

MATTHEW JONES KC

YEAR OF CALL: 2009 | YEAR OF SILK: 2023

Matthew has over fifteen years' experience as a barrister, having previously been trained as a solicitor by market leading litigators. He is known for his strategic and commercial approach to litigation, spanning very substantial resources litigation to joint venture and business disputes.

He was listed as "Preeminent" junior counsel in Doyle's Guide in the areas of Commercial Litigation & Dispute Resolution and Insolvency and as "Leading" in Arbitration and Construction and Infrastructure. In his first year after taking silk, Matthew was listed as "Leading" in Insolvency and Restructuring and "Recommended" in Litigation and Dispute Resolution. Matthew is also recognised in the fields of Alternative Dispute Resolution and Insolvency & Reorganization Law and Litigation by *The Best Lawyers* in Australia.

Matthew's practice focuses primarily on resources, building & construction, shareholder disputes, professional negligence and insolvency. He also has strong practices in insurance, intellectual property, banking & finance and property matters. His referring solicitors include top tier national and international firms, interstate firms, Crown agencies and numerous mid-tier and smaller firms.

In the pro bono sphere, Matthew is a past president of LawRight Inc, the former Chair of the Queensland Legal Assistance Forum, and the Chair of the Bar Association of Queensland Access to Justice and Pro Bono Committee. He regularly performs pro bono casework and attends a number of direct access services, particularly for refugee, elderly or indigenous clients, with an increasing guardianship practice.

Matthew is also a keen proponent of alternative dispute resolution, with an increasing practice as mediator. He holds a Certificate in Adjudication in relation to security for payment legislation, has post-graduate qualifications in arbitration and is a Fellow of the Chartered Institute of Arbitrators.

AREAS OF PRACTICE

Appellate, Arbitration, Banking, Building & Construction, Class Actions, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, Insurance, Intellectual Property, International, Judicial Review & Administrative, Land Law & Property, Resources & Energy, Succession.

LEVEL

TWENTY
SEVEN

CHAMBERS



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CASES

***Palmer v Palmer* [2024] QCA 263**

December 2024, Appellate, Commercial Equity, Corporate Insolvency & Bankruptcy, Corporations

***Sagar Pty Ltd & another v HPT 4 Services Pty Ltd & others* [2024] QDC 227**

December 2024, Contract, Commercial Equity

***ACN 097 011 188 Pty Ltd & Ors v Alphapharm Pty Ltd* [2024] QDC 74**

August 2024, Corporations, Corporate Insolvency & Bankruptcy

***Connelly (liquidator) v Papadopoulos, in the matter of TSK QLD Pty Ltd (in liq)* [2024] FCA 888**

August 2024, Corporate Insolvency & Bankruptcy

***Price v Friebe & Ors* [2024] QSC 157**

July 2024, Competition & Consumer

***BDXN v Minister for Home Affairs* [2023] FCA 951**

August 2023, Judicial Review & Administrative, Human Rights & Discrimination

***TJ v The Public Trustee of Queensland & Anor* [2023] QCA 158**

August 2023, Human Rights & Discrimination

***Enkelmann & Ors v Stewart & Anor* [2023] QCA 155**

August 2023, Appellate

***Enkelmann & Ors v Stewart & Anor* [2023] QSC 111**

May 2023, Land Law & Property

***Cameron v Cameron & others* [2023] QSC 61**

March 2023, Commercial Equity, Land Law & Property

***Drake v PKF (Gold Coast) Pty Ltd & Anor* [2023] QSC 45**

March 2023, Professional Negligence

***AXQ18 v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCA 195**

March 2023, Judicial Review & Administrative

***VRM Global Holdings Pty Ltd v Savannah AG Research Pty Ltd (Administrators Appointed), in the matter of Savannah AG Research Pty Ltd* [2023] FCA 131**

February 2023, Corporations

***VSI v The Public Guardian & Ors* [2023] QCATA**

February 2023, Human Rights & Discrimination

TJ v Public Trustee of Queensland & Anor [2022] QCATA

November 2022, Human Rights & Discrimination

Commonwealth of Australia v Rose Training Australia Pty Ltd [2022] FCA 36

February 2022, Professional Discipline & Regulatory, Competition & Consumer

PKF (Gold Coast) Pty Ltd & Anor v Drake [2021] QSC 326/i>

December 2021, Professional Negligence

Holman v Brisbane Roar Football Club Pty Limited [2021] QDC 300

November 2021, Insurance

Re Gulf Aboriginal Development Company Ltd [2021] QSC 310/i>

November 2021, Corporate Insolvency & Bankruptcy

Drake v PKF (Gold Coast) Pty Ltd & Anor [2021] QCA 83

April 2021, Corporate Insolvency & Bankruptcy

Bremner v Bremner & Ors [2020] QSC 374

December 2020, Corporations

Wylie v Orchard (No 2) [2020] QDC 315

December 2020, Contract

Rolleston Coal Holdings Pty Ltd v ICRA Rolleston Pty Ltd [2020] QSC 352

November 2020, Contract

Rolleston Coal Holdings Pty Ltd v ICRA Rolleston Pty Ltd [2020] QSC 331

November 2020, Contract

LM Investment Management Ltd (receiver apptd) (in liq) v Drake & Ors [2020] QSC 265

August 2020, Corporations

Wylie v Orchard [2020] QDC 86

May 2020, Contract

Waterford PPG Pty Ltd v Civil Constructors (Aust) Pty Ltd [2020] QSC 8

February 2020, Building & Construction

LM Investment Management Ltd (receiver apptd) (in liq) v Drake & Ors [2019] QSC 281

November 2019, Corporations

The Trustee For Hardev Property (Deve 10) Unit Trust v Palgrove Holdings Pty Ltd & others [2019] QSC 208

August 2019, Building & Construction

CRG [2019] QCAT

June 2019, Professional Discipline & Regulatory

John Hopkins Financial Services Pty Ltd v De Lene & Anor[2018] QDC 252

December 2018, Contract

Johnson v Minister for Home Affairs [2018] FCA 1940

November 2018, Judicial Review & Administrative

Oceltip Pty Ltd v Noble Resources Pte Ltd & Ors[2018] QSC 317

September 2018, Resources & Energy, Contract

Johnson v George [2018] QSC 140

June 2018, Succession

Garda Capital Ltd v Herron Todd White (Sydney) Pty Ltd[2018] QSC 079

April 2018, Contract

Bexalaw Pty Ltd (in liq)[2018] 3 Qd R 322

February 2018, Corporate Insolvency & Bankruptcy

Bloomfield & Grainger & Anor[2018] FamCA 36

January 2018, Corporate Insolvency & Bankruptcy, Land Law & Property

Tri-Star Petroleum Company v Australia Pacific LNG Pty Ltd[2017] QSC 136

June 2017, Resources & Energy

Ennis v Credit Union Australia [2017] FCCA 549

March 2017, Competition & Consumer

Mouglalis v Bendigo and Adelaide Bank Ltd[2017] FCAFC 47

March 2017, Appellate, Corporate Insolvency & Bankruptcy

Grainger & Bloomfield[2015] FamCA 32

January 2017, Corporate Insolvency & Bankruptcy, Land Law & Property

Oceltip Pty Ltd v Noble Resources Pte Ltd[2016] QSC 246

October 2016, Resources & Energy

Sanderson v Bank of Queensland Ltd[2016] QCA 137

May 2016, Appellate, Competition & Consumer, International, Judicial Review & Administrative

Bradshaw v Griffiths [2016] QCA 20

February 2016, Appellate, Land Law & Property

Grainger & Bloomfield[2015] FamCAFC 221

November 2015, Corporate Insolvency & Bankruptcy, Land Law & Property

FKP Residential Developments Pty Ltd v the Body Corporate for Ridges Peregrin Springs [2015] QCATA 141

September 2015, Appellate, Judicial Review & Administrative, Land Law & Property

Re Bulwinkel Enterprises Pty Ltd [2015] QSC 112

May 2015, Corporate Insolvency & Bankruptcy, Corporations

Donzenac Pty Ltd v MCV Enviroworks Pty Ltd [2015] FCA 361

April 2015, Intellectual Property

Promoseven Pty Ltd v Markey, in the matter of Bluechip Development Corporation (Cairns) Pty Ltd (in Liquidation) (Receivers and Managers Appointed) [2015] FCAFC 12

February 2015, Appellate, Corporate Insolvency & Bankruptcy, Corporations

Julstar Pty Ltd v Hart Trading Pty Ltd [2014] FCAFC 151

November 2014, Appellate, Competition & Consumer

J M Kelly (Project Builders) Pty Ltd v Toga Development No. 31 Pty Ltd (No 6) [2014] QSC 262

October 2014, Building & Construction, Contract

Promoseven Pty Ltd v Markey, in the matter of Bluechip Development Corporation (Cairns) Pty Ltd (in Liquidation) (Receivers and Managers Appointed) [2013] FCA 1281

November 2013, Corporate Insolvency & Bankruptcy, Corporations

Filmana Pty Ltd v Tynan [2013] QCA 256

September 2013, Appellate, Contract

AWX Constructions Pty Ltd v IDH Modular Pty Ltd & Anor [2013] QSC 218

August 2013, Building & Construction, Contract

Bank of Queensland Ltd v Chartis Australia Insurance Ltd [2013] QCA 183

July 2013, Appellate, Insurance

Citypoint (Hotels) Pty Ltd v AIB Pty Limited [2012] QCA 126

May 2012, Contract, Land Law & Property

Julstar Pty Ltd v Hart Trading Pty Ltd [2013] FCA 1359

May 2012, Competition & Consumer

Essential Beauty Franchising Pty Ltd v Essential Beauty (Qld) Pty Ltd [2012] FCA 12

January 2012, Contract

Walker v Government of the Republic of Vanuatu [2011] FCAFC 138

November 2011, Appellate, International

McElligott v Boyce [2011] QCA 117

June 2011, Corporate Insolvency & Bankruptcy

Swanbank Industrial Park Pty Ltd & Anor v RD Catelan Investments Pty Ltd as trustee for RDC Trust & Anor [2010] QSC 354

September 2010, Land Law & Property

EXPERIENCE

Representative examples of Matthew's broad experience include:

RESOURCES & ENERGY

- > Acting for the plaintiff in a major resources dispute concerning ownership of and rights to coal seam gas leases.
- > Acting for the plaintiff in relation to a disputed coal mining royalty.
- > Acting for a government agency in relation to the production and protection of confidential documents in a major mine dispute.
- > Acting for a global miner in disputes against a joint venture partner.

BUILDING & CONSTRUCTION

- > Acting in proceedings upholding or challenging adjudicators' decisions, particularly those turning on the interpretation of the Queensland Building and Construction Commission Act 1991.
- > Acting for a project builder in a substantial claim against a developer/owner of a coastal resort for variations, delay damages and other relief and separately for a developer of a mixed use site against a builder.
- > Acting for a contractor in an arbitration against a major mining infrastructure firm, including variation and programming disputes.
- > Advising and acting for a major Australian not-for-profit organisation in relation to damage to an inner-city building.

PROFESSIONAL NEGLIGENCE

- > Acting for a valuer in a negligence claim brought by a managed investment scheme and separately for a valuer in a claim arising from the collapse of an international investment group.
- > Acting for receivers in a public examination in relation to the examinable affairs of the responsible entity of a managed investment scheme.
- > Acting for a national firm of solicitors in defence of professional negligence proceedings brought by the

receivers of former property developer.

> Professional negligence claims for and against solicitors, financial planners, surveyors, quantity surveyors, and other professionals, including advice as to pending and potential class actions.

INSOLVENCY & BANKRUPTCY

> Acting in the advancement, and defence, of numerous unfair preference and uncommercial transaction proceedings.

> Advising on and appearing in proceedings seeking judicial advice on behalf of liquidators and receivers.

> Appearing in Full Court proceedings concerning interpretation of certain provisions of the Bankruptcy Act 1966.

> Acting for liquidators in proceedings (including appellate proceedings) concerning disputed adjudications of proofs of debt.

> Acting in proceedings seeking the winding up of companies on various grounds, including at appellate level.

> Provision of advice to creditors of insolvent companies and of bankrupt estates as to their rights and remedies.

BANKING & FINANCIAL SERVICES

> Acting for a court-appointed receiver in an action against former directors of a registered managed investment scheme.

> Acting for a bank in a financial services class action.

> Acting for banks and credit unions in recovery actions against borrowers and guarantors.

> Acting for guarantors in defence of recovery actions by lenders, including banks and mezzanine lenders.

REGULATORY & ADMINISTRATIVE

> Acting for a bank in defence of regulatory proceedings brought by ASIC.

> Appearing at examinations under s 19 of the ASIC Act.

> Acting in a number of judicial review applications under the Migration Act 1958.

> Advice to solicitors and to their insurers as to the proper response to early stage claims.

INSURANCE

> Acting for a government agency in claims for allegedly deficient electricity supply and consequential loss.

- > *Acting for the insurer of a horticultural enterprise in relation to allegedly deficient products.*
- > *Acting for insureds (including a bank, farmers and builders) in disputes as to the extent of cover under policies of insurance, including at appellate level.*
- > *Acting for insurers in subrogated recovery actions.*
- > *Acting in a proceeding for a receiver against an insurer for declaratory relief under the Insurance Contracts Act 1984.*

BUSINESS DISPUTES

- > *Acting in claims (including expert determination proceedings) seeking specific performance or enforcement of business contracts.*
- > *Acting for franchisors and franchisees (including at appellate level).*
- > *Advice as to the proper construction and enforcement of body corporate service agreements, sponsorship agreements, business service agreements, property development agreements/joint venture agreements and other forms of contractual relationships and acting in proceedings arising from those disputes.*
- > *Prosecuting and defending oppression actions and applications to wind up companies on the just and equitable ground, and joint venture disputes.*

INTELLECTUAL PROPERTY

- > *Acting for a grower in Federal Court proceedings under the Plant Breeders' Rights Act 1994.*
- > *Advising on and acting in numerous claims for the protection of confidential information and other intellectual property rights.*
- > *Advising on and acting in trade mark and patent infringement proceedings.*

MEDIATION

- > *As a party representative in many proceedings, including resources claims, proceedings brought under the Property Law Act 1974, business disputes, guarantee claims, family provision claims, commercial elements of matrimonial property disputes and professional negligence claims, among others.*
- > *As mediator in guarantee, commercial lease, loan recovery, family provision, franchising and employment claims.*

PUBLICATIONS

Matthew is a regular presenter and writer on the law of construction, insolvency and professional negligence as well as on the mechanisms of Alternative Dispute Resolution and pro bono work. Examples topics he covers include:

Strategies for a Successful Mediation

Drafting deeds and settlement agreements

Evidence in Queensland – Thomson Reuters Practical Law paper (with Andrew Crowe QC and Max Walker)

Mediation and ADR in Queensland – forthcoming Thomson Reuters Practical Law paper (with Andrew Crowe QC and San-Joe Tan)

RECOMMENDATIONS

Doyle's Guide to the Australian Legal Profession

Administrative & Public Law (Australia) – 2021 'Leading'

Arbitration (Australia) – 2017-23 'Leading'

Construction & Infrastructure (QLD) – 2020-22 'Recommended'; 2023 'Leading'

Commercial Litigation (QLD) – 2018-19 & 2021 'Leading'; 2017, 2020 & 2024 'Recommended'; 2022-23 'Preeminent'

Insolvency & Restructuring (QLD) – 2023 'Preeminent'; 2019, 2021-22 'Recommended'; 2020, 2018 & 2024 'Leading'

Australian Financial Review Best Lawyers®

2025 – Recognised in Alternative Dispute Resolution, Insolvency & Reorganisation Law and Litigation

2022-24 – Recognised in Alternative Dispute Resolution and Insolvency & Reorganisation Law

2020 – Recognised in Insolvency and Reorganisation Law

APPOINTMENTS

2016 *Nationally Accredited Mediator*

2020-present *Chair of Bar Association of Queensland Access to Justice and Pro Bono Committee*

2017-2020 *Queensland Legal Assistance Forum: Chair, Bar Association of Queensland nominee, Member of the*

Mental Health Service Planning Working Group

2009-present *LawRight Inc (previously the Queensland Public Interest Law Clearing House / QPILCH):
President 2017-2019, Member of Management Committee 2011-2020, Member of Fundraising & Engagement
Subcommittee 2023-present*

2013-present *Honorary Solicitor to the Sri Lanka Society of Queensland Inc*

MEMBER

Professional Member of the Resolution Institute (Nationally Accredited Mediator)

Fellow of the Chartered Institute of Arbitrators

Member of the Access to Justice Committee of the Federal Law Section of the Law Council of Australia

Member of LawRight

Professional Member of ARITA

CAREER

2009-present *Barrister*

2006-2009 *Solicitor (Tucker & Cowen)*

EDUCATION

2022 *University of Melbourne, Master of Laws*

2018 *Certificate in Adjudication (pursuant to the Building and Construction Industry Payments Act 2004)*

2017 *Professional Certificate in Arbitration (Adelaide)*

2016-2017 *CiArb, Diploma in International Commercial Arbitration*

2005 *University of Queensland, Bachelor of Laws (Honours IIA)*

2004 *Monash University, Master of Diplomacy and Trade*

2002 *University of Queensland, Bachelor of Arts (Double Major in German)*

AWARDS

2017 Professional Certificate in Arbitration Achievement of Excellence Award

2004 Monash University Prize for Top Graduating Student in Master of Diplomacy and Trade

2004 University of Queensland, Vice Chancellor's Scholarship

2004 French Department of Foreign Affairs Student Exchange Scholarship

PUBLICATIONS

The "momentous" UK Supreme Court Decision on Directors Duties in Respect of Creditors' Interests You Need to Know About

December 2022, Corporate Insolvency & Bankruptcy, Corporations

Mediation Strategies

July 2021, Commercial Equity, Land Law & Property, Tax

So, you're telling me there's a chance: the preparation and presentation of claims for loss of opportunity damages

May 2020, Corporations, Contract

Strategies for a Successful Mediation

September 2019, Contract, Commercial Equity, Corporations

Liability limited by a scheme approved under professional standards legislation