



Jonathan Hyde

NEW/CHAMBERS

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Admitted to the legal profession	1991
Admitted as a barrister in NSW	1996 (SA) 2004 (NSW)
Also entitled to practise in	All Australian jurisdictions (Commonwealth, State and Territory)

Principal areas of practice

Administrative Law	Disciplinary Proceedings
Building & Construction	Equity
Commercial law	Insolvency
Competition and Consumer/Trade Practices	Insurance
Commissions and Inquiries	Media and Defamation
Corporations and Securities	Professional Negligence
Criminal Law	Trusts

Previous professional experience

Jonathan's main area of practice at the Bar is in general commercial and equity matters, and has over the years extended to the full suite of contractual claims, personal injuries matters and defamation proceedings. He appears in the Supreme Court in the Administrative, Possession, Professional Negligence, Commercial, Defamation and Technology and Construction Lists.

In 2019 Jonathan was appointed special counsel assisting the Commissioner for Law Enforcement Integrity inquiring into significant corruption matters relevant to that office. He is regularly briefed by the NSW Government in commercial disputes, including matters for Transport for NSW, the NSW Police Force and Coal Services NSW, to name a few. He is retained by ASIC and other Commonwealth agencies as well as a number of significant sporting bodies.

Jonathan also has extensive experience in Royal Commissions and Commissions of Inquiry and appeared for three significant sporting bodies: Cricket Australia, Queensland Cricket and Tennis Australia in the Royal Commission into Institutional Responses to Child Sexual Abuse. He appeared in ICAC for former Ministers of the Crown.

In 2018 Jonathan was sworn in as a part-time Judge Advocate and Defence Force magistrate by Rear Admiral the Honourable Justice MJ Slattery RANR. Judge Advocates and Defence Force Magistrates are appointed under the Defence Force Discipline Act 1982. A Defence Force magistrate is equivalent to a District Court judge sitting alone and a Judge Advocate is equivalent to a Supreme Court judge sitting with a jury in a criminal trial. General Courts martial may impose punishments up to life imprisonment.

Professional memberships

Chartered Institute of Arbitrators
Honorary legal counsel for Northern Beaches Veterans Centre
Former member of the Veterans' Review Board
Chair of the RSL NSW Conduct and Disciplinary Tribunal

Additional information

Jonathan served in Iraq in 2006 with the Australian Army

Selected appeal cases

- *Croyden Park Apartments v Stella Wei* [2018] NSWSC 20
- *Coshott v Crouch* [2017] FCAFC 135
- *BBO16, Minister for Immigration and Border Protection* [2017] FCA 212
- *Rathchime Pty Ltd v Willatt* [2017] NSWCATAP 87
- *BB016, Minister for Immigration and Border Protection, Immigration Assessment Authority* [2016] FCCA 2541
- *BGE16, Minister for Immigration and Border Protection, Immigration Assessment Authority* [2016] FCCA 2387
- *Petch v Independent Commission Against Corruption* [2014] NSWSC 1693
- *Aldous v State of New South Wales* [2014] NSWCA 280
- *Distinctive FX9 Pty Ltd v Statewide Developments Pty Ltd* [2013] NSWCA 110 [2012] NSWCA 393, (2012) 30 ACLC 12-063, [2013] ALMD 1910
- *Maund v The Crown (No 2)* [2013] NSWCA 248
- *Maund v The Crown* [2013] NSWCA 226
- *King v Chief of Army* [2012] ADFDAT 4
- *Nigro v EVS Group Pty Ltd* [2012] NSWSC 1545
- *Davis v CTTT* [2008] NSWSC 491
- *Fifty Property Investments Pty Ltd v O'Mara* (2007) BCL 35
- *Kioussis v Commissioner of Fair Trading* [2006] NSWADT 98
- *Murar v Usagi Ya Pty Ltd* [2005] NSWADTAP 26
- *Applicant S214 of 2002 v Minister for Immigration and Multicultural and Indigenous Affairs* [2004] FCAFC 66
- *S214 v Attorney-General (Cth)* [2004] FCA 1635, (2004) 40 AAR 155, [2005] ALMD 7954
- *HIA Insurance Services Pty Ltd v Consumer Trader Tenancy Tribunal* [2004] NSWSC 82
- *Brander v Ryan & Messenger Press* (2000) 78 SASR 234, [2001] Aust Torts Reports 81-593
- *Shamrock Holdings Pty Ltd v Norco Co-operative Ltd* [2000] NSWSC 1149
- *Brander v Ryan and Messenger Press Pty Ltd (No 2)* [2000] SASC 12
- *Brander v Ryan and Messenger Press Newspapers* (2000) 76 SASR 212
- *R v Gale* (1999) 74 SASR 235
- *Ruf v General Motors-Holden's Automotive Ltd* [1998] SAIRComm 47
- *South Australia v Richards & Ors* (1997) 69 SASR 263
- *HK & Ors v The State of South Australia* [1997] SASC 6058
- *R v Bernard Michael Power* (1996) 87 A Crim R 407

Selected cases

- Royal Commission into Institutional Responses to Child Sexual Abuse - appeared for Cricket Australia, Queensland Cricket and Tennis Australia
- *Re Limar International Pty Ltd (in liq)* [2014] NSWSC 1871
- Coronial Inquiry into helicopter crash in Antarctic
- *Australian Mortgage & Finance Company Pty Ltd v Rome Euro Windows Pty Ltd* [2014] NSWSC 1173
- *Australian Mortgage & Finance Company Pty Ltd v Rome Euro Windows Pty Ltd* [2014] NSWSC 996
- Independent Commission Against Corruption Investigation into the conduct of certain City of Ryde councillors (2013, report delivered January 2014) – counsel for former Lord Mayor
- *Allianz Australia Insurance Ltd v Vitale* [2014] NSWSC 364, (2014) 18 ANZ Insurance Cases 62-013, [2014] ALMD 4933
- *Jordan v HLB Mann Judd Wealth Management (NSW) Pty Ltd* [2013] FCA 315 (9 April 2013)
- *Fitzpatrick v Lithgow and District Workmens Club Ltd (No 2)* [2012] NSWSC 374
- *Fitzpatrick v Lithgow and District Workmens Club Ltd* [2012] NSWSC 265
- *Re Civilian Casualty Court Martial* (2011) 259 FLR 208 – counsel for ADF member charged with multiple manslaughter arising from combat incident in Afghanistan.
- *Re Statewide Developments Pty Ltd* [2011] NSWSC 1538
- *The State of New South Wales v Gevaux* [2011] NSWSC 758
- ADF Commission of Inquiry into HMAS Success (2011).
- *Rhodes Bay Apartments Pty Ltd v Gay* [2011] NSWSC 532
- ADF Commission of Inquiry into the death of Lance Corporal Edwards, counsel for the officer in charge of the practice, who was shot and killed during a training activity in preparation for deployment to Afghanistan (2010).
- *Waldorf Australia Pty Ltd v Elias Construction Group Pty Ltd* [2010] NSWSC 164
- *Noori v Leerdam* 255 ALR 553, [2009] Aust Torts Reports 82-011, [2009] ALMD 4206
- *Mirembe Pty Ltd v Dangar* [2009] NSWSC 1268
- ADF Commission of Inquiry into the suicide of Special Operations Command member CAPT Andrew Paljakka (2008).
- Counsel assisting ADF Commission of Inquiry into the death of Private Jake Kovco (2006).
- ADF Commission of Inquiry into the death of Warrant Officer Class 2 Nary, Special Air Service Regiment, which examined close quarter battle and personal protection practices (2006).
- *Apple Computer Australia Pty Ltd v Mekrizis* [2003] NSWSC 126, (2003) 54 ATR 383, 44 ACSR 518, [2003] ALMD 4785, [2003] ALMD 4805, [2003] ALMD 5129
- ADF Commission of Inquiry into the death of a member of the Army Alpine Association - Yosemite National Park - USA (2002).
- ADF Commission of Inquiry into the shooting of a Malaysian officer by a member of 3 Royal Australian Regiment - Rifle Company Butterworth – Malaysia (2001)
- ADF Commission of Inquiry into the grenade death of a private soldier during a live fire and movement practice (1998).