

































































# MOHAMMUD JAAMAE HAFEEZ-BAIG

YEAR OF CALL: 2018

Jaamae has a broad commercial and public law practice, which encompasses equity and trusts, civil fraud and asset recovery claims, contract law, administrative law, constitutional law, corporations law, consumer law, insolvency, and succession law. He has particular expertise in:

- 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:

- appearing for the Attorney-General of Queensland in the High Court of Australia in *Redland City Council v Kozik*, which raised a number of issues in the law of unjust enrichment relating to the recovery of *ultra vires* taxes; and
- advising and acting for the court-appointed receivers of the property of the Presbyterian Church of Queensland in relation to proceedings in the Supreme Court of Queensland and in relation to the receivership more generally.

Jaamae has an international practice. In addition to advising on Australian law and appearing in Australian proceedings, he practises at the English Bar from Brick Court Chambers in London. His notable recent instructions in that capacity include:

- *Lonestar Communications Corporation LLC v Kaye* [2023] EWHC 421 (Comm); [2023] EWHC 732 (Comm), acting for the successful claimant in the trial of the first civil claim in England and Wales arising out of a “cyber-attack”;
- *Maharaj v The Cabinet of the Republic of Trinidad and Tobago* (*Trinidad and Tobago*) [2023] UKPC 17; [2023] 1 WLR 2870, acting for the successful appellant in the Privy Council in an important appeal relating to local government elections in Trinidad and Tobago; and
- *BTI 2014 LLC v PricewaterhouseCoopers LLP* (English High Court, Chancery Division), acting for PwC in the defence of a \$600 million auditor’s negligence claim.

With experience working as part of large teams of lawyers and experts as well as acting as sole counsel, his approachability and flexibility is appreciated by a broad mix of government entities, commercial clients and individuals. Jaamae is comfortable working from briefs in electronic or hard copy format (or a hybrid of the two) for advisory work through to complex document-heavy litigation.

LEVEL 27, 239 GEORGE ST  
BRISBANE QLD, 4000

[level27chambers.com.au](http://level27chambers.com.au)

T +61 7 3008 3927

M +61 422 884 352

[jaamae@](mailto:jaamae@level27chambers.com.au)

[level27chambers.com.au](http://level27chambers.com.au)

## 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.

## 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

Selden Society

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*