MOHAMMUD JAAMAE HAFEEZ-BAIG

YEAR OF CALL: 2018



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Jaamae has a broad practice encompassing all areas of commercial and public law. He has particular expertise in private law, including:

- civil fraud and equity and trusts—he is a co-author of *The Law of Tracing* (Federation Press, 2021); and
- restitution of unjust enrichment—he appeared in the most recent High Court case in that area (*Redland City Council v Kozik*) and teaches Restitution of Unjust Enrichment on the BCL at the University of Oxford.

His notable recent instructions include:

- *G Global & ors v Commissioner of State Revenue* (HCA, 2025)—external affairs power, inconsistency between State and Commonwealth law, and the acquisition of property on just terms.
- *Redland City Council v Kozik* [2024] HCA 7; (2024) 98 ALJR 544—unjust enrichment, defences to unjust enrichment, recovery of *ultra vires*

Jaamae has an international practice. In addition to advising on Australian law and appearing in Australian proceedings, he practises at the English Bar in London. His notable recent instructions in that capacity include a United Kingdom Supreme Court appeal, six Privy Council appeals, and “Top 20” trials for 2022, 2024, and 2025.

Jaamae has published articles in English and Australian law journals, and he is a member of the author team for *Civil Procedure Queensland* (LexisNexis). His work has been cited by the English High Court (Commercial Court), the New South Wales Court of Appeal, the Full Court of the Federal Court of Australia, and the Singapore Court of Appeal. Prior to coming to the Bar, Jaamae was the Associate to the Hon Justice Patrick Keane AC (HCA), the Hon Justice John Bond (QSC), and the Hon Justice Peter Lyons (QSC).

In London, Jaamae practises from Brick Court Chambers.

AREAS OF PRACTICE

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

CASES

Redland City Council v. Kozik & Ors **[2024] HCA 7**
March 2024, Appellate

The Presbyterian Church of Queensland Incorporated by Letters Patent v Attorney-General for the State of Queensland **[2021] QSC 219**
August 2021, Corporate Insolvency & Bankruptcy

The Presbyterian Church of Queensland Incorporated by Letters Patent v Attorney-General for the State of Queensland **[2021] QSC 136**
June 2021, Corporations, Corporate Insolvency & Bankruptcy

Val Eco Homes Pty Ltd (in liq) v Jason Hall t/a JHL Lawyers **[2020] QDC 301**
November 2020, Corporate Insolvency & Bankruptcy

Val Eco Homes Pty Ltd (in liq) v Jason Hall t/a JHL Lawyers **[2020] QSC 301**
November 2020, Corporations

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

Sanrus Pty Ltd v Monto Coal 2 Pty Ltd (No 7) **[2019] QSC 241**
September 2019, Contract, Resources & Energy

Sanrus Pty Ltd v Monto Coal 2 Pty Ltd (No 4) **[2019] QSC 199**
August 2019, Resources & Energy, Contract

EXPERIENCE

Experience includes:

> advising court-appointed receivers of the property of the Presbyterian Church of Queensland and acting for those receivers in proceedings in the Supreme Court of Queensland;

> appearing (led) in the Supreme Court of Queensland in a dispute involving a claim for damages for loss of opportunity arising out of a joint venture for the exploitation of a coal deposit;

> appearing (led) in the Supreme Court of Queensland and Family Court of Australia in proceedings involving jurisdictional issues as between State and Federal courts, equity and trusts, and family law;

> appearing (unled) in the Magistrates Court of Queensland and Federal Circuit Court of Australia on interlocutory applications and other interlocutory hearings;

> appearing (led) for a contractor in an expert determination concerning coal mine health and safety;

> advising (led) a national law firm on issues concerning property law and company law;

> advising (led) a local government authority on an urgent basis in relation to a dispute which raised questions of contract law, administrative law, employment law, and competition law; and

> acting (led) for a tenant in a commercial tenancy dispute in the Federal Court of Australia.

RECOMMENDATIONS

Legal 500, London Bar, Commercial Disputes

2025 – "*Jaamae is technically brilliant. He is able to distil complex legal problems simply and cut through to an issue in the way that a judge would which is to be lauded. He is very accessible and available*."

APPOINTMENTS

2019-20 Associate Editor, Oxford University Commonwealth Law Journal

2019-20 Convenor, Faculty of Law Obligations Discussion Group, University of Oxford

MEMBER

Bar Association of Queensland

Money Laundering and Sanctions Working Group - Bar Council of England & Wales

University of Queensland Law Alumni Association

CAREER

2021 Called to the Bar (England & Wales)

2018 Called to the Bar (Queensland)

2018–2019 Associate to Hon Justice Patrick Keane, High Court of Australia

2017–2018 Associate to Hon Justice John Bond, Supreme Court of Queensland

2016 Associate to Hon Justice Peter Lyons, Supreme Court of Queensland

EDUCATION

2020 Bachelor of Civil Law (with Distinction), University of Oxford (Magdalen College)

2017 Master of Laws, University of Queensland

2016 Bachelor of Laws (Hons I, University Medal), University of Queensland

AWARDS

2016 University Medal, University of Queensland

2015 Harrisonslaw Prize (subject prize for Succession Law)

2014 Ross Anderson Memorial Prize (subject prize for Constitutional Law)

2014 Dr M H M Kidwai Memorial Prize (subject prize for Administrative Law)

2014 Herbert Smith Freehills Prize (subject prize for Contract Law)

2014 McCullough Robertson Prize

PUBLICATIONS

The Quincecare Duty in Australian Law
December 2023, Banking, Commercial Equity, Corporations

Persuasive Legal Writing: The Importance of Document Design and Typography
August 2022

Tracing, Mixing, and Innocent Claimants (2020)0(0) MLR 1-15
December 2020, Corporate Insolvency & Bankruptcy

The Law of Tracing
December 2020, Commercial Equity, Corporate Insolvency & Bankruptcy

Appeals: When is a Trial Judge "Wrong"?
October 2020, Appellate

The Interaction of the Statutory Right of Action in Rem and the Cross-Border Insolvency Act 2008 (Cth)
April 2018, Corporate Insolvency & Bankruptcy, Shipping

Recovery of Upkeep Costs, Claims for Loss of Autonomy and Loss of Genetic Affinity
April 2018, Professional Negligence

The Liability of Search Engine Operators in Defamation: Issues relating to Publication and Qualified Privilege
March 2018, Media & Defamation

Navigating the Waters Between Admiralty and Cross-Border Insolvency
January 2018, Shipping

Appellate Guidance on Pleading Quantum Meruit Claims
December 2017, Appellate

An Inconsistency in the Canadian Law of Adverse Possession
November 2017, International

Re-thinking the Requirement for a 'Recognisable Psychiatric Illness' in the Law of Negligence
November 2017, Professional Negligence

'Lack of Consent' as an Unjust Factor
October 2017, Contract

Disclosure of Trust Information: Discretionary or Principle-Based Jurisdiction
September 2017, Commercial Equity

A Novel Approach to Foreign Maritime Liens
July 2017, Shipping

The Supreme Court Rectifies a Wrong Turn in Canadian Law
June 2017, International

Arbitration and Abuse of Process
June 2017, Arbitration

Claims Relating to Possession of a Ship
May 2017, Shipping

Liability of Search Engine Providers in Defamation
May 2017, Media & Defamation

Putting the 'Protection' in 'Temporary Protection Visa'
December 2016, Judicial Review & Administrative

Liability limited by a scheme approved under professional standards legislation

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