



## JESSICA HUDSON

*Bachelor of Laws (Hons 1) – University of New South Wales*

*Bachelor of Arts – University of New South Wales*

*Bachelor of Civil Law (with Distinction) – University of Oxford*

*Doctor of Philosophy – University of New South Wales*

**T** +61 2 9151 2045

**F** +61 2 9233 1850

**E** [HUDSON@newchambers.com.au](mailto:HUDSON@newchambers.com.au)

### Admitted to the legal profession

2009

### Admitted as a barrister in NSW

2024

### Also entitled to practise in

Australian jurisdictions (Commonwealth, State and Territory)

Jessica accepts briefs in all areas of law. Jessica has expertise in the areas of equity and trusts, and their application to banking and financial services, corporations, contract and consumer law, private wealth management and succession. Prior to coming to the bar, Jessica was an Associate Professor at UNSW (2014 - 2024), and prior to that a solicitor at King & Wood Mallesons working in Public M&A and Dispute Resolution (2009 - 2013). Jessica has authored, co-authored and edited books, articles and book chapters in her areas of expertise.

Jessica is currently an Adjunct Associate Professor at UNSW.

Jessica was the Tipstaff to the Hon. Justice Julie Ward of the Supreme Court of New South Wales in 2010.

Jessica holds a Doctor of Philosophy from UNSW, Bachelor of Civil Law (with Distinction) from the University of Oxford, Bachelor of Laws (Hons 1) and Bachelor of Arts from UNSW. She has received a number of academic prizes including first place for Legal History (University of Oxford); Foundations of Law, Evidence, Property & Equity II, Restitution and Conflicts of Laws (UNSW). Jessica's PhD was awarded the Dean's Award and shortlisted in the Top 5 PhD in the Australian Legal Research Awards 2020. Jessica has a Full Blue from the University of Oxford.

## PROFESSIONAL EXPERIENCE

**2024 -** New Chambers: Barrister

**2014 - 2024:** University of New South Wales: Lecturer, Senior Lecturer, Associate Professor

**2009 - 2013:** King & Wood Mallesons: Graduate and Solicitor, Public M&A and Dispute Resolution

**2010:** Supreme Court of New South Wales: Tipstaff to the Hon. Justice Julie Ward, Justice of the Supreme Court of New South Wales

**2007:** Judicial Commission of NSW: Trainee Research Officer

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## SELECTED CASES

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**Stack v AMP Financial Planning Limited** VID 489 of 2020 (ongoing) – class action, financial services and equity; for respondents, led by Wendy Harris KC, Sera Mirzabegian SC and Jesse Rudd, instructed by King & Wood Mallesons

**Kupang Resources Pty Ltd ACN 098 773 785 v Commonwealth of Australia** (2020/00106859) (final hearing) – equity and trusts; for plaintiff led by Christopher Withers SC, Christopher Mitchell and Damian Morris, instructed by Banton Group (speaking role at final hearing)

**Xu v Cao & Du Management** (2022/00078620) (ongoing) – contract, debt and misleading and deceptive conduct; for plaintiff and cross-respondents, led by Miles Condon SC, instructed by JurisCor Legal

**Xu v Cao & Du Management** (2022/00078620) – freezing orders, led by led by Miles Condon SC, David Pritchard SC, instructed by JurisCor Legal

**Cao v Tung Chit Real Estate Investment Australia Pty Ltd** (2024/00320302) (ongoing) – contract, debt and misleading and deceptive conduct; for defendants, led by Miles Condon SC, instructed by JurisCor Legal

Confidential advices concerning equity, trusts (private and charitable), partnerships, agency, corporations, banking and financial services, contract, limitations and discovery.

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## PROFESSIONAL MEMBERSHIPS

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**2024:** New South Wales Bar Association

**2014 – present:** Member of the Corporations Committee, Business Law Section of the Law Council of Australia

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## PUBLICATIONS

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### Books

J Hudson, **The Law of Express Trusts: Authority Over Property** (Oxford University Press, forthcoming)

J Hudson, B McFarlane and C Mitchell, **Hayton, McFarlane and Mitchell: Text, Cases and Materials on Equity and Trusts**, 15<sup>th</sup> edn (Sweet & Maxwell, 2022)

S Degeling, J Hudson and I Samet (eds) **The Philosophical Foundations of the Law of Express Trusts** (Oxford University Press, 2023)

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### Journal Articles (peer reviewed)

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J Hudson, **'Trustee Succession and Indemnification'** (2024) 98 *Australian Law Journal* pp454-475

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- J Hudson and C Mitchell, '**Trustee Recoupment: A Power Analysis**' (2021) 35 *Trust Law International* pp3-26
- J Hudson, '**One Thicket in Fraud on a Power**' (2019) 39 *Oxford Journal of Legal Studies* pp577-602
- S Degeling and J Hudson, '**Credit Advisers, Consumer Credit and Equitable Fiduciary Obligations**' (2019) 47 *Federal Law Review* pp64-90
- S Degeling and J Hudson, '**Financial Robots as Instruments of Fiduciary Loyalty**' (2018) 40 *Sydney Law Review* pp63-92
- J Hudson, '**Equitable Ownership and Restitution of Misapplied Trust Property**' (2017) 11(3) *Journal of Equity* pp245-270
- J Hudson, '**Who is Equity's Darling? Recipient Trustees as Bona Fide Purchasers**' (2017) 81 *Conveyancer and Property Lawyer* pp191-207
- J Hudson, '**The Price of Coherence in Estoppels**' (2017) 39(1) *Sydney Law Review* pp1-23
- J Hudson, '**Certainty in Equitable Estoppels: Questions of Taxonomy, Unification and Coherence**' (2016) 10 *Journal of Equity* pp137-153
- J Hudson, '**The True Purpose of Estoppel by Representation**' (2015) 32 *Journal of Contract Law* pp275-292
- S Degeling and J Hudson, '**Equitable Money Remedies Against Financial Advisers Who Give 'Advice About Advice'**' (2015) 33 *Company & Securities Law Journal* pp166-175
- J Hudson, '**Estoppel by Representation as a Defence to Unjust Enrichment – The Vine has not Withered Yet**' [2014] *Restitution Law Review* pp22-34
- S Degeling and J Hudson, '**Fiduciary Obligations, Financial Advisers and FOFA**' (2014) 32 *Company & Securities Law Journal*, pp527-539

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## Book Chapters

- J Hudson and P Ridge, '**Achieving Coherence in Equitable Remedies for Breach of Trust**' in S Agnew (et al) (eds) *Law at the Cutting Edge: Difficult Problems and Interesting Solutions: Essays in Honour of Dame Professor Sarah Worthington QC* (Hart Publishing, 2024) ch 10
- J Hudson, '**Justifying Equity's Control of Power: Status and Beyond**' in P Miller and J Oberdiek (eds) *Oxford Studies in Private Law, Vol II* (Oxford University Press, 2023) Ch 5
- J Hudson, '**Equity's Gloss on Authority**' in S Elliott and B McFarlane (eds) *Equity Today: 150 Years After the Judicature Reforms* (Hart Publishing, 2023) Ch 2
- S Degeling, J Hudson and I Samet, '**Introduction**' in S Degeling, J Hudson and I Samet (eds) *The Philosophical Foundations of the Law of Express Trusts* (Oxford University Press, 2023)
- J Hudson and C Mitchell, '**Justificanda**' in S Degeling, J Hudson and I Samet (eds) *The Philosophical Foundations of the Law of Express Trusts* (Oxford University Press, 2023) Ch 1
- J Hudson, '**The Dynamics of Equitable Estoppels**' in B McDonald, B Chen and J Gordon (eds) *Dynamic and Principled: The Influence of Sir Anthony Mason* (Federation Press, 2022) Ch 20

J Hudson, '[Mere and Other Discretionary Objects in Australia](#)' in Y Liew and M Harding (eds) *Asia-Pacific Trusts Law: Theory and Practice in Context*, (Hart Publishing, 2021) Ch 2

J Hudson and C Mitchell, '[Legal Consequences of the Flawed Exercise of Pension Scheme Powers](#)' in C Mitchell, S Agnew and P Davies (eds), *Pensions: Law, Policy and Practice* (Hart Publishing, 2020), Ch 7

J Hudson, '[Equitable Compensation for Equitable Estoppels](#)' in S Degeling and J Varuhas (eds), *Equitable Compensation and Disgorgement of Profit* (Hart Publishing, 2017) Ch 11

## PRINCIPAL AREAS OF PRACTICE

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### COMMERCIAL LAW

Appellate	Contracts	Professional Liability
Banking and Financial Services	Corporations and Securities	Shareholder Class Actions
Class Actions	Insurance	Superannuation
Competition and Consumer	Partnership Disputes	

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### EQUITY

Alternative Dispute Resolution	Property	Wills and Estates
Appellate	Trusts	
Family Provision		

## SECTORS

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Banks and Financial Institutions  
Funds  
Insurance