

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' practice involves novel, complex, and sensitive matters across all areas of law, and in both trials and appeals. He has been described as “*one of the best litigation minds in Sydney*” with an “*impressive, unparalleled grasp of the law, broad mastery of subject matter, great strategic thinking and very effective in-court advocacy and cross-examination*” (Chambers and Partners Global). He has also said to have “*an uncanny ability to win over the bench, his instructors and clients with his precise delivery and unfailingly courteous manner*” (Legal 500).

Noteworthy recent matters include appearing for the successful plaintiff in the Queensland Floods class-action, advising and appearing for JP Morgan as immunity applicant in relation to the ANZ Bank criminal cartel proceedings, appearing as Court-appointed amicus curiae in regulatory and class-action proceedings against Volkswagen, and acting variously for both plaintiffs and defendants in numerous high-profile class-actions (including cases involving the Opal Tower apartment defects, superannuation fees, Sydney Light Rail, securities market non-disclosure cases (Arden and IOOF), combustible cladding, and children in detention in the Northern Territory) and complex commercial litigation (Arrium, Forge, EG Fuels).

The breadth of his practice is reflected in the range of significant matters in which he has appeared in the High Court, including:

- *Air New Zealand v ACCC* (2017) 262 CLR 207
- *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) 261 CLR 1
- *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) 261 CLR 28
- *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
- *Unions NSW v State of New South Wales* [2019] HCA 1
- *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

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).

He has been a member of the New South Wales Bar Association’s Professional Conduct Committee Number 3 since 2012.