MP, to respond to and resist summonses to appear as a witness, filed by alleged members of an outlaw motorcycle gang.

APPEALS

- > Appearing and successfully resisting an appeal from a decision in the Commercial List of the Supreme Court of Queensland, to grant freezing orders against Clive Palmer and his companies, arising from the liquidation of Queensland Nickel.
- > Appearing in a successful appeal to the High Court of Australia (led by Doyle KC) for *Robinson Helicopter Company Incorporated*, the US manufacturer of the R22 helicopter, in defence of a \$70+ million product liability claim (having succeeded at first instance in an 8-week supreme court trial (with Newton KC and, then, Bain KC), and having appeared on appeal (with Bain KC)).
- > Appearing (unled against silk) in and successfully resisting an appeal to the Queensland Court of Appeal against a decision to dismiss a claim for professional negligence brought against engineers who had designed and supervised the construction of a service station.
- > Appearing in and successfully resisting an appeal to the Queensland Court of Appeal, on behalf of the Minister for Natural Resources and Mines, in a case concerning a decision to refuse exploration permits under the *Mineral Resources Act*.
- > Appearing in and successfully resisting an appeal to the Queensland Court of Appeal, on behalf of an insurer, in a case concerning a decision to decline cover and the application of s 54 of the *Insurance Contracts Act*.

BANKRUPTCY & INSOLVENCY

- > Appearing (with Doyle KC, then Sullivan KC, leading Rae of counsel) for the Special Purpose Liquidators of Queensland Nickel, in proceedings against Clive Palmer and various of his companies, including successfully obtaining freezing orders against them.
- > Appearing in the Court of Appeal for the Special Purpose Liquidators of Queensland Nickel, in an appeal brought by Clive Mensink.
- > Appearing for Aurizon, in the Federal Court of Australia, in connection with the appointment of special purpose liquidators to Queensland Nickel.
- > Advising liquidators appointed to a very high-profile insolvent company, in respect of pre-litigation steps.
- > Appearing in the Federal Court of Australia, on behalf of trustees in bankruptcy, in a case concerning entitlements to amounts paid from superannuation funds of which the bankrupt's deceased husband had been a member.

BUILDING & CONSTRUCTION

- > Appeared in a five-week trial concerning the design and construction of a biomass powered power station

- > Appeared in a two-week international arbitration (unled against silk) for the successful claimant in a case concerning the design and construction of a significant piece of public infrastructure
- > Appeared in a four-week domestic arbitration (unled against silk) for the defendant in case concerning the design and construction of a significant piece of public infrastructure
- > Successfully appeared (unled against silk) in a three-day trial and appeal in a professional negligence claim brought against engineers, concerning the design and supervision of construction of a service station.
- > Acting (unled against silk) in interstate arbitral proceedings concerning the construction of major infrastructure.
- > Acting for the liquidators of a construction company to defend subcontractors' charges proceedings.
- > Acting for *Built Environs WA Pty Ltd* in a \$20m plus claim brought against *Perth Airport Pty Ltd* in the Supreme Court of Western Australia, concerning the expansion of the Perth Airport.
- > Advising joint venturers during steps preliminary to the commencement of arbitration concerning a dispute over the construction of significant public infrastructure.
- > Appearing for a contractor in an arbitration concerning a \$1+ billion dispute over the construction of significant resources infrastructure.
- > Appearing successfully for *Caltex Australia* in a proceeding for review of an adjudication decision under the *Building and Construction Industry Payments Act (Qld)*.
- > Appearing for *Bechtel*, in the Federal Court of Australia, in defending a breach of contract and misleading and deceptive conduct claim arising from the construction of the South Walker Creek coal preparation plant upgrade.
- > Appearing in the Queensland Supreme Court to successfully resist an application for review of an adjudication decision under the *Building and Construction Industry Payments Act (Qld)*.
- > Appearing for an electrical engineer in a proceeding concerning entitlement to payment under the *Building and Construction Industry Payments* because of allegations of an unlawful contract.

COMMERCIAL

- > Appearing (unled against silk) for the successful plaintiff in a 5-day trial in the Supreme Court of Queensland, concerning the breach of a share sale agreement, which involved complex forensic accounting experts' evidence.
- > Appearing for *Oaks Hotels & Resorts* in a proceeding against a former executive officer, arising out of alleged breaches of contract and fiduciary duties.
- > Appearing for the owner of the Sheraton Mirage Resort, in defence of a class action brought in the Federal Court of Australia by 46,000 Indians who said that more than \$9 billion they had invested in an alleged "Ponzi" scheme established in India, had been used to purchase various assets (including the resort).
- > Appearing in an arbitration for a contractor engaged in the constructions of an LNG pipeline, in a contractual

dispute with a plant and equipment subcontractor.

> Appearing for *Seabird Aviation Australia* in proceedings concerning a contractual dispute over intellectual property rights.

> Appearing in arbitration for the growers' body of a major soft commodity, concerning a contractual dispute over futures trading and soft commodity hedging.

> Advising a mid-tier national law firm in respect of obligations arising as between partners on their merger with an international partnership.

> Appearing in a 5-day trial in the Supreme Court of Queensland for defendants to a breach of fiduciary duty and knowing receipt claim.

COMMISSIONS & INQUESTS

> Appearing at the Commission of Inquiry into Forensic DNA Testing in Queensland (Sofronoff KC)

> Appearing for Queensland Health and others at the inquest into the deaths of three indigenous women, from rheumatic heart disease, at Doomadgee

> Appearing as Counsel Assisting in inquests, into deaths in custody, conducted by the State Coroner.

> Appearing in the inquest into the deaths of four people at Dreamworld.

> Advising parties called before the *Disability Royal Commission*.

> Advising parties called before the *Royal Commission into Aged Care Quality and Safety*.

> Appearing for the State of Queensland in the *Royal Commission into Institutional Responses to Child Sex Abuse*.

> Appearing in and advising a party called before the *Barrett Adolescent Centre Commission of Inquiry*.

> Appearing in and advising a party before the *Queensland Organised Crime Commission of Inquiry*.

> Appearing for parties called before the *Royal Commission into the Home Insulation Program*.

> Appearing for an engineer in an inquest into a death related to privacy screens that had become unfixed from a high-rise building during a storm.

> Appearing for The Wesley Hospital, the Bundaberg Friendly Society Private Hospital, the Darling Downs Hospital and Health Service, the Lady Cilento Children's Hospital and another, in inquests into unexpected or complicated deaths.

> Appearing for the Queensland Police Service in an inquest into a death following an aborted police pursuit.

- > Appearing for the Central Queensland Hospital and Health Service in an inquest into the death in custody of a prisoner.
- > Appearing for the Queensland Ambulance Service in an inquest into the death of a person with a disability.
- > Appearing for the convicted murderer of Tiahleigh Palmer at an inquest into her death, before the Deputy State Coroner.

EMPLOYMENT & INDUSTRIAL

- > Appearing for entities in proceedings in the Queensland Industrial Relations Commission concerning action taken by the Regulator under the *Work Health and Safety Act*.
- > Appearing at trial (unled against Crow KC, as his Honour then was) in a Supreme Court negligence action arising from an industrial accident at the Hail Creek mine, who sought to argue that its employee's employment had been transferred *pro hac vice*.
- > Appearing for the Worker's Compensation Regulator to resist an application for declaratory relief in respect of entitlement to persist with common law rights to sue for damages.
- > Appearing for the State of Queensland, to resist an application to enjoin publication of an unrecorded conviction under the *Work Health and Safety Act 2011*.

HEALTH LAW

- > Appearing at trial to successfully defend a medical negligence proceeding brought against a hospital and specialist doctor.
- > Appearing in Supreme Court proceedings for a hospital accused of failing to make a timely cancer diagnosis.
- > Appearing for the Children's Health Queensland Hospital and Health Service on an application to the Supreme Court of Queensland in its *parens patriae* jurisdiction for urgent orders permitting and facilitating medical treatment of a child, to which the child's parents objected on religious and cultural grounds.
- > Appearing for various health services on applications to the Family Court of Australia for orders permitting and facilitating the medical treatment of children experiencing gender dysphoria.
- > Appearing for The Wesley Hospital, the Bundaberg Friendly Society Private Hospital, the Darling Downs Hospital and Health Service, the Lady Cilento Children's Hospital, and another, in inquests.
- > Acting in various proceedings for doctors and hospitals defending professional negligence allegations.
- > Appearing for the operator of the John Flynn Private Hospital to resist an urgent mandatory injunction to compel it to reinstate the credentials of a suspended practitioner.
- > Appearing for and against the Office of the Health Ombudsman in disciplinary proceedings brought against

medical professionals.

HUMAN RIGHTS

> Appearing for the State of Queensland (unled against silk) to resist a Supreme Court challenge to a decision to keep a convicted murder in solitary confinement, brought on the basis that doing so constituted an infringement of the prisoner's human rights.

INSURANCE

> Appearing for various underwriters at Lloyds of London in Supreme Court proceedings concerning decisions to decline indemnity under policies of insurance.

> Advising an aviation insurer in respect of its liability to indemnify under various policies of insurance.

> Advising a United States-based manufacturer of agricultural equipment in respect of product liability proceedings commenced against them in Queensland.

> Advising insurers regarding liability to indemnify following major flooding events in Queensland in 2011.

PROFESSIONAL NEGLIGENCE

> Successfully appearing in a Supreme Court trial for a hospital and specialist doctor accused of medical negligence.

> Acting for an engineer in defence of Supreme Court proceedings regarding allegations of negligent certification of building works.

> Successfully appeared (unled against silk) in a three-day trial and appeal in a professional negligence claim brought against engineers, concerning the design and supervision of construction of a service station.

> Appearing for an engineer in an inquest into a death related to privacy screens that had become unfixed from a high-rise building during a storm.

> Appearing for The Wesley Hospital, the Bundaberg Friendly Society Private Hospital, the Darling Downs Hospital and Health Service, the Lady Cilento Children's Hospital and another, in inquests into unexpected or complicated deaths.

PROPERTY

> Appearing (pro bono) on a successful application for rent review, on behalf of residents of a mobile housing estate.

> Advising hoteliers in pre-litigation strategy in respect of rent review dispute.

> Advising a commercial landowner in respect of issues arising from its encroachment over neighbouring property.

> Advising a commercial landowner in respect of the establishment of a claim for adverse possession.

RECOMMENDATIONS

Australian Financial Review's "Best Lawyers in Australia":

- 2025 – Commercial Law, Construction & Infrastructure Law, Insolvency & Reorganization Law, Litigation, Professional Malpractice Litigation and Public Law.
- 2024 – Commercial Law, Construction & Infrastructure Law, Insolvency & Reorganization Law, Litigation and Professional Malpractice Litigation.
- 2021-23 – Commercial Law, Construction & Infrastructure Law, Insolvency & Reorganization Law, Litigation
- 2020 – Commercial Law, Construction & Infrastructure Law, Litigation
- 2019 – Construction & Infrastructure Law

Doyle's Guide to the Australian Legal Profession – *Leading Commercial Litigation & Dispute Resolution Barristers:*

- Leading Junior Counsel (Queensland, 2024)
- Leading Junior Counsel (Queensland, 2021-2022)
- Recommended Junior Counsel (Queensland, 2018-2020 & 2023)

Doyle's Guide to the Australian Legal Profession – *Leading Insolvency & Restructuring Barristers:*

- Recommended Junior Counsel (Queensland, 2018-2024)

Doyle's Guide to the Australian Legal Profession – *Leading Construction Barristers:*

- Leading Junior Counsel (Queensland, 2024)
- Recommended Junior Counsel (National, 2024)
- Recommended Junior Counsel (National, 2023)
- Preminent Junior Counsel (Queensland, 2023)
- Leading Junior Counsel (Queensland, 2022)
- Recommended Junior Counsel (National, 2021)
- Leading Junior Counsel (Queensland, 2021)
- Recommended Junior Counsel (National, 2020)
- Leading Junior Counsel (Queensland, 2020)
- Recommended Junior Counsel (Queensland, 2019)
- Recommended Junior Counsel (Queensland, 2018)
- Leading Junior Counsel (Queensland, 2017)
- Recommended Junior Counsel (Queensland, 2016)

Legal 500 (Asia Pacific) – *Leading Junior Counsel Construction, Infrastructure & Planning*

- 2024 – *“Matthew is not only a very good lawyer, excellent on his feet and a fine advocate, he is very easy to work with and is completely unflappable”*
- 2023 – *“...very good on his feet, technically very strong and very pragmatic”*.
- 2022 – *“Matthew is an excellent advocate. His persuasive oratory and written communications skills set him apart from other barristers in his field. He is a trusted and safe pair of hands. Over and above this, Matthew is a pleasure to work with and brings a level of calm to even the most fraught matters.”*

APPOINTMENTS

2019 to Present Member, Australian Bar Association Futures Committee

2018 to Present Member, QUT Law School Advisory Group

2017 to Present Advisory Board, Queensland Conservatorium Griffith University

2016 to 2017 President, St Edmund's College Old Boys Association

2012 to 2018 External Inspector, under the Corrective Services Act 2006 (Qld).

2012 to Present Presenter, Bar Practice Course, Bar Association of Queensland.

2012 to 2017 Mentor to Undergraduate Law Students, QUT Career Mentor Scheme.

2010 to Present Guest Presenter, Practical Legal Training course, QUT

2010 to 2017 Board, Breast and Prostate Cancer Association of Qld.

1998 to 2010 Executive Producer, Artistic Director and Member, The Ten Tenors.

2000 to 2001 Ipswich Arts Foundation, Executive Committee Member

1998 Queensland Conservatorium, Griffith University Advisory Council

1998 Queensland Conservatorium, Griffith University Standing Committee

1998 Griffith University Student Representative Council - Faculty Representative

MEMBER

Australian Bar Association

Bar Association of Queensland

EDUCATION

Master of Laws (Candidate) - UQ

Bachelor of Laws (Hons) - QUT

Graduate Diploma of Legal Practice - QUT

Bachelor of Arts (Political Science) - UQ

Master of Music - QUT

AWARDS

2021 Medal of the Order of Australia (OAM)

2001 Commonwealth Centenary Medal

PUBLICATIONS

Persuasive Legal Writing: The Importance of Document Design and Typography

August 2022

Judicial Review No Replacement for QLD Industrial Magistrates Court

March 2021, Judicial Review & Administrative

Commercial Mediations - Strategies and Tips to Achieve the Best Outcome for Your Client

October 2020

In My Court: Magistrate MacKenzie of the Coroners Court

October 2020, Inquiries & Coronial Inquests

Coronial Inquests and the Coroners Act 2003 (Qld)

September 2020, Inquiries & Coronial Inquests

Commissions of Inquiries and Coronial Inquests - perspectives from the bench and each side of the Bar Table

July 2020, Inquiries & Coronial Inquests

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

Beyond Googlies & Cricket: India and Australia Trade, Investment, and Successful Dispute Resolution

November 2019, Arbitration, International

Diamond in the Rough: Finding Value In and Maximising Prospects in Disputes Through Mediation

June 2019, Banking, Building & Construction, Commercial Equity, Contract, Corporate Insolvency & Bankruptcy, Corporations, Employment & Industrial, Insurance, Intellectual Property, Land Law & Property, Media & Defamation, Professional Discipline & Regulatory, Professional Negligence, Resources & Energy

Medical treatment for children - when do court orders become necessary?

May 2019, Insurance, Professional Negligence

The Happy Lawyer Happy Life Podcast

March 2017

Estoppel in the name of the Law!

July 2016, Building & Construction

Section 54 – Where are you?

October 2011, Insurance

Book Review: Health Law in Australia

February 2011, Professional Negligence

In Defence of Non-payment: Neumann Contractors Pty Ltd v Traspunt No. 5 Pty Ltd [2010] QCA 119

September 2010, Building & Construction

Liability limited by a scheme approved under professional standards legislation