

NICHOLAS OWENS SC

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CAREER:

- 2016: Appointed Senior Counsel.
- 2004: Barrister, New South Wales Bar, Sydney.
- 2001-2003: Associate, Sullivan & Cromwell, New York.
- 2000: Speechwriter, the Hon. Sir William Deane, A.C. K.B.E., Governor-General of the Commonwealth of Australia, Canberra.
- 1999: Associate, the Hon. A.M. Gleeson, A.C., Chief Justice of Australia, Canberra.

ADMISSIONS:

- 2004: High Court of Australia.
- 2003: Supreme Courts of New South Wales and the Australian Capital Territory.
- 2002: New York.

EDUCATION:

- 2001: LL.M., Harvard Law School.
The Addison Brown Prize; The Joseph H. Beale Prize.
- 1999: LL.B. (Hons), The University of Adelaide.
The Stow Medal and Title of Stow Scholar; The University Medal; The Angas Parsons Prize; The Thompson Playford Prize and Medal; The John Bray Alumni Association Prize; The Law Society Centenary Prize; The R.W. Bennett Prize; The Frederick Penoyre Adams Prize; The Bar Association Prize for Evidence; The Butterworths Prize for Restitution; The Butterworths Prize for Criminal Law; The Roy Frisby Smith Prize for Associations; The Butterworths Prize for Trusts; The Butterworths Prize for Civil Procedure; The Paul Garson Prize for Property; The Butterworths Prize for Torts; The Butterworths Prize for Contract.
- 1997: B.A., The University of Adelaide.
The Sir Archibald Strong Memorial Prize for Literature.

PRACTICE:

Nicholas has a significant appellate practice, dealing with novel and complex issues across all areas of law. He regularly appears in intermediate appellate courts, and has appeared in many significant matters in the High Court of Australia, including:

- *Air New Zealand v ACCC* [2017] HCA 21
- *Amaca Pty Ltd v Ellis* (2010) 240 CLR 111
- *Amaca Pty Ltd v Booth* (2011) 246 CLR 36
- *Aon Risk Services Australia Ltd v Australian National University* (2009) 239 CLR 175
- *Assistant Commissioner Condon v Pompano Pty Ltd* (2013) 252 CLR 38
- *Australian Securities and Investments Commission v Hellicar* (2012) 247 CLR 345
- *Attwells v Jackson Lalic Lawyers Pty Ltd* (2016) 259 CLR 1
- *Betfair Pty Ltd v Racing NSW* (2012) 249 CLR 217
- *Coventry v Charter Pacific Corporation Ltd* (2005) 227 CLR 234
- *Day v Australian Electoral Officer (SA)* [2016] HCA 20
- *Firebird Global Master Fund II Ltd v Republic of Nauru* (2015) 258 CLR 31
- *JT International SA v Commonwealth* (2012) 250 CLR 1
- *Miller v Miller* (2011) 242 CLR 446
- *Murphy v Electoral Commissioner* [2016] HCA 36
- *New South Wales v Commonwealth (Workplace Relations Act Case)* (2006) 229 CLR 1
- *RP v The Queen* (2016) 259 CLR 641
- *Shafron v ASIC* (2012) 247 CLR 465
- *Smits v Roach* (2006) 227 CLR 423
- *Sportsbet Pty Ltd v State of NSW* (2012) 249 CLR 298
- *Sydney Water Corporation v Turano* (2009) 239 CLR 51
- *SZATV v Minister for Immigration and Citizenship* (2007) 233 CLR 18
- *SZFDV v Minister for Immigration and Citizenship* (2007) 233 CLR 51
- *Ueese v Minister for Immigration and Border Protection* (2015) 256 CLR 203
- *Unions NSW v State of New South Wales* (2013) 252 CLR 530
- *Visscher v The Honourable President Justice Giudice* (2009) 239 CLR 361
- *Westfield Management Ltd v Perpetual Trustee Company Ltd* (2007) 233 CLR 528
- *Williams v Commonwealth (No 2)* (2014) 252 CLR 416

Nicholas also has an extensive trial and advisory practice.

He is regularly briefed in major, complex, litigation including:

- Regulatory enforcement proceedings, for example:
 - *ACCC v Air New Zealand*
 - *ACCC v Cascade Coal*
 - *ASIC v. Macdonald*
- Representative proceedings, for example:
 - *De Brett Seafood Pty Ltd v Qantas Airways Ltd*
 - *Hopkins v AECOM Australia Pty Ltd*
 - *Leonie's Travel Pty Ltd v Qantas Airways Ltd*
 - *Rodriguez & Sons v Queensland Bulk Water Supply Authority*
- Major commercial litigation, for example:
 - *AMP Capital v Parsons Brinkerhoff Ltd*
 - *BrisConnections Finance Pty Ltd v Arup Pty Ltd*
 - *Rivercity Motorway Finance Pty Ltd v AECOM Australia Pty Ltd*

He has particular expertise in public law (administrative and constitutional law), regulatory investigations and compliance, competition law, representative proceedings, complex insurance disputes, and schemes of arrangement (both under the *Corporations Act* and the *Insurance Act*).

He is the author of several academic works, including, most recently, the “Judicature” chapter in Saunders and Stone (eds.), *The Oxford Handbook of the Australian Constitution* (2018, Oxford University Press).