

INGRID KING

Barrister

BACKGROUND & QUALIFICATIONS

Ingrid was admitted to the legal profession in 1994, she was then admitted as a Barrister in NSW in 2012. She practises in commercial, public and environmental litigation. She regularly appears for companies, insolvency practitioners, directors and government entities in State and Federal courts.

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.

While frequently led by senior counsel, Ingrid also appears unled, including at an appellate level.

Ingrid also appears (both led and unled) at inquiries and Royal Commissions and has taught Securities Regulation at UTS since 2011. Prior to coming to the Bar, Ingrid worked in compliance in the financial markets, as a litigation solicitor and as in-house counsel.

Ingrid holds Honours in LLM (Casework) at UTS, and BA/LLB (ANU). She is an ARITA member and is the NSW Chair, Insolvency and Restructuring Committee of the Law Council of Australia.

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PRINCIPAL AREAS OF PRACTICE

Banking & Financial Services

Environmental Law

Commercial Law

Contracts

Corporations

Derivatives and Securities

Property

Equity and Trusts

Judicial Review

Insolvency

Migration

Shareholder Disputes

White Collar crime

PUBLICATIONS & PRO BONO WORK

‘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)

Regularly briefed by RACS and on the Federal Court *pro bono* list.

SELECTED CASES

Operation Witney Acting for a planner summonsed to give evidence at ICAC. 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 and instructed by Clifford Chance.

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).

BMV18 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).

Operation Ember- ICAC. Appearing for an employee of Roads and Maritimes Services in relation to their appearance at ICAC.

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 for witness statements. 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).

Acting for Dr Susanne Macri at the Bergin Inquiry pursuant to the *Charitable Fundraising Act 1991* (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.

Briefed to appear for Senator Arthur Sinodinos at the *Operation Credo* and *Operation Spicer* ICAC inquiries, led by Anthony Bannon SC, Robert Newlinds SC and Dominique Hogan-Doran SC.