



## WINNIE LIU

*Juris Doctor – University of Sydney  
Bachelor of Arts Media and Communications /  
Ancient History (Hons I) – University of Sydney*

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### Clerk of Chambers

Angela Noakes

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### Admitted to the legal profession

2017

### Admitted as a barrister in NSW

2021

### Also entitled to practise in

All Australian jurisdictions (Commonwealth,  
State and Territory)

Winnie practises widely in commercial and public law.

In commercial law, she has appeared in courts and tribunals in a range of matters including class actions, regulatory proceedings, proceeds of crime matters and other complex commercial disputes. Winnie also practises in public law and her practice includes judicial review proceedings and commissions of inquiry, acting for both government and non-government parties. She is also experienced in appellate matters and has appeared in a number of matters interstate.

Prior to coming to the Bar, Winnie was a solicitor at Herbert Smith Freehills, and served as Tipstaff and Associate to the Hon Justice Leeming of the New South Wales Court of Appeal.

Winnie graduated from the University of Sydney with a Bachelor of Arts (Hons 1) in Ancient History and Media and Communications, and Juris Doctor. She has lectured in Contracts, Criminal Law and Equity at the University of Sydney.

Winnie is the recipient of the 2021 Katrina Dawson Award which encourages women to practise at the NSW Bar.

## PROFESSIONAL EXPERIENCE

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**Feb 2017 to April 2021:** Solicitor, Herbert Smith Freehills.

**Aug 2018 to Dec 2019:** Tipstaff and Associate to the Hon Justice Leeming, New South Wales Court of Appeal.

**2018 to 2022:** Sessional lecturer in Contracts, Criminal Law and Equity, University of Sydney.

## PROFESSIONAL MEMBERSHIPS

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**2022-present:** New South Wales Bar Association, Diversity and Equality Committee

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**2022-present:** Women Barristers Forum executive

**2023-2024:** New South Wales Bar Association, New Barristers Committee

**2022-2023:** New South Wales Bar Association, Bar News Committee

## AWARDS OR PROFESSIONAL RECOGNITION

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**2021:** Katrina Dawson Award

**2016:** Phillip C. Jessup International Law Moot, National Rounds, Top Ten Oralist

**2015:** Zoe Hall Memorial Scholarship

**2014 to 2016:** Dean's List of Academic Excellence (Law)

**2014:** LexisNexis Book prize for Most Proficient in Juris Doctor in Year 1

**2014:** EM Mitchell Prize for Contracts

## SELECTED CASES

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### *Appellate matters*

***Bugmy v Director of Public Prosecutions (NSW)* [2023] NSWSC 863; [2024] NSWCA 70**

Led by Catherine Gleeson SC, appearing in the appeal to the Supreme Court of NSW and appear to the New South Wales Court of Appeal for the respondent. Case concerned the construction of s 77 of the *Bail Act 2013* (NSW) and the question of whether a police officer could lawfully exercise the power to arrest a person without a warrant who is in breach of bail conditions pursuant to s 77(1) without complying with the requirements of s 77(3) of the Act.

***Odtojan v Condon* [2023] NSWCA 129**

Led by Anthony McInerney SC in leave to appeal hearing in the New South Wales Court of Appeal, appearing for the respondent. Leave to appeal dismissed.

***Beckett v Tax Practitioners Board* [2022] FCA 930; [2023] FCAFC 100**

Led by Luke Livingston SC, appearing in the Federal Court and the appeal to the Full Court of the Federal Court for the respondent. Case concerned whether a decision of the AAT affirming a decision of the Tax Practitioners Board to terminate the appellant's tax agent registration was in error.

***State of New South Wales v Skinner* [2022] NSWCA 9**

Led by D F Jackson KC, appearing in the New South Wales Court of Appeal for the respondent. Case concerned whether the Police Force breached its duty of care to the respondent causing her

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to suffer major depressive disorder and/or PTSD. The appeal was dismissed. The respondent also succeeded in part on her cross-appeal on a question of contributory negligence.

***Ming v Director of Public Prosecutions (NSW) (2022) 109 NSWLR 604; [2022] NSWCA 209***

Led by J Roy, appearing in the New South Wales Court of Appeal for the respondent. The applicant sought judicial review of a District Court decision alleging error by reason of inadequacy of reasons, constructive failure to exercise jurisdiction and lack of procedural fairness. The applicant also contended that these errors amounted to jurisdictional error.

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*Matters in the Supreme Court of New South Wales*

***Commissioner of the Australian Federal Police v Xin & Ors (2023/3225)***

Currently acting for the Commissioner of the AFP in proceeds of crime proceedings against 20 defendants, appearing regularly in motions, examinations and directions as the matter progresses including in the follow motions:

1. *Commissioner of Australian Federal Police v Xin* [2024] NSWSC 891
2. *Commissioner of Australian Federal Police v Xin* [2024] NSWSC 851
3. *Commissioner of Australian Federal Police v Xin* [2023] NSWSC 599

***Tara Global Pty Ltd v Official Trustee in Bankruptcy & Ors (2023/263865)***

Currently acting for the first defendant in negligence proceedings commenced by the plaintiff in the Common Law Division. The plaintiff alleges that the Official Trustee in Bankruptcy negligently managed the plaintiff's property restrained under the *Proceeds of Crime Act 2002* (Cth).

***Empireal Ltd (in liq) (receivers and managers appointed) (ACN 606 481 912) v Leslie Janusz Hooker (2023/234844)***

Currently acting for the plaintiff in proceedings commenced in the Corporations List against Leslie Janusz Hooker for breach of directors' duties.

***The Owners – Strata Plan No 145 v Buildcorp Group Pty Ltd (ACN 091 336 168) (2021/00085206)***

Acting for Holmes Fire Ltd Partnership trading as Holmes Fire (ARBN 156 630 661), cross-defendant on the fourth and fifth cross-claims brought by Buildcorp Group Pty Ltd in proceedings commenced in the Technology and Construction List. Buildcorp alleges negligence and breach of contract in relation to Holmes Fire's provision of certain fire engineering services.

***Application of Murray Irrigation Ltd [2024] NSWSC 186***

Led by Miles Condon SC, appearing for the plaintiff in an application for the appointment and removal of trustees pursuant to s 70 of the *Trustee Act 1925* (NSW). Orders sought granted.

***Tuxford v Director of Public Prosecutions (NSW) [2023] NSWSC 1300***

Appeared for the respondent in appeal hearing pursuant to the *Crimes (Appeal and Review) Act*

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2001 (NSW), against a decision of the Magistrate to commit a person to trial without ascertaining the person's plea as required by s 95(4) of the *Criminal Procedure Act 1986* (NSW).

***Tsai v Australia and New Zealand Banking Group Ltd (NSW) [2023] NSWSC 604***

Led by Charles Colquhoun SC, appearing for the plaintiffs in an application Norwich Pharmacal orders in support of representative proceedings commenced in Hong Kong. Orders sought granted.

***Zahed v Director of Public Prosecutions (NSW) [2023] NSWSC 368***

Led by Luke Livingston SC, appearing for the respondent in appeal hearing pursuant to the *Crimes (Appeal and Review) Act 2001* (NSW) involving a question of construction of s 15A of the *Director of Public Prosecution Act 1986* (NSW).

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### *Federal Court of Australia*

***Epic Games Inc & Ors v Apple Inc & Anor (NSD 1236/2020); Epic Games Inc & Ors v Google LLC Ors (NSD 190/2021); Anthony & Anor v Apple Inc & Anor (VID 341/2022); McDonald & Anor v Google LLC & Ors (VID 342/2022)***

Appeared in proceedings commenced by Epic Games against Google (representing Google) alleging contraventions of ss 45, 46 and 47 of the *Competition and Consumer Act 2010* (Cth). Also appeared in related class action proceeding. Led by Cameron Moore SC and Robert Yezerski SC. Matter currently reserved before Beach J.

***Karpic v Carnival plc (The Ruby Princess) (Initial Trial) [2023] FCA 1280***

Led by Ian Pike SC, appearing in representative proceedings for the applicants. Matter concerned the infection of passenger with Covid-19 on board the *Ruby Princess*. The plaintiffs' claims included failure to comply with ss 60 and 61 of the Australian Consumer Law, and negligence.

***CEO of AUSTRAC v Crown Melbourne Ltd (NSD 134/2022); CEO of AUSTRAC v SkyCity Adelaide Pty Ltd (NSD 1046/2022)***

Acting for AUSTRAC in relation to civil penalty proceedings against Crown, and separately SkyCity Adelaide, for contraventions of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth).

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### *Supreme Court of Queensland*

***Johnston & Ors v Carroll (Commissioner of the Queensland Police Service) [2024] QSC 2***

Led by Dominic Villa SC, appearing for the applicants in judicial review proceedings concerning whether the Police Commissioner was empowered to give a direction to police officers and staff members requiring vaccination against Covid-19. Found in favour of the applicants that the Commissioner's direction was unlawful under s 58 of the *Human Rights Act 2019* (Qld).

*Other matters***Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability**

Appearing in public hearing rounds 23 and 32 of the Disability Royal Commission representing service provider, the Australian Foundation for Disability (Afford).

Appearing in public hearing round 30 of the Disability Royal Commission on Guardianship, substituted and supported decision-making, Counsel Assisting.

**New South Wales Electoral Commission v Chiming Shea (2023/242629)**

Appeared for the Commission as prosecutor in sentencing hearing (Local Court of Hornsby) instructed by the Crown Solicitor's Office.

## PRINCIPAL AREAS OF PRACTICE

**COMMERCIAL LAW**

|                                       |                          |                             |
|---------------------------------------|--------------------------|-----------------------------|
| Appellate                             | Class Actions            | Corporations and Securities |
| Banking and Financial Services        | Competition and Consumer | Product Liability           |
| Building, Construction and Technology | Contracts                | Shareholder Class Action    |

**EQUITY**

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| Appellate | Trusts |
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**COMMON LAW**

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|---------------|--------------------|-------------------|
| Appellate     | Medical Negligence | Product Liability |
| Class Actions |                    |                   |

**CRIMINAL**

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|-----------|-------------------|----------------------------------|
| Appellate | Proceeds of Crime | White Collar and Corporate Crime |
| Fraud     |                   |                                  |