

CATHERINE GLEESON

Bachelor of Arts - University of Sydney

Bachelor of Laws (Hons) - University of Sydney

Bachelor of Civil Law - University of Oxford

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Admitted to the legal profession

2003

Admitted as a barrister in NSW

2009

Also entitled to practise in

All Australian jurisdictions (Commonwealth,
State and Territory)

Catherine regularly appears, both led and unled, in trials and appeals throughout Australia in all areas of commercial and criminal law.

Catherine's practice includes appearing in large class actions in the Supreme and Federal Courts; advising and appearing in shipping, transport, and aviation matters, for which she is recognised in numerous industry guides; appearing unled in criminal trials and appeals; and appearing in numerous commissions of inquiry and private examinations before regulators, including appearing as junior counsel assisting in the Royal Commission into Trade Union Governance and Corruption.

Prior to coming to the Bar in 2009, Catherine was a senior associate and solicitor at Freehills (now Herbert Smith Freehills) and Corrs Chambers Westgarth and practised in commercial litigation.

Catherine completed a Bachelor of Civil Laws at the University of Oxford in 2007, following which she worked at Clyde & Co in London focussing on large international commercial disputes.

Catherine is an active member of the New South Wales Bar Association, serving regularly on Bar Council and a number of committees. Catherine is the Secretary of the Bar Association's Commercial Law Section and a member of the Australian Red Cross International Humanitarian Law Advisory Committee.

PROFESSIONAL EXPERIENCE

2008 - 2009: Solicitor/Senior Associate, Freehills Commercial Litigation.

2007 - 2008: Associate, Clyde & Co Commercial Litigation

2006 - 2007: Assistant, Institute of European and Comparative Law, Oxford University

2004 - 2006: Solicitor, Corrs Chambers Westgarth Litigation

AWARDS OR PROFESSIONAL RECOGNITION

2022 Asia-Pacific: Australian Bar Legal 500: Commercial Disputes, Leading Junior Band 2

Chambers and Partners Asia Pacific 2021: Shipping, Band 1

Doyles Guide 2022: Pre-eminent Transport Barrister in Australia

Who's Who Legal 2022: Shipping, Recommended

PROFESSIONAL MEMBERSHIPS

2018 – 2019: Honorary Secretary, Bar Council

2013 – 2014, 2015 – 2017, 2018 – present: Bar Councillor

2014 – present: New South Wales Bar Association Professional Conduct Committee

2010 – present: New South Wales Bar Association Bar News Committee

2011 – 2013: New South Wales Bar Association New Barrister's Committee

2015 – 2020: New South Wales Bar Association Examination Marker

2015 – 2019: New South Wales Bar Association Course Lecturer

SELECTED CASES

Class actions

- Appearing for New South Wales Health in class action proceedings in the Supreme Court of New South Wales concerning overtime claims by junior medical officers.
- Appearing for owners in class action proceedings brought in the Federal Court of Australia by cargo interests in relation to container collapse off the Coast of New South Wales.
- Appearing for the Commonwealth in class action proceedings concerning the Murray-Darling Basin Plan.
- Appearing for the Commonwealth in class action proceedings concerning contamination at Defence Force Bases: **Smith, Hudson, Bartlett v Commonwealth** [2019] FCA 2193; **Bartlett v Commonwealth of Australia (No 2)** [2019] FCA 800; **Bartlett v Commonwealth of Australia** [2019] FCA 571.
- Appearing for Malaysian Airline in a class action and other proceedings concerning flights MH17 and MH370: **Gibson v Malaysian Airline System Berhad (Settlement Approval)** [2019]

FCA 1007; **Gibson v Malaysian Airline System Berhad (Class Membership)** [2019] FCA 1399; **Gibson v Malaysian Airline System Berhad (No 3)** [2017] FCA 1164.

- Appearing for manufacturers in trial of class action concerning pelvic mesh medical devices: **Gill v Ethicon Sarl (No 5)** [2019] FCA 1905.
- Appearing for Air New Zealand Limited in Federal Court class action proceedings concerning travel agents' commissions on fuel surcharges: **Leonie's Travel Pty Ltd v British Airways Plc** [2012] FCA 635.

Commercial

- Acting for AUSTRAC in investigation of Crown Casino group.
- Appearing for Telstra Corporation Limited in contractual dispute in the Supreme Court of New South Wales brought by device services provider.
- Acting for resource engineering and services firm in shareholder dispute brought in the Supreme Court of New South Wales concerning executive remuneration.
- Appearing for a medical device manufacturer in product liability proceedings in the Federal Court of Australia.
- Appearing for banking officers at a number of compulsory examinations at the Australian Securities and Investments Commission.
- Appearing for National Australia Bank and Westpac Banking Corporation in a number of matters in the Supreme Court of New South Wales.
- Appearing for liquidator of offshore insurer in proceedings for recovery of assets from directors: **Trans Pacific Insurance Corp (In Liq) v Aradlay Investments Pty Ltd** [2016] NSWSC 755.
- Appearing for Qantas Airways Limited in proceedings involving misuse of confidential information by an employee.
- Appearing for international hotel group in application for stay of proceedings on *forum non conveniens* grounds: **Hargood v OHTL Public Company Ltd** [2015] NSWSC 446; **Hargood v OHTL Public Company Ltd (No 2)** [2015] NSWSC 511.
- Appearing for waste processing contractor in contract dispute with local councils: **Campbelltown City Council v WSN Environmental Solutions Pty Ltd** [2015] NSWSC 155 and on appeal [2015] NSWCA 299.

- Appearing for subrogated insurer in professional negligence dispute arising from construction of the Epping to Chatswood Rail Link: **UGL Rail Pty Ltd v Wilkinson Murray Pty Ltd** (2014) NSWSC 1780.
- Appearing for insured in indemnity dispute concerning estoppel, breach of duty of utmost good faith and replacement cost of domestic premises: **Camellia Properties Pty Ltd v Wesfarmers General Insurance Ltd** [2013] NSWSC 1975.
- Appearing for Indian energy concern in fraud proceedings, including applications to set aside service and to stay proceedings on *forum non conveniens* grounds: **Suzlon Energy Ltd v Bangad (Application of Credit Suisse Group SA)** (2011) 196 FCR 259; **Suzlon Energy Ltd v Bangad (No 2)** (2011) 198 FCR 1; **Suzlon Energy Ltd v Bangad (No 3)** [2012] FCA 123.

Transport

- Appearing and acting for Royal Caribbean Cruises in matters arising from the incident at Whakaari/White Island: *Royal Caribbean Cruises Ltd v Browitt* [2021] FCA 653; *Royal Caribbean Cruises Ltd v Reed* (No 4) [2021] FCA 614.
- Appearing in proceedings concerning joint venture operating an entertainment vessel: **Neptune Hospitality Pty Ltd v Ozmen Entertainment Pty Ltd** (2020) 375 ALR 489, [2020] FCAFC, sub nom (2019) 369 ALR 644, [2019] FCA 721; [2017] FCA 1124; (No 2) [2018] FCA 647; (No 3) [2018] FCA 1411.
- Appearing in cargo proceedings concerning hearing of a preliminary question as to title to sue: **Tritton Resources Pty Ltd v Ever Rock Navigation SA** (2019) 369 ALR 205.
- Appearing at first instance and on appeal in proceedings concerning challenge to arrest of surrogate ship: **Korea Shipping Corp v Lord Energy SA** (2018) 267 FCR 660; **Lord Energy SA v The Ship "MV Dangjin"** [2018] FCA 1717.
- Appearing for Teekay Shipping in contract dispute with BHP.
- Appearing for receivers of Dick Smith Electronics in proceedings concerning stoppage in transit of goods: **Toll Holdings Ltd v Stewart** (2016) 338 ALR 602.
- Appearing for shipowners in claim for damage to rail cargo in the Federal Court of Australia.
- Appearing for shipbuilder in appeal to the Full Court of the Federal Court of Australia against dismissal of writ in rem on jurisdictional grounds: **Virtu Fast Ferries Ltd v Ship 'Cape Leveque'** [2015] FCAFC 58; (2015) 232 FCR 22; [2015] 2 Lloyd's Rep. 222.
- Appearing for shipowner in appeal to the Full Court of the Federal Court of Australia of *forum non conveniens* stay of proceedings in rem: **CMA CGM SA v Ship 'Chou Shan'** [2014] FCAFC 90; (2014) 224 FCR 384.

- Appearing for defendant at first instance and on appeal in proceedings **Euroceanica (UK) Ltd v The Ship "Gem of Safaga"** (2009) 182 FCR 1; (2010) 182 FCR 27 concerning challenge to arrest of surrogate ship.

Commissions of Inquiry

- Appearing as counsel assisting the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
- Appearing for interested person in inquiry by the Inspector-General of the Australian Defence Force.
- Appearing for Tennis Australia in private disciplinary proceedings.
- Appearing for a number of witnesses attending the Independent Commission Against Corruption and Law Enforcement Conduct Commission.
- Appearing for interested person at Royal Commission into Institutional Responses to Child Sex Abuse.
- Appearing as counsel assisting the Royal Commission into Trade Union Governance and Corruption.
- Appearing for the Rural Fire Service in proceedings in the Independent Commission Against Corruption concerning fraudulent conduct by an employee and associated persons.
- Acting as junior counsel assisting the Independent Commission Against Corruption in confidential inquiry.
- Appearing for Ski Racing Australia in coronial inquest.

Crime

- Appearing for the Crown in the Court of Criminal Appeal: **Ebrahimi v R** [2019] NSWCCA 273; **TH v R** [2019] NSWCCA 184; *Chandab v R* [2021] NSWCCA 186; *Carnaby v R* [2021] NSWCCA 203.
- Appearing for the Director of Public Prosecutions in judicial review proceedings in the High Court, Court of Appeal and Supreme Court: *Stanley v Director of Public Prosecutions (NSW)* [2021] NSWCA 337; *Blissett v Director of Public Prosecutions (NSW)* [2021] NSWCA 253; *Gibson v Director of Public Prosecutions (NSW) (No 2)* [2021] NSWCA 218; **Kostov v Director of Public Prosecutions (NSW) (No 2)** [2020] NSWCA 94; **Vok v Director of Public Prosecutions (NSW)** [2019] NSWCA 242.
- Appearing as Crown Prosecutor in trials of indictable offences in the District Court of New South Wales.

- Appearing for corporate defendant in prosecution under the Children (Education and Care Services) National Law.
- Acting and advising in numerous proceeds of crime matters.

Public Law

- Appearing as amicus curiae in the Court of Appeal in proceedings challenging the exercise powers of the Commissioner of Corrective Services in respect of extreme high risk restricted inmates: *Hamzy v Commissioner of Corrective Services NSW* [2022] NSWCA 16.
- Appearing for Airservices Australia in application for review of airport major development plan at Gold Coast Airport: *Hicks v Minister for Infrastructure and Regional Development* (2016) 152 ALD 608; [2016] AATA 437.
- Appearing for Vodafone Hutchison Australia in proceedings concerning the exercise of powers under Schedule 3 of the *Telecommunications Act 1997* (Cth).

PRINCIPAL AREAS OF PRACTICE

COMMERCIAL LAW

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| Administrative Law | Competition and Consumer | Professional liability |
| Admiralty and Maritime Law | Conflict of Laws | Product liability |
| Appellate | Contracts | Shareholder class actions |
| Arbitration | Corporations and Securities | Sports law |
| Aviation and Transportation Law | Cross-border Insolvency | Trade Practices |
| Banking and Financial Services | Insurance and Reinsurance | |
| Class Actions | International Law | |

COMMON LAW

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| Class Actions | Product liability | Sports law |
| Insurance and Reinsurance | Professional liability | |

CRIMINAL

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| Appellate | Fraud | White collar and corporate crime |
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INQUESTS AND INQUIRIES

Commissions of Inquiry

Coronial inquest

PUBLIC AND ADMINISTRATIVE LAW

Appellate

Disciplinary proceedings

Public law

Judicial review and administrative law

SECTORS

Banks and Financial Institutions

Healthcare

Transport and Infrastructure

Government