

Kate has a public, civil and regulatory practice, with expertise in administrative law, appellate law, Commonwealth workers', veterans' and seafarers' compensation/personal injuries law, financial services regulation, corporations law and industrial law.

Kate has appeared led and unled in federal and state jurisdictions at trial and appellate level. She practices nationally in the Federal Court of Australia, the Administrative Appeals Tribunal and the Federal Circuit Court.

In 2019, Kate was briefed to appear, led by Stephen Keim SC, in a Special Case before a Full Bench of the High Court of Australia in *Love & Thoms v Commonwealth of Australia* [2020] HCA 3. In 2018, Kate was briefed to appear, led by Patrick O'Shea QC, Jonathon Moore QC and Matthew Brady QC in *King & Ors v Australian Securities and Investments Commission* [2018] QCA 352.

Before being called to the Bar in June 2015, Kate was a Senior Solicitor in the government team of a national firm. Prior to that, she was an Associate in the Administrative Appeals Tribunal (where she now regularly appears). Kate served on the Bar Council of the Queensland Bar Association from December 2017 to December 2018. Kate currently sits on the Records Review Committee of the Board of the Queensland State Archives.

Areas of Practice

Administrative law, appellate law, Commonwealth workers' compensation, military compensation and veterans' entitlements law, corporations law, industrial law, disability, social security law and immigration law.

Cases

High Court of Australia

Thoms & Love v The Commonwealth [2020] HCA 3 (led by Stephen Keim SC and with Arron Hartnett)



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Australian Securities and Investments Commission v King [2019] HCA 104 - special leave granted (led by Jonathon Moore QC)

Federal Court of Australia

Kitchen v Director of Professional Services Review Under s 83 of the Health Insurance Act 1973 (Cth) [2019] FCA 2022 (unled against silk)

Kitchen v Director of Professional Services Review Under s 83 of the Health Insurance Act 1973 (Cth) [2019] FCA 1879 (unled against silk)

Leach v Comcare [2019] FCA 1698

Hutchinson v Comcare [2019] FCA 1440

Comcare v ZZRP [2019] FCA 952

Ascic v Comcare [2019] FCA 819

Australian Securities & Investments Commission v CFS Private Wealth Pty Ltd & Ors [2019] FCA 24

Australian Building and Construction Commission v Construction, Forestry, Maritime, Mining and Energy Union (The Bruce Highway Caloundra to Sunshine Upgrade Case) [2018] FCA 553 (led by Matthew Brady QC)

Hutchinson v Comcare [2018] FCA 505

Read v Military Rehabilitation and Compensation Commission [2018] FCA 848

Military Rehabilitation and Compensation Commission v Katterns [2017] FCA 641 (led by Philip Hack QC)

Comcare v Bromham [2017] FCA 174

BZAIW v Minister for Immigration and Border Protection [2016] FCA 1326

Queensland Court of Appeal

King & Ors v Australian Securities and Investments Commission [2018] QCA 352 (led by Patrick O'Shea QC, Jonathon Moore QC and Matthew Brady QC)

Gognos Holdings Ltd & Anor v Australian Securities and Investments Commission [2018] QCA 181 (led by Matthew Brady QC)

Supreme Court of Queensland

Gognos Holdings Ltd & Anor v Australian Securities and Investments Commission [2017] QSC 207 (led by Matthew Brady QC)

Federal Magistrates Court of Australia

Simpson Networks Trading As Melbourne School Holiday Club v Secretary, Department of Education and Training [2019] FCCA 804

BZAHE v Minister for Immigration & Anor [2015] FCCA 518

Wang v Minister for Immigration and Border Protection [2017] FCCA 590

Gill v Minister for Immigration and Border Protection [2016] FCCA 3123

Administrative Appeals Tribunal

Corporations

JSKN and Australian Securities and Investments Commission [2017] AATA 818

Commonwealth Workers' Compensation

Jenkins v Comcare [2020] AATA

Pike v Australian Capital Territory (Compensation) [2020] AATA 110

Berry v Comcare [2019] AATA 4978

Ridge v Comcare [2019] AATA 3553

O'Callaghan and Comcare [2019] AATA 2511

Ascic and Comcare [2019] AATA 2476

Dirou and Comcare [2019] AATA 2118

Mununggurr and Comcare (Compensation) [2019] AATA 1564

Onassys and Comcare [2019] AATA 1338

Thompson and Comcare [2019] AATA 714

Kucharski and Comcare [2019] AATA 265

Colley v Comcare [2019] AATA 166

Hutchinson and Comcare [2018] AATA 4357

Cremona and Comcare [2018] AATA 3598

Carlson and Telstra Corporation Limited [2018] AATA 3359

Graham v Comcare (against SC) [2018] AATA 3013

Diehm v TNT Pty Ltd [2018] AATA 2670

Barton v Comcare [2018] AATA 2582
de Gail and Comcare [2018] AATA 2309
Woodward and Comcare [2018] AATA 1835
Leach and Comcare [2018] AATA 1632
Thoreau and Comcare [2018] AATA 1517
Davitt and Telstra Corporation Limited [2018] AATA 10
Bromham and Comcare [2017] AATA 1515
Napier and Comcare [2017] AATA 1452
Ascic and Comcare [2017] AATA 1436
Cremona and Comcare [2017] AATA
Smith and Comcare [2017] AATA 1006
Young and Comcare [2017] AATA 325
Bromham v Comcare (remitted matter) [2017] FCA 174
Alam and Comcare [2017] AATA 31
Nicholson and Comcare [2016] AATA 905
THTC and Comcare [2016] AATA 884
Mitchell and Comcare [2016] AATA 871
Evans and Comcare [2016] AATA 827
Kelso v Comcare [2016] AATA 750
Drummey and Comcare [2016] AATA 738
Bromham and Comcare [2016] AATA 484
Kingsbury and Australian Postal Corporation [2016] AATA 346
Cremona and Comcare [2015] AATA 971
Kelso v Telstra Corporation Limited [2015] AATA 403

Military and Veterans' Affairs

Cooke and Military Rehabilitation and Compensation Commission [2019] AATA 1344
Katterns and Military Rehabilitation and Compensation Commission [2018] AATA 4462
Reeday and Military Rehabilitation and Compensation Commission [2017] AATA 1320

Read and Military Rehabilitation and Compensation Commission [2017] AATA 1109

Larter and Military Rehabilitation and Compensation Commission [2017] AATA 67

Read and Military Rehabilitation and Compensation Commission [2015] AATA 930

Coleman and Military Rehabilitation and Compensation Commission [2015] AATA 955

Immigration

CKLL v Minister for Home Affairs [2019] AATA

Social Security

Nash v DSS [2017] AATA 635

Love and Secretary, Department of Social Services [2016] AATA 8

Murphy and Secretary, Chief Executive Centrelink (2016/B090443) (led by Stephen Keim SC)

Secretary, Department of Social Services and Beasley [2015] AATA 924

Fortescue and Secretary, Department of Social Services [2015] AATA 970

Experience

Kate's recent experience includes:

- Appearing (led) before a Full Bench of the High Court in its original jurisdiction regarding the meaning of the word 'alien' in s 51(xix) of the Constitution
- Appearing (led) in an application for special leave to appeal to the High Court on behalf of ASIC from the decision of the Queensland Court of Appeal in *King & Ors v Australian Securities and Investments Commission* [2018] QCA 352
- Advising and appearing (led) in appellate proceedings in the Queensland Court of Appeal
- Advising and appearing (led and unled) in appellate proceedings in the Federal Court pursuant to s 44 of the *Administrative Appeals Tribunal Act 1975*, s 39B of the *Judiciary Act 1903* and the *Administrative Decisions (Judicial Review) Act 1977*
- Advising and appearing (led and unled) in winding up proceedings in the Supreme Court of Queensland and the Federal Court
- Appearing as Counsel Assisting (unled) the Commissioner of the Australian Building and Construction Commission in numerous compulsory examinations

- Advising and appearing (led and unled) in proceedings on behalf of the Australian Building and Construction Commission under the *Fair Work Act 2009* and the *Building and Construction Industry (Improving Productivity) Act 2016*
- Advising and appearing (unled) in proceedings on behalf of the Fair Work Ombudsman under the *Fair Work Act 2009*
- Advising and appearing (unled) in merits review proceedings on behalf of Comcare, the ACT Government, the Military Rehabilitation and Compensation Commission, ASIC, the Department of Education, Department of Human Services, Minister for Immigration and Border Protection, the National Disability Insurance Agency, the Repatriation Commission, Australian Air Express, Australia Post, Telstra Corporation Limited and TNT Pty Ltd Commonwealth workers' compensation/personal injuries matters in the Administrative Appeals Tribunal
- Advising and appearing (led and unled) in applications for urgent injunctions
- Advising and appearing (led and unled) in urgent stay applications
- Advising Bupa Pty Ltd on regulatory matters and preparing for its appearance at the Aged Care Royal Commission
- Advising various aged care facilities on regulatory matters
- Advising solicitors in professional disciplinary and negligence proceedings
- Advising and appearing (unled) in applications to remove parties from proceedings in the Supreme Court of Queensland
- Advising, drafting pleadings and appearing in matters (led and unled) arising from income protection, total and permanent disability and personal injuries claims
- Advising and appearing (unled) in family law proceedings in the Federal Circuit Court

Appointments

May 2016 – present	Member of the Queensland State Archives, Public Records Review Committee
May 2019 – present	Mentor, Federal Magistrate Keith Slack Memorial Prize, Family Law Mentorship Program (awarded annually to the best performing student in the unit LLB243 Family Law, QUT)
2017	Council Member, Bar Association of Queensland

Memberships and Service

Queensland Bar Association

Committee Member of the Queensland Bar Association Bar Care Committee

Committee Member of the Queensland Bar Association New Bar Committee

Convener and Mentor, Federal Magistrate Keith Slack Memorial Prize, Family Law Mentorship Program (awarded annually to the best performing student in the unit LLB243 Family Law, QUT)

LawRite

Career

December 2010 – December 2014	Senior Solicitor, Sparke Helmore Lawyers
January 2010 – December 2010	Associate, Administrative Appeals Tribunal
February 2010	Admitted as a legal practitioner

Education

2004 - 2008	Bachelor of Laws (Hons), Griffith University
2004 - 2008	Bachelor of Arts in Politics and Government, Griffith University
2009	Graduate Diploma in Legal Practice, Skills and Ethics, Griffith University

Publications and Presentations

2011	‘Easy reading is damned hard writing’, Inside Insurance
2012	‘Got a problem? DSM-V can diagnose you!’, Insurance Matters
2013	‘Comcare ruling highlights the value of common sense’ (an analysis of the High Court’s ruling in <i>Comcare v PVYW</i> (2013) 250 CLR 246), Insurance Matters
2015	‘The new look AAT; A Commonwealth Super Tribunal’, Ethos, Journal of the ACT Law Society
2015	‘The new look AAT; A Commonwealth Super Tribunal’, Proctor
2015	‘Natural justice and due process; a briefing on bias’, Proctor
2019	‘Appearing as a witness in the AAT’, Medilaw psychiatrists peer review meeting
2019	‘Arising out of, or in the course of’ employment: where does work end and life begin?’ Law Council of Australia Comcare Hot Topics Seminar December 2019

2020 'Reflections on the recent High Court Decision in *Love & Thoms*: indigenous rights and immigration law' Law Council of Australia Migration Law Conference March 2020