

# INGRID KING

Barrister

TENTH FLOOR

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## BACKGROUND & QUALIFICATIONS

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Ingrid was admitted as solicitor in 1994 (NSW and ACT) and commenced practice as a barrister in 2012. Her practice is a mix of corporate law, inquiries, regulatory matters, environmental, property and administrative law. She frequently appears (both led and unled) in the Supreme Court, Federal Court and the Land and Environment Court.

She appears (both led and unled) at Royal Commissions and inquiries into matters of public importance. She advises government on the adequacy of policies and procedures to meet legislative requirements on a diverse range of issues. She enjoys advising in relation to the intersection of competing regulatory regimes.

Ingrid has a strong background in corporate law (including insolvency), regulatory law, and statutory interpretation. In addition, she appears in judicial review proceedings in the Federal Court. She is regularly asked to speak on topics including trusts, insolvency reform and urgent applications.

Ingrid currently teaches Compliance: Financial Services Industry at the University of Sydney. Ingrid taught Securities Regulation at UTS from 2011 through to 2020.

Ingrid has an LLM (Casework) (Hons) (UTS), and BA/LLB (ANU). She is an ARITA member and is the NSW Co-Chair of the Insolvency and Restructuring Committee of the Law Council of Australia. She is also an advocacy instructor with the Australian Advocacy Institute.

## PRINCIPAL AREAS OF PRACTICE

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Insolvency

Banking & Financial Services

Environmental Law

Commercial Law

Contracts

Property

Equity and Trusts

Judicial Review

Shareholder Disputes

Superannuation

White Collar crime

## LEGAL EXPERIENCE

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**New South Wales Bar** – 2012 to date - Barrister

**University of Sydney** – 2022 to date – Lecturer, Compliance: Financial Services Industry

**University of Technology Sydney** – 2011 to date - Lecturer, Securities Regulation

**Och-Ziff Capital Management Hong Kong Ltd** (Hong Kong) July 2006 - December 2007 - Associate-General Counsel and Head of Compliance, Asia.

**ComplianceAsia Pte Ltd** (Singapore and Hong Kong) February 2004 - May 2006 - Senior Consultant

While working in Singapore, reported to James Shipton (former ASIC Chairman) and in Hong Kong, Phillippa Allen.

**PricewaterhouseCoopers Legal** (Sydney) August 2001 - March 2003 - Senior Associate

**State Rail Authority of NSW** (Sydney) October 1998 - August 2001 - Solicitor & Acting General Counsel

**Henry Davis York**, (Sydney) April 1997 - October 1998 - Solicitor in Insurance Litigation

**Abbott Tout**, (Sydney) October 1994 - April 1997 Solicitor in Insurance Litigation managing major claims

## SELECTED CASES

*Legal Minds Pty Ltd t/as Legal Minds v Ebsworth* [2022] NSWSC 1420 (20 October 2022) Unled. Acting of the successful defendant who was the former client of the plaintiff law firm.

*Pharmaceutical Processing Technology Inc v Sci-Chem International Pty Ltd* [2021] NSWSC 1078 Led by Michael Izzo SC. An application for interim measure under Article 17J of the UNCITRAL Model Law on International Commercial Arbitration

*ACT Integrity Commission v Levy (a pseudonym)* [2022] ACTSC 240 Acting the interested party in relation to a Summons to produce a mobile phone which was the subject of a claim for privilege. Unled

*Vardy (liquidator), in the matter of Bondi Pizza Pty Ltd (in liq) v Ruck* [2022] FCA 287 (23 March 2022). Section 477(2A) approval. Unled

*DQU16 v Minister for Home Affairs* [2021] HCA 10 (7 April 2021) Pro bono judicial review proceedings in the High Court, led by Carol Webster SC.

*Mohareb v Kelso* [2021] NSWCA 103 (24 May 2021) Application for leave to appeal by an applicant who had previously been declared a vexatious litigant. Unled.

*Oikos Constructions Pty Ltd t/as Lars Fischer Construction v Ostin & Anor (No 2)* [2021] NSWCA 98 (20 May 2021) Application to vary proposed costs orders, led by Justin Doyle.

*Vardy v Linz, in the matter of Bondi Pizza Pty Ltd (in liq)* [2021] FCA 530 (18 May 2021) application by a liquidator for approval of a settlement and confidentiality orders. Unled.

*Oikos Constructions Pty Ltd t/as Lars Fischer Construction v Ostin & Anor* [2020] NSWCA 358 (24 December 2020) Home Building matter concerning the construction of the statutory warranties led by Justin Doyle.

*DQU16 & Ors v Minister for Home Affairs & Anor* [2020] HCATrans 136 (9 September 2020) (9 September 2020) Acting for a successful applicant for leave to appeal to the High Court in relation to the construction and application of the *Migration Act 1958* (Cth). Led by Carol Webster SC.

*NSW Environmental Trust v Nguyen* [2020] NSWSC 1069 (14 August 2020) Acting for the NSW Environmental Trust in a challenge to Notices to Produce and subpoenas. Unled.

*Snowy Mountains Brumby Sustainability & Management Group Incorporated v State of New South Wales and Anor* [2020] NSWLEC 92 (17 July 2020) (17 July 2020) Acting for a successful respondent to a judicial review application concerning the *Environmental Planning and Assessment Act 1979* (NSW) and the *National Parks and Wildlife Act 1974* (NSW). Led by Patricia McDonald SC.

*Apricity Finance Group Pty Ltd v Bytecan Pty Ltd (in Liq)* [2019] NSWSC 1910 (20 December 2019) Acting for a liquidator in seeking preference for a funding creditor and approval under s 477(2A).

*BMY18 v Minister for Home Affairs* [2019] FCAFC 189 (31 October 2019). Acting for a successful appellant in appealing decision that the AAT did not have jurisdiction. Unled.

*Secretary, Department of Planning and Environment v SingTel Optus Pty Ltd* [2019] NSWLEC 44 (8 April 2019). Acting for the Secretary of the Department of Planning and Environment in prosecutions for failures to disclose political donations. Led by Kristina Stern SC prior to the plea of guilty, and then unled. Including advice on whether to commence prosecutions and the identification of potential defendants.

*DQU16 v Minister for Home Affairs* [2018] FCA 1818. Acting for a successful asylum seeker seeking an extension of time to appeal a decision of the Federal Circuit Court. Unled.

*Help Save Mt Gilead Inc v Mount Gilead Pty Ltd (No 4)* [2018] NSWLEC 149. Acting for the successful Department of Planning and the Greater Sydney Commission in judicial review proceedings arising out of the making of a Local Environment Plan. Unled.

*Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry*. Acting for Club Plus Super in response to requests. Led by Anthony Cheshire SC.

*Athari v Wandell Builders Pty* [2018] NSWSC 771. Acting for the successful Defendant to an appeal from a decision of the Local Court. Proceedings dismissed in circumstances where the applicant failed to act with due dispatch. Unled.

*Pasminco Cockle Creek Smelter Pty Ltd (subject to Deed of Company Arrangement) v Minister for Planning* [2018] NSWLEC 130 (29 August 2018). Prior to the hearing in this matter I advised the Department on the interaction of the *Contaminated Land Management Act 1997* (NSW) and the *Corporations Act 2001* (Cth) in the context of a Deed of Company Arrangement following insolvency.

*Lauvan Pty Limited & Anor v Bega & Ors* [2018] NSWSC 154. Acting for the first defendant in a lending dispute where a key issue was the applicability of the *National Consumer Credit Protection Act 2009*. Unled.

*Secretary, Department of Planning and Environment v Shoalhaven Starches Pty Ltd* [2018] NSWLEC 23. Acting for the Secretary of the Department of Planning and Environment in prosecutions for failures

to disclose political donations. Issues on sentencing included the adequacy of internal policies and procedures that were claimed to prevent a re-occurrence of the criminal conduct. Unled.

*Winha Commerce and Trade International Ltd v ASX Limited* (unreported). Acting for the Applicant in judicial review proceedings. Contested interlocutory injunction obtained to restrain ASX from de-listing Winha. Unled.

*CHF16 v Minister for Immigration and Border Protection* [2017] FCAFC 192 (29 November 2017). Acting for an asylum seeker (*pro bono*) in a successful appeal before the Full Federal Court. Unled.

*REW08 Projects Pty Limited v PNC Lifestyle Investments Pty Limited* [2017] NSWCA 269, (2017) 95 NSWLR 458. Acting for a purchaser of real property where the vendor resisted orders enforcing a contract for sale alleging illegality. Led by Justin Doyle.

*PNC Lifestyle Investments Pty Limited v REW08 Projects Pty Limited* [2017] NSWSC 27. Acting for a purchaser of real property where the vendor had terminated the contract for sale of land. Led by Justin Doyle.

*Morris Finance Ltd v Brown* [2016] NSWCA 343, (2016) 315 FLR 469, (2016) 93 NSWLR 551. Acting for the successful Applicant on a motion asserting that an appeal in relation to bankruptcy was incompetent. Unled.

*In the matter of Jervois Mining Ltd* [2016] NSWSC 1650. Acting for a successful shareholder of a public company that was part of a group that had convened an extraordinary general meeting under s 249F of the *Corporations Act 2001*. Unled.

*Denning Real Estate Pty Ltd v XR Property Developments Pty Ltd* [2016] NSWCA 286. Acting for the successful Respondent in an application for leave to appeal. Unled.

*In the matter of Alsafe Security Products Pty Ltd atf the Alsafe Trust (in liquidation)* [2016] NSWSC 428. Acting for a successful liquidator in an unfair preferences recovery. Unled.

*Hasler v Singtel Optus Pty Ltd; Curtis v Singtel Optus Pty Ltd; Singtel Optus Pty Ltd v Almad Pty Ltd* [2014] NSWCA 266, (2014) 311 ALR 494; (2014) 87 NSWLR 609; (2014) 101 ACSR 167. Fiduciary duties. Issues include liability under the second limb of *Barnes v Addy*, and the assessment of equitable compensation. Led by Brian Rayment QC and J Johnson.

## INQUIRIES

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- *Independent Commission Against Corruption Operation Tolosa* (2022) Appeared for the Mayor of Canada Bay Council, who is the subject of the inquiry. Led by Craig Leggatt SC
- *Independent Commission Against Corruption Operation Witney* (2021) Appeared for a planner in relation to allegations in relation to the rezoning of land (unled)
- *Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry* (2018) Acted for Club Plus Super. Led by Anthony Cheshire SC.

- *Special Commission of Inquiry under the Charitable Fundraising Act 1991 (NSW)* (2016) - Appeared for Dr Susanne Macri, former director of RSL LifeCare Limited. Issues included the corporate governance obligations of entities and risk management.
- *Independent Commission Against Corruption Operation Credo and Operation Spicer* (2014-2017) - Appeared for Senator Arthur Sinodinos AO, led by Anthony Bannon SC, Robert Newlinds SC and Dominique Hogan-Doran SC.

## PUBLICATIONS

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'Swearing in of Jacqueline Sarah Gleeson as a Judge of the High Court of Australia' [2021] (Autumn) )  
*Bar News* <https://barnews.nswbar.asn.au/autumn-2021/104-appointments/>

'Trustee's powers of Advancement' (case note) [2016] (Spring) *Bar News* 20

'Four readers share their experience starting out at the Bar' [2016] (Summer) *Bar News* 30 (with Greg Antipas)