

# FRANCES LEITCH

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## ADMISSIONS

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Barrister, New South Wales (May 2025)

Lawyer of the Supreme Court of New South Wales (2013) and the High Court of Australia (2013)

## PROFESSIONAL EXPERIENCE

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May 2025 to present	<b>Barrister</b> Fifth Floor St James' Hall
2022 to January 2025	<b>Solicitor (Senior Associate)</b> King & Wood Mallesons
2019 to 2021;	Litigation and dispute resolution, taxation, financial services teams
2013 to 2018	
2021	<b>Associate to the Hon. Justice Stephen Gageler AC</b> (as the Chief Justice then was) High Court of Australia
2018 to 2019	<b>Senior Legal Counsel</b> Commonwealth Bank of Australia

## EDUCATION

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2015 – 2019	<b>UNIVERSITY OF SYDNEY, SYDNEY LAW SCHOOL</b>  Master of Laws  <b>Nancy Gordon Smith Postgraduate Prize</b> for LLM by Coursework (awarded to the most proficient student at graduation)
2007 – 2011	<b>AUSTRALIAN NATIONAL UNIVERSITY, COLLEGE OF LAW</b>  Bachelor of Laws, 2011 (Hons I)  <b>University Medal</b>
2007 – 2010	<b>AUSTRALIAN NATIONAL UNIVERSITY, COLLEGE OF ARTS AND SOCIAL SCIENCES</b>  Bachelor of Arts (Major in Art History)  <b>Janet Wilkie Prize</b> for Art History and/or Curatorship (awarded to the graduate of that year with the highest aggregate mark over the past 4 years)

## SELECTED CASES

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### Commercial law

- *In the matter of Brickworks Limited; In the matter of Washington H. Soul Pattinson and Company Limited* [2025] NSWSC 905: members' scheme of arrangement; led by N Hutley SC and S Scott
- *In the matter of Brickworks Limited; In the matter of Washington H. Soul Pattinson and Company Limited (No 2)* [2025] NSWSC 1068: members' scheme of arrangement; led by N Hutley SC and S Scott
- *Williams v Toyota Motor Corporation Australia (NSD1210/2019)*: Federal Court class action proceedings, remitter, acting for TMCA; ongoing; led by G Rich SC, A Munro SC, X Teo
- *Dexus Capital Investment Services Pty Ltd atf Dexus Diversified Infrastructure Trust A, Australia Pacific Airport Funds & Australia Pacific Airports Fund No.4 v Australia Pacific Airports Corporation Limited (2025/00192969)*: Supreme Court proceedings concerning interpretation of Shareholders' Deed, acting for the first defendant (APAC); motion to set aside discovery application; motion to vacate; resisting motion to set aside notice to produce for inspection; privilege challenges; led by N Young KC, G Rich SC, E Bathurst, C Winnett and C Trahanas
- *Hooper v OS MCAP (NSD2409/2025)*: Federal Court class action proceedings alleging contraventions of s 114 of the *Fair Work Act 2009* (Cth); acting for the BHP Group (Respondents); led by G Rich SC, V Bulut, and H Atkin

### Public law

- *Attorney General for NSW v MM* [2025] NSWSC 1074: Constitutional law, 2 day hearing regarding a s 109 inconsistency, acting for the defendant (instructed by Legal Aid); led by C Winnett
- *Cullen v President of the Legislative Council of New South Wales* [2025] NSWCA 278: New South Wales Court of Appeal; Constitutional law, validity of summons issued under

*Parliamentary Evidence Act 1901* (NSW), acting for the President; led by B Walker SC and T Wood

- *President of the Legislative Council of New South Wales v Cullen*: application for special leave to appeal (not yet determined); led by B Walker SC and T Wood
- *X Corp v eSafety Commissioner* (NSD751/2025): Federal Court proceedings concerning the *Online Safety Act 2021* (Cth) and *Online Safety (Relevant Electronic Services - Class 1A and Class 1B Material) Industry Standard 2024* (Cth), acting for the eSafety Commissioner; ongoing; led by R Higgins SC and C Tran
- *Director of Public Prosecutions v President of the Legislative Council of New South Wales* (2025/00486239): Court of Appeal proceedings concerning interpretation of Art 9 of the *Bill of Rights 1688* (1 Wm & Mary Sess 2 c 2) and invalidity by implication of Chapter III of the Constitution (application of *Kable v Director of Public Prosecutions (NSW)* (1996) 189 CLR 51); acting for the President; led by B Walker SC and T Wood.

#### **Other**

- *Central Queensland Services Pty Ltd v Weule* [2025] FWCFB 239: permission to appeal and appeal against decision and orders requiring reinstatement in relation to an unfair dismissal claim; acting for the respondent, Mr Weule; led by C Tran

#### **OPINIONS AND ADVICES**

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- Legal opinion entitled "*Witnesses before the Select Committee on the Relationship between the Dural Caravan Incident and the Passage of Relevant Bills through the Legislative Council (Committee)*", dated and tabled in Parliament of New South Wales 26 June 2025, with Bret Walker SC
- Opinions and advices with senior and junior counsel on questions concerning contract interpretation, competition law, Australian consumer law, tort law, privacy law, valuation ("fair market value"), prospects of judicial review proceedings, prospects generally