MATTHEW WILKINSON

YEAR OF CALL: 2016

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Matthew practices in commercial law and public law.

He advises and appears in a wide range of commercial matters concerning commercial contracts, negligence, malicious prosecution and false imprisonment and other torts, defamation, banking and finance, corporations, and real property disputes.

His public law practice includes advising and appearing for applicants and government and administrative decision-makers in merits review proceedings, judicial review proceedings, disciplinary matters, and parliamentary inquiries and commissions of inquiry.

He has appeared unled or as a junior counsel in the Supreme Court of Queensland, the Queensland Court of Appeal, the District Court of Queensland, the Magistrates Court of Queensland, the Federal Court of Australia, the High Court of Australia, and in the Queensland Civil and Administrative Tribunal.

Before joining the Bar, Matthew was a commercial litigation solicitor for six years at a Brisbane firm.

Matthew graduated from the University of Queensland in 2009 with degrees in Arts and Law (1st Class Honours).

AREAS OF PRACTICE

Appellate, Banking, Commercial Equity, Competition & Consumer, Contract, Corporations, Employment & Industrial, Inquiries & Coronial Inquests, Judicial Review & Administrative, Land Law & Property, Media & Defamation, Professional Discipline & Regulatory, Professional Negligence, Succession.

CASES

TLAS Pty Ltd as trustee for the TLAS Trust v Arrowes Roading Safety Pty Ltd **[2026] FCA 1356**
September 2026, Competition & Consumer, Contract

Belot v The Independent Assessor & Anor **[2026] QCAT 208**
May 2026, Professional Discipline & Regulatory

Irving v Pfingst (No 2) **[2025] QSC 224**
September 2025, Human Rights & Discrimination

Dawson v State of Queensland (Department of the Premier and Cabinet) **[2025] QIRC 109**
May 2025, Employment & Industrial

Dawson v State of Queensland **[2025] QSC 3**
January 2025, Judicial Review & Administrative

McEwan v Commissioner of Taxation **[2024] QSC 70**
May 2024, Judicial Review & Administrative

McEwan v The Commissioner of Taxation **[2024] QSC 2**
March 2024, Judicial Review & Administrative

Mpwerempwer Aboriginal Corporation RNTBC v Minister for Territory Families & Urban Housing as Delegate of the Minister for Environment & Anor **[2024] NTSC 4**
January 2024, Judicial Review & Administrative

Flori v Winter & Ors [No 3] **[2023] QCA 229**
November 2023, Judicial Review & Administrative, Human Rights & Discrimination

McGee v Independent Assessor & Anor **[2023] QCA 225**
November 2023, Judicial Review & Administrative, Professional Discipline & Regulatory

Crime and Corruption Commission v Carne **[2023] HCA 28**
September 2023, Judicial Review & Administrative

Aurizon Network Pty Ltd v Queensland Competition Authority & Anor **[2023] QSC 167**
July 2023, Competition & Consumer

Independent Assessor v FJS **[2023] QCAT 244**
July 2023, Professional Discipline & Regulatory

Flori v Winter & Ors **[2023] QDC 110**
June 2023, Judicial Review & Administrative, Human Rights & Discrimination

Assistant Commissioner Maurice Carless & Anor v Johnson; State of Queensland (Queensland Police Service) v Cousins **[2023] QCA 29**
March 2023, Judicial Review & Administrative

Crime and Corruption Commission v Carne **[2022] HCATrans 225**
December 2022, Appellate

McEwan v The Commissioner of Taxation **[2022] QSC 279**
December 2022, Intellectual Property, Professional Negligence, Professional Discipline & Regulatory, Corporate Insolvency & Bankruptcy

Carne v Crime and Corruption Commission **[2022] QCA 141**
August 2022, Appellate, Judicial Review & Administrative

William Johnson v Assistant Commissioner Maurice Carless & Anor **[2022] QSC 146**
July 2022, Judicial Review & Administrative

Anthony v Commissioner of the Queensland Police Service **[2022] QSC 124**
May 2022, Judicial Review & Administrative

McEwan v The Commissioner of Taxation of the Australian Taxation Office and Ors **[2022] QSC 81**
May 2022, Intellectual Property, Professional Negligence, Professional Discipline & Regulatory, Corporate Insolvency & Bankruptcy

Mizikovsky v Berkley & Ors **[2021] QSC 294**
November 2021, Media & Defamation

Irving v Pfingst & Anor **[2021] QCA 280**
March 2021, Appellate, Human Rights & Discrimination

The Body Corporate for 39 on Scenic CTS 41029 v Queensland Building and Construction Commission & Anor **[2021] QCAT 34**
January 2021, Professional Discipline & Regulatory

Independent Assessor v Councillor Counduct Tribunal & Anor **[2020] QSC 316**
October 2020, Judicial Review & Administrative

Irving v Pfingst **[2020] QSC 280**
September 2020, Appellate, Human Rights & Discrimination

BWP Management Limited & Anor v Ipswich City Council **[2020] QCA 104**
May 2020, Land Law & Property

New Emerald Coal Pty Ltd v Manlam Pty Ltd **[2019] QLC 43**
November 2019, Land Law & Property, Resources & Energy

Ipswich City Council v BWP Management Limited & Anor **[2019] QLAC 1**
June 2019, Appellate, Land Law & Property

EXPERIENCE

Matthew's experience at the bar includes:

Appellate

> Appearing in the High Court of Australia (led by Peter Dunning KC and with Sarah Spottiswood) for the Crime and Corruption Commission in an appeal concerning its powers to publicly report and parliamentary privilege: *Crime and Corruption Commission v Carne* [2023] HCA 28; (2023) 97 ALJR 737.

> Appearing in the High Court of Australia (led by Scott McLeod KC) in special leave proceedings concerning alleged malicious prosecutions: *Irving v Pfingst & Anor,* B3/2022.

> Acting in special leave proceedings in the High Court of Australia (led by Scott McLeod KC and with Renee Berry): *Shelton v The Information Commissioner & Anor,* B31/2020.

> Appearing in the Queensland Court of Appeal (led by Scott McLeod KC) in an appeal about alleged reprisals under the *Public Interest Disclosure Act 2010* (Qld): *Flori v Winter & Ors* [2023] QCA 229

> Appearing in the Queensland Court of Appeal (led by Stephen Keim SC) for the Independent Assessor in an appeal concerning disciplinary proceedings against a local councillor and an alleged abuse of process: *McGee v Independent Assessor & Anor* [2023] QCA 225

> Appearing in the Queensland Court of Appeal (led by Scott McLeod KC) for the Queensland Police Service in an appeal concerning the validity of police disciplinary proceedings commenced under the *Police Service Administration Act 1990* (Qld): *Assistant Commissioner of Police v Johnson* (2023) 13 QR 612; [2023] QCA 29.

> Appearing in the Queensland Court of Appeal (led by Peter Dunning KC) for the Crime and Corruption Commission in an appeal concerning its powers to publicly report and parliamentary privilege: *Carne v Crime and Corruption Commission* [2022] QCA 141; (2022) 11 QR 334; (2022) 405 ALR 166.

> Appearing in the Queensland Court of Appeal (led by Scott McLeod KC) for a police officer and the State of Queensland concerning alleged malicious prosecutions: *Irving v Pfingst & Anor* [2021] QCA 280.

> Appearing in the Queensland Court of Appeal (led by Roger Traves KC) for the Ipswich City Council concerning rating categories under the Local Government Act 2009 (Qld): *BWP Management Limited & Anor v Ipswich City Council* (2020) 4 QR 353; [2020] QCA 104.

Public Law

> Appearing in the Supreme Court of the Northern Territory (led by Scott McLeod KC) concerning the judicial review of a decision to grant a thirty-year water licence: *Mpwerempwer Aboriginal Corporation RNTBC v Minister for Territory Families & Urban Housing as Delegate of the Minister for Environment & Anor and Arid Lands Environment Centre Inc v Minister for Environment & Anor* [2024] NTSC 4.

> Appearing in the Supreme Court of Queensland (unled) for an Assistant Commissioner of the Queensland Police Service in judicial review proceedings concerning the validity of police disciplinary proceedings: *William Johnson v Assistant Commissioner Maurice Carless & Anor* [2022] QSC 146.

> Appearing in the Supreme Court of Queensland (unled) for the Commissioner of the Queensland Police Service in judicial review proceedings concerning the appointment of a police officer to an officer in charge position: *Anthony v Commissioner of the Queensland Police Service* [2022] QSC 124.

> Advising and acting for Queensland integrity and anti-corruption agencies concerning parliamentary inquiries, commissions of inquiry, and other public inquiries and reviews.

> Appearing in the Supreme Court of Queensland (led by Peter Dunning KC) for the Crime and Corruption Commission concerning the power to publish reports of its investigations and issues of parliamentary privilege: *Carne v Crime and Corruption Commission* [2021] QSC 228.

> Appearing in the Supreme Court of Queensland (led by Scott McLeod KC) for the Councillor Conduct Tribunal concerning the powers of the Independent Assessor: *Independent Assessor v Councillor Conduct Tribunal & Anor* (2020) 6 QR 163; [2020] QSC 316

> Advising about judicial review proceedings relating to a decision under the *Extradition Act 1988* (Cth).

> Advising (led by Peter Dunning KC) about proceedings in the original jurisdiction of the High Court of Australia for relief under section 75 of the *Constitution* against the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs.

> Appearing in the Federal Court of Australia (led by Scott McLeod KC) for a registered training organisation in judicial review proceedings: *Site Skills Group Pty Ltd v Administrative Appeals Tribunal* [2019] FCA 1970.

> Advising and acting for a local council (led by Roger Traves KC) concerning investigating complaints made to the Crime and Corruption Commission.

Merits review

> Advising and appearing (unled) for the Office of the Independent Assessor in councillor disciplinary matters in the Queensland Civil and Administrative Tribunal.

> Advising and appearing (unled) for a building certifier in disciplinary proceedings in the Queensland Civil and Administrative Tribunal.

> Appearing in the Administrative Appeals Tribunal (led by Scott McLeod KC) for a registered training organisation in merits review proceedings: *Site Skills Group Pty Ltd and Australian Skills Quality Authority* [2020] AATA 4805; *Site Skills Group Pty Ltd and Australian Skills Quality Authority* [2019] AATA 1870.

> Acting for a civil contractor in relation to show cause notices issued by the Federal Safety Commissioner.

Media and Defamation

> Advising and appearing (unled and as junior counsel) for plaintiffs and defendants in defamation proceedings in the Supreme Court of Queensland, District Court of Queensland, and the Federal Court of Australia.

> Appearing in the Federal Court of Australia (led by Rob Anderson KC) for a commercial broadcaster relating to a broadcast of “A Current Affair”: *Cockburn v Nine Network Australia Pty Ltd & Ors*, QUD 282/2020.

> Advising and appearing (unled) for plaintiffs and defendants in defamation disputes in relation to body corporate matters.

> General advice to plaintiffs and defendants about defamation claims and pre-litigation steps and procedures

Negligence

> Acting (unled) in the District Court of Queensland for the State of Queensland in a claim for damages relating to the contamination of a school sports oval with asbestos: *State of Queensland v El-Paso Farms (A Firm) & Ors*, BD3532/23 (ongoing).

> Acting (unled) in the District Court of Queensland for the State of Queensland in a claim for damages relating to the alleged contamination of school buildings: *State of Queensland v Acclaim Airconditioning Pty Ltd*, BS3629/23 (ongoing).

> Acting (unled) in solicitor's professional negligence proceedings in the District Court of Queensland: *Riddell v Rees R & Sydney Jones*, BD923/22.

> Advising clients generally on negligence claims.

Other torts

> Acting in Supreme Court of Queensland proceedings (both unled and led by Scott McLeod KC) for the State of Queensland in a claim for damages for an alleged reprisal under the *Public Interest Disclosure Act 2010* (Qld): *Anthony v State of Queensland*, BS13804/23 (ongoing) (unled); *Dawson v State of Queensland*, BS1044/24 (ongoing).

> Appearing in the Supreme Court of Queensland (led by Scott McLeod KC) for a member of the Queensland Police Service and the State of Queensland in proceedings for malicious prosecution and false imprisonment: *Irving v Pfingst & Anor* [2020] QSC 280 (ongoing).

> Advising and appearing (unled) for the State of Queensland in several proceedings for malicious prosecution, false imprisonment, and assault and battery brought against members of the Queensland Police Service: *Love v State of Queensland*, BD122/24 (ongoing); *Lawson v State of Queensland*, BD2761/21 (ongoing); *Ofili v State of Queensland*, BD724/21.

> Acting in Supreme Court of Queensland proceedings (led by Scott McLeod KC) for the State of Queensland concerning a multi-million dollar claim for damages arising from an alleged malicious prosecution and false imprisonment: *Peros v Elkins & State of Queensland*, BS4073/23 (ongoing).

> Appearing in the Supreme Court of Queensland (led by Scott McLeod KC) for members of the Queensland Police Service in relation to alleged reprisals under the *Public Interest Disclosure Act 2010* (Qld): *Flori v Winter & Ors* [2023] QDC 110.

> Advising and appearing (led by Ben Ihle KC and with Oliver Cook) for the Commissioner of Taxation and Commonwealth prosecutors in proceedings for malicious prosecution and misfeasance in public office: *McEwan v Commissioner of Taxation*, BS971/2022.

> Advising (unled) the State of Queensland in the District Court of Queensland in negligence proceedings relating to damage to underground sewerage works.

> Appearing in the Supreme Court of Queensland (led by Damian Clothier KC) in proceedings relating to encroachments and trespass to land: *Body Corporate for Portside Wharf Community Titles Scheme 36242 v Hercules Northshore Pty Ltd*

, BS5970/16.

Banking and finance

> Advising (both as junior counsel and led by Michael Hodge KC) about potential breaches of lenders of the *Banking Code of Practice*.

> Acting (unled) for lenders concerning the preservation and enforcement of their security and in proceedings to recover possession of real property.

Corporations and insolvency

> Advising and appearing (unled) for liquidators in the Supreme Court of Queensland in a dispute over ownership of heavy machinery: *Cleartree Recycling Pty Ltd (In Liq) & Anor v Blinco & Ors*, BS11704/17.

> Advising and appearing (unled) for liquidators at public examinations conducted under the *Corporations Act 2001* (Cth), and acting for witnesses at public examinations.

> Advising and acting generally in relation to winding up proceedings.

> Advising and acting generally in relation to proceedings to set aside creditor's statutory demands issued under the *Corporations Act 2001* (Cth).

Other contractual and commercial disputes

> Advising and appearing (unled) in the Supreme Court of Queensland for the executors of a deceased estate in proceedings for their removal under the *Trusts Act 1973* (Qld): *Cobiere and Monks v Dulley & Ors*, SB5581/13.

> Acting (unled) for plaintiffs and defendants in proceedings for misleading or deceptive conduct and for breach of statutory guarantees under the *Australian Consumer Law*.

> Acting in Supreme Court of Queensland proceedings (as junior counsel) for a medical services provider about alleged breaches of contract and fiduciary duty.

> Advising and acting for chief executive officer concerning recovery of unpaid performance bonuses.

> Advising real estate agency businesses about the misuse of their confidential information by former employees and advising on their liability for unpaid commission benefits to those employees.

> Advising and appearing (unled) in Supreme Court of Queensland proceedings about a commercial leasing dispute and promissory estoppel claims.

> Advising and appearing (unled) in Magistrates Court of Queensland proceedings about a stay of proceedings under the *Commercial Arbitration Act 2013* (Qld).

> Advising generally about potential breaches of the contractual disclosure provisions of the *Land Sales Act 1984* (Qld).

> Advising generally about the preparation of “informal wills” under the *Succession Act 1981* (Qld).

Land law

> Advising and appearing (unled) in Supreme Court of Queensland proceedings about the removal of encroachments under the *Property Law Act 1974* (Qld).

> Advising and appearing (as junior counsel and unled) in proceedings in the Land Court of Queensland about the compensation for the compulsory acquisition of land.

> Appearing in the Land Appeal Court of Queensland (led by Roger Traves KC) for Ipswich City Council concerning an appeal about ratings categories: *Ipswich City Council v BWP Management Ltd & Anor* [2019] QLAC 1.

> Advising and appearing (unled) for the Ipswich City Council in proceedings in the District Court of Queensland in relation to the recovery of rates and challenge to differential rating categories.

> Advising and appearing (led by David Chesterman KC) in the Land Court of Queensland in proceedings in relation to a caveat over mining tenements.

> Advising in relation to disputes about contracts for the sale of real property.

RECOMMENDATIONS

Doyle’s Guide

2023-26 – Leading Administrative & Public Law Barrister (QLD)

Australian Financial Review’s Best Lawyers

2027 – Defamation & Media Law, Insolvency and Reorganization Law and Public Law

2026 – Defamation & Media Law and Public Law

2025 – Defamation & Media Law

MEMBER

Bar Association of Queensland

Australian Institute of Administrative Law

Australian Association of Constitutional Law

LawRight

CAREER

2016 Barrister

2010-2016 Associate, HopgoodGanim Lawyers, Brisbane

2013-2014 Guest Lecturer, “Civil Procedure”, T. C. Beirne School of Law, University of Queensland

EDUCATION

2009 Bachelor of Arts / Bachelor of Laws (Hons I), University of Queensland

PUBLICATIONS

Notes for a Scandal: is it worthwhile & how to justify what is said in defamation cases
March 2019, Media & Defamation

Companies behaving badly: winding up on grounds other than in insolvency
May 2017, Corporate Insolvency & Bankruptcy

Liability limited by a scheme approved under professional standards legislation