SALWA MARSH

YEAR OF CALL: 2020

Salwa practices in commercial and public law. She has particular expertise in law enforcement and regulatory work, competition and consumer law, financial services regulation and administrative law.

Prior to her call to the Bar, Salwa was a solicitor at the Australian Government Solicitor where her practice focused on ACCC and ASIC regulatory litigation and investigations. She has also worked as an Associate at White & Case LLP (London) practising in litigation and white collar crime, a Lawyer at Minter Ellison, and an Associate to the Hon. Chief Justice Patrick Keane AC in the Federal Court of Australia.

Salwa appears led and unled in state and federal courts and tribunals and has advised and appeared in commissions, inquiries, investigations and inquests. Salwa was counsel assisting in the Robodebt Royal Commission.

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AREAS OF PRACTICE

Appellate, Arbitration, Banking, Class Actions, Commercial Equity, Competition & Consumer, Contract, Corporate Insolvency & Bankruptcy, Corporations, Human Rights & Discrimination, Inquiries & Coronial Inquests, Insurance, Judicial Review & Administrative, Land Law & Property, Media & Defamation, Native Title & Cultural Heritage, Planning & Environment, Professional Discipline & Regulatory, Resources & Energy.

CASES

Australian Securities and Investments Commission v NGS Crypto Pty Ltd (No 5) **[2025] FCA 1161**
December 2025, Corporations

Ergon Energy Queensland Pty Ltd v Australian Energy Regulator **[2025] FCA 541**
May 2025, Competition & Consumer

Psychology Board of Australia v Carmichael **[2025] QCAT 9**
January 2025, Judicial Review & Administrative, Professional Discipline & Regulatory

Stillwater Pastoral Company Pty Ltd v Stanwell Corporation Ltd **[2024] FCA 1382**
December 2024, Class Actions, Competition & Consumer, Resources & Energy

Palmer v Australian Securities and Investments Commission **[2024] FCA 1167**
October 2024, Corporations, Professional Discipline & Regulatory, Judicial Review & Administrative

Pavlou v Brisbane City Council (No 2) **[2024] QDC 108**
July 2024, Appellate, Human Rights & Discrimination, Judicial Review & Administrative

Pavlou v Brisbane City Council **[2024] QDC 73**
May 2024, Appellate, Human Rights & Discrimination, Judicial Review & Administrative

Minister for Resources v Fortune Island Holding Company Limited **[2024] QLC 10**
May 2024, Land Law & Property

Commonwealth of Australia v De Pyle **[2024] FCAFC 43**
March 2024, Appellate, Human Rights & Discrimination, Media & Defamation

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

Alvoen on behalf of the Wakaman People v State of Queensland **[2023] FCA 953**
August 2023, Native Title & Cultural Heritage

Austin BMI Pty Ltd v Deputy Premier (No 2) **[2026] QSC 162**
July 2023, Judicial Review & Administrative

Burns v Chief of the Defence Force **[2023] FCA 579**
May 2023, Judicial Review & Administrative

Austin BMI Pty Ltd v Deputy Premier **[2023] QSC 95**
May 2023, Judicial Review & Administrative

Australian Competition and Consumer Commission v NQCranes Pty Ltd **[2022] FCA 1383**
November 2022, Competition & Consumer

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

Hutson v Australian Securities and Investments Commission & Anor **[2022] QSC 243**
November 2022, Corporations

Rosenbaum v Medical Board of Australia **[2022] QCAT 141**
May 2022, Professional Discipline & Regulatory

Hutson v Australian Securities and Investments Commission **[2022] QSC 68**
April 2022, Corporations

Richardson & Ors v Douglas Shire Council & Ors **[2021] QPEC 80**
December 2021, Planning & Environment

Trainor v Goodstart Early Learning Limited **[2021] 00966-CT**
November 2021, Human Rights & Discrimination

Sunland Cattle Co Pty Ltd v Kingham & Ors **[2022] QSC 287**
November 2021, Resources & Energy

Australian Competition and Consumer Commission v NQCranes Pty Ltd **[2021] FCA 1270**
October 2021, Competition & Consumer

Run Capital Investments Pty Ltd as trustee for the Mirum Trust v P5K Pty Ltd **[2021] FCA 1156**
September 2021, Contract, Commercial Equity, Corporate Insolvency & Bankruptcy

Eumundi Group Hotels Pty Ltd v Valuer-General **[2021] QLAC 2**
September 2021, Land Law & Property

Odna Group Pty Ltd v Logan City Council **[2021] QPEC 41**
August 2021, Planning & Environment

Australian Competition and Consumer Commission v Lorna Jane Pty Ltd **[2021] FCA 852**
July 2021, Competition & Consumer

Alvoen on behalf of the Wakaman People #5 v State of Queensland (No 3) **[2021] FCA 785**
July 2021, Native Title & Cultural Heritage

EXPERIENCE

Experience as junior counsel includes:

Regulatory and law enforcement work

> Appearing for the Australian Securities and Investments Commission (ASIC) and the Commonwealth Director of Public Prosecutions (CDPP) in civil proceedings commenced by white collar crime defendants, including Clive Palmer and Palmer Leisure Coolum Pty Ltd, in the Supreme Court of Queensland, the Queensland Court of Appeal, the High Court of Australia and in the Federal Court of Australia.

> Appearing (led and unled) for Commonwealth agencies, including the Department of Foreign Affairs and Trade, the Australian Federal Police and the Department of Home Affairs, in relation to public interest immunity and associated claims (including in respect of suppression and non-publication orders) in various criminal proceedings including charges relating to foreign bribery.

> Representing and advising companies, individuals and regulators (led and unled) in the course of regulatory investigations (including at examinations and in relation to the use of other compulsory powers).

> Acting and appearing in civil regulatory proceedings (most recently regarding cryptocurrency, data security, responsible lending, directors' duties, consumer protection and cartel conduct).

Public law

> Acting, appearing and advising applicants, State and Federal government departments, agencies and local governments in respect of the judicial review of government decision-making, including most recently in respect of decisions made under the *Mineral Resources Act 1989*, *Planning Act 2016*, *Nature Conservation (Protected Areas Management) Regulation 2017, Recreation Areas Management Act 2006* and the *Torres Strait Islander Land Act 1991*.

> Acting, appearing and advising government and private parties in relation to various claims made under the *Human Rights Act 2019,* including acting and appearing for the Brisbane City Council in a s 222 *Justices Act 1886* appeal raising human rights and associated constitutional arguments.

> Acting and appearing for applicants and respondents in health law regulatory matters, including in merits review, judicial review and constitutional contexts.

> Acting and appearing for the Chief Psychiatrist in Mental Health Court hearings, including in respect of serious offences and appeals from the Mental Health Review Tribunal.

Commercial law

> Acting and appearing for CS Energy in a class action alleging contraventions of s 46 (misuse of market power) of the Competition and Consumer Act 2010.

> Acting for plaintiffs in a complex multiparty insurance claim in respect of LNG contract works in central Queensland.

> Acting and appearing in oppression proceedings in the Federal Court of Australia under the *Corporations Act 2001*.

> Acting and appearing (led and unled) in various contract and insurance claims in the Supreme Court of Queensland and the Federal Court of Australia.

Commissions and inquiries

> Acting as Counsel Assisting in the inquest into the death of Matthew Baxter.

> Acting as Counsel Assisting in the inquest into the death of Barry Ellery, Miranda Meyer and Kendal Quicke (TPCH inquest).

> Acting as Counsel Assisting in the Robodebt Royal Commission.

> Acting for witnesses in commissions and inquiries, including in the Commission of Inquiry into the CFMEU and the Royal Commission into Defence and Veteran Suicide.

Native Title

> Acting for and advising applicant, government and pastoralist parties in native title proceedings in Queensland, the Northern Territory and South Australia.

RECOMMENDATIONS

Doyle's Guide to Legal Profession

2025-26 – Recommended Commercial Litigation & Dispute Resolution (Queensland)

2024-26 – Leading Administrative & Public Law Barrister (Queensland)

APPOINTMENTS

2023-present LawRight Inc (previously the Queensland Public Interest Law Clearing House / QPILCH) Management Committee

2017-2022 Brigidine College Indooroopilly - Board Director

2019-present Australian Association of Constitutional Law, Queensland Chapter - Committee Member

MEMBER

Bar Association of Queensland

LawRight

CAREER

2020 Barrister, Queensland

2016-20 Lawyer/Senior Lawyer, Australian Government Solicitor (Brisbane)

2015-16 Associate, White & Case LLP (London)

2013-14 Lawyer, MinterEllison (Brisbane)

2012 Associate to the Hon. Chief Justice Patrick Keane AC in the Federal Court of Australia

EDUCATION

2014-15 LLM (Public Law) (Dist), London School of Economics

2006-12 BA/LLB (Hons), University of Queensland

AWARDS

2017 Australian Government Solicitor Award for outstanding service to Commonwealth clients

2014-15 Stanley De Smith Prize for the best performance in Public Law in the LLM (London School of Economics)

PUBLICATIONS

Cryptocurrency and the law
June 2022, Commercial Equity, Contract

Rules of Pleading and Further and Better Particulars
June 2021

Moral obloquy or commercial autonomy? Debating statutory unconscionability
May 2020, Competition & Consumer

Liability limited by a scheme approved under professional standards legislation