



---

## Admissions

Senior Counsel: 2003

Barrister: 1990

Solicitor: 1986

Head of Banco Chambers since 2012

Fellow, Chartered Institute of Arbitrators (FCIArb)

Member, Inter Pacific Bar Association

Member, NSW, QLD and WA Bar Associations

---

## Areas of practice

Arbitration

Building & Construction

Class actions

Commercial law

Corporations law

Equity

Insolvency

Inquests & inquiries

---

## Rankings

**Chambers & Partners** (2015 - 2019) -Band 1 Restructuring/Insolvency Senior Counsel

Comments: “Has a long track record of acting on large and complex disputes,” “a leading light in the insolvency area,” “one of the leaders of the Australian Bar,” “renowned for cross examination,” and as having “very strong knowledge of the insolvency arena”

**Chambers & Partners** (2015 – 2019) - Band 4 Dispute Resolution Senior Counsel

Comments: “His commercial acumen is amazing and his advocacy skills are revered,” “a very good counsel and a very effective cross-examiner with a robust style,” “an exceptional advocate” and “a good man in a hard case”

**Doyles Guide** (2015 – 2019) - Preeminent Insolvency and Restructuring Senior Counsel

**Doyles Guide** (2015 – 2019) - Leading Commercial Litigation & Dispute Resolution Senior Counsel

---

## Profile

Robert Newlinds SC is one of Australia’s preeminent barristers. For more than 25 years he has appeared in hundreds of cases and appeals across a wide range of jurisdictions.

His most recent and current work includes:

- Conducting examinations for the liquidators of Queensland Nickel;

- Appearing for the developers of the Raine Square office tower in a 4 month hearing in the Supreme Court of Western Australia against Bankwest involving a claim for damages exceeding \$200 million;
- Acting for the UK liquidator of the UK Bell Group in the Bell Group litigation in the Federal Court of Australia and Supreme Court of NSW;
- Acting in an estate dispute in the Supreme Court of NSW involving a disputed estate valued at \$400 million;
- Acting for a party in arbitral proceedings in a dispute concerning a farming partnership involving claims for damages in the amount of \$100 million
- Appearing in the High Court of Australia in the Mighty River Litigation concerning the validity of a “holding D.O.C.A”; and
- Acting for Travers Duncan in continuing litigation in the Federal Court of Australia out of dealings in Cascade Coal

Robert argues the most difficult cases, always identifying and focusing on the essential issues. His style is clear, direct and succinct. Renowned for his cross-examination, he is not just a formidable barrister, but also efficient and highly effective. In conference he provides clear, sensible commercial advice as to strategy for both litigious and non-litigious matters.

He is a leader in the field of corporations law, especially insolvency. He has conducted numerous cases both for and against all of the leading liquidators and voluntary administrators in Australia. He has vast experience in this area and has appeared in many of the leading cases, including recently acting for the liquidator of Bell UK in the long running Bell litigation.

He has substantial experience in large-scale inquiries and Royal Commissions. He appeared for Arthur Andersen in the HIH Royal Commission, and for the Commonwealth on a significant claim for privilege arising out of the Royal Commission into the Australian Wheat Board’s dealings with Iraq. He has acted as counsel assisting ICAC (Operation Vesper) and for interested persons in a number of significant ICAC inquiries. In 2015, he appeared for the ACTU in the Royal Commission into the Trade Union movement, on the ACTU’s application that the Commissioner, the Hon Dyson Heydon AC QC, disqualify himself.

Robert has appeared in the Supreme Court of every Australian State and Territory, the Federal Court of Australia, the Family Court of Australia, the High Court of Australia and numerous lower and specialised courts and tribunals. He also represents clients in both domestic and international arbitrations, and accepts appointments as arbitrator, neutral evaluator, expert and mediator. He is a Fellow of both CIArb and ACICA.

---

### **Selected appearances**

#### High Court of Australia

*Mighty River International Ltd v Hughes; Mighty River International Ltd v Mineral Resources Ltd*  
[2018] HCA 38; 130 ACSR 427

*Re Lambie* [2018] HCA 6

*Re Canavan; Re Ludlam; Re Waters; Re Roberts; Re Nash; Re Xenophon* [2017] HCA 45

*Re Roberts* [2017] HCA 39

*Grant Samuel Corporate Finance Pty Limited v Fletcher* (2015) 254 CLR 477

*International Litigation Partners Pte Ltd v Chameleon Mining NL* (2012) 246 CLR 455

*Friend v Brooker* (2009) 239 CLR 129

*Master Education Services Pty Ltd v Ketchell* (2008) 236 CLR 101

*Gordon v Tolcher in his capacity as liquidator of Senafield Pty Ltd (in liq)* (2006) 231 CLR 334

*The Trustees of the Property of John Daniel Cummins, a Bankrupt v Cummins* (2006) 227 CLR 278

*MYT Engineering Pty Ltd v Mulcon Pty Ltd* (1999) 195 CLR 636

Intermediate appellate cases

Robert has appeared as counsel in approximately 80 cases in appellate courts around Australia (excluding the High Court). His recent appearances at the appellate level include:

*Lardis v Lakis* [2018] NSWCA 113

*Cam & Bear Pty Ltd v McGoldrick* [2018] NSWCA 110

*Cappe v Tsung* [2018] NSWCA 86

*Saba v Plumb* [2018] NSWCA 60

*Hilton v Legal Profession Admission Board* [2017] NSWCA 232

*NSW Crime Commission v SG* [2017] NSWCA 102

*Mighty River International v Hughes & Bredenkamp* [2017] WASCA 152 (**Western Australia Court of Appeal**)

*Cook v Modern Mustering Pty Ltd* [2017] NTCA 1 (**NT Court of Appeal**)

*Compton v Ramsay Health Care Australia* [2016] FCAFC 106; 246 FCR 508

*HP Mercantile Pty Ltd v Harnett* [2016] NSWCA 342

*Lambert Leasing v QBE Insurance Ltd* [2016] NSWCA 254

*Harold Finger & Co v Karellas Investments Pty Ltd* [2016] NSWCA 123

*Alexander v Burne* [2015] NSWCA 377

*Pola v Australia and New Zealand Banking Group Ltd* [2015] NSWCA 146

*Attorney General of New South Wales v Homeland Community Ltd* [2015] NSWCA 15

*Kupang Resources Ltd v International Litigation Partners Pte Ltd* [2015] WASCA 89 (**Western Australia Supreme Court**)

*Prepaid Services Pty Ltd v Atradius Credit Insurance NV* [2014] NSWCA 440

*DSG Holdings Australia Pty Ltd v Helenic Pty Ltd* (2014) 307 ALR 143

*Bramco Electronics Pty Ltd v ATF Mining Electrics Pty Ltd* (No 3) [2014] NSWCA 63

*Lessbrook Pty Ltd (in liq) v Whap* [2014] QCA 63

*JP Morgan Chase Bank v Fletcher (as liquidators of Octaviar Ltd) (in liq)* (2014) 306 ALR 224; 97 ACSR 638

Trial matters

Robert is an immensely experienced trial barrister. What follows is a select list of recent major cases he has conducted as lead counsel in superior courts throughout Australia.

*Westgem Investments Pty Ltd v Commonwealth Bank of Australia* (Judgment reserved) (**West Australian Supreme Court**)

*Jahani, in the matter of Northern Energy Corporation* [2018] FCA 1983

*Cenric Group Pty Ltd v TWT Property Group* [2018] NSWSC 1570

*Mighty River International v Hughes & Bredenkamp* [2018] WASC 368 (**West Australian Supreme Court**)

*Palmer v Parbery, in the matter of Queensland Nickel Pty Ltd* [2018] FCA 1709

*Hyundai Engineering & Steel Industries Co Ltd v Two Ways Constructions Pty Ltd* [2018] FCA 1427

*Australian Competition & Consumer Commission v Cascade Coal Ltd (no 3)* [2018] FCA 1019

*Comlin Holdings Pty Ltd v Metlej Developments Pty Ltd* [2018] NSWSC 761

*In the matter of Courtenay House Capital Trading Group* [2018] NSWSC 404

*In the matter of Surfstitch Group Ltd* [2018] NSWSC 164

*In the matter of Ten Network Holdings Ltd* [2017] NSWSC 1529

*Liberty Mutual Insurance Company v Kellogg Brown* [2017] NSWSC 1519

*Mighty River International v Hughes & Bredenkamp* [2017] WASC 69 (**West Australian Supreme Court**)

*West Australian Rugby Union v Australian Rugby Union Ltd* [2017] NSWSC 1174

*Tsung v Cappe* [2017] NSWSC 1053

*V8 Supercars Holdings Ltd v Sanpoint* [2017] NSWSC 1043

*In the matter of Boart Longyear Ltd* [2017] NSWSC 756

*In the matter of Swan Services Pty Ltd (In liq)* [2017] NSWSC 692

*Jaeger v Bowden (No 3)* [2017] NSWSC 324

*Lakis v Lardis* [2017] NSWSC 321

*Brentwood Village Ltd (in liq) v Terrigal Grosvenor Lodge Pty Ltd (No 4)* [2016] FCA 1359

*In the matter of Swan Services Ltd (in liq)* [2016] NSWSC 1724

*Hilton v Legal Profession Admission Board* [2016] NSWSC 1617

*Obeid v David Ipp* [2016] NSWSC 1376

*Ramsay Health Care Australia Pty Ltd v Compton* [2015] FCA 1207

*Addenbrooke Pty Ltd v Duncan (No 6)* (2015) 107 ACSR 600

*Tamaya Resources Limited (in liq) v Claymore Capital Pty Ltd* [2015] FCA 357

*Primespace Property Investment Ltd v Vienne Pty Ltd* [2015] FCA 326

*Obeid v Independent Commission Against Corruption* [2015] NSWSC 1891

*Anglican Development Fund Diocese of Bathurst (in its own capacity and in its capacity as trustee of the Anglican Development Fund Diocese of Bathurst (receivers and managers appointed)) v Right Reverend Ian Palmer (Bishop of the Diocese of Bathurst)* [2015] NSWSC 1856

*Australian Institute of Fitness Pty Ltd v Australian Institute of Fitness (Vic/Tas) Pty Ltd (No 3)* (2015) 109 ACSR 369

*Jeffries v Indigenous Land Corporation* [2015] NSWSC 1616

*HP Mercantile Pty Limited v Hartnett* [2015] NSWSC 1475

---

*Ellimark Pty Ltd v Calvo (as executrix of the estate of the late Calvo)* [2015] NSWSC 1240

*Lambert Leasing Inc v Qbe Insurance Ltd* [2015] NSWSC 750

*KBL Mining Limited v Kidman Resources Limited* [2015] NSWSC 515

*Harold R Finger & Co Pty Ltd v Karellas Investments Pty Ltd* [2015] NSWSC 354

*Ramsay Health Care Australia Pty Ltd v Compton* [2015] NSWSC 163

*Katter v Melhem* (2014) 319 ALR 646

*Re Nexus Energy Ltd (subject to deed of company arrangement)* (2014) 105 ACSR 246

*In the Matter of New South Wales Leagues' Club Ltd* [2014] NSWSC 1610

*Con Kafataris and Ors v Cory Davis and Ors* (2014) 109 IPR 29

*Jubilee Properties Pty Ltd v Parkview Farm Pty Ltd* [2014] NSWSC 563

*Roy Medich Properties Pty Ltd v Ron Medich Properties Pty Ltd* [2014] NSWSC 466

*Pedrana v Racing NSW* [2014] NSWSC 462

*HP Mercantile Pty Ltd v Clements* [2014] NSWSC 290

*HP Mercantile Pty Ltd v Clements* [2014] NSWSC 213

*Cody v Live Board Holdings Ltd* (2014) 97 ACSR 606

A more extensive list of Robert's cases from throughout his career is available on the Banco Chambers website.

---

## **Clients**

Robert's clients include some of Australia's highest profile companies and individuals:

*Westgem Investments*, the developer of the Raine Square office tower in Perth

*Stephen Parbery*, the liquidator of Clive Palmer's company, Queensland Nickel

*Katrina McCulloch*, Tasmanian Senate candidate, in the High Court of Australia

*The NSW Legal Profession Admission Board* in opposition to an application by Mr Howard Hilton to be readmitted to practise as a solicitor

*Korda Mentha* in the administration of the Ten television network in the Supreme Court of NSW before Justice Black

*Malcolm Roberts* in a s44 dual citizenship case in the High Court of Australia

*Western Force Rugby Union Club* in an appeal from an arbitral determination excluding the Club from the Super 15 Rugby Competition

*Mighty River International* in its dispute with Mineral Resources Ltd in the Supreme Court of West Australia Court of Appeal and High Court of Australia

*Members of the Obeid family* in a misfeasance case brought against officers of ICAC

*The Liberal Party of Australia (NSW Branch)* in a dispute with the NSW Electoral Commission

*Ramsay Health Care* in a dispute in the Supreme Court of NSW and the Full Court of the Federal Court of Australia

*Partnership 818* in a significant claim arising out of an aircraft accident in north Queensland

*ANZ Bank* in an appeal in the NSW Court of Appeal concerning the exercise of a power of sale large farm, including water rights

*Modern Mustering Pty Ltd* in relation to a large claim arising out of a helicopter crash in the Supreme Court of Northern Territory

The majority shareholders of *Australian Institute of Fitness Pty Ltd* in a complex claim of oppression and breach of directors duties

The former *Bishop of Bathurst* and his associates in defence of a large claim by the *Commonwealth Bank of Australia* and the *Anglican Archdiocese of Bathurst*

The *ACTU* on an application that the Honourable Dyson Heydon AC disqualify himself from further conduct of the Royal Commission into the Trade Union movement

Creditors of *Retail Adventures Pty Ltd* and *Retail Adventures Holdings Pty Ltd* in relation to an application to set aside a resolution of creditors

*Mr Travers Duncan* in relation to a significant claim by investors in *Cascade Coal Pty Ltd*

The Honourable *Senator Arthur Sinodinos AO* in relation to ICAC Operations *Credo* and *Spicer*

*Racing New South Wales* in relation to the rules of thoroughbred racing in NSW and a dispute with on-course veterinary surgeons

*The New South Wales Rugby League* in a dispute concerning the *NSW Rugby Leagues Club*

The *Balmain Tigers* leagues club in a dispute with a major creditor over the appointment of a Receiver

The *Commonwealth DPP* in relation to claims of insider trading in derivatives

*JP Morgan* in a substantial claim by the liquidators of *Octavio Ltd* which went to the High Court

~~The liquidators of one of the companies associated with *Nathan Tinkler (Mulsanne Resources Pty Ltd)*~~

*St Barbara Mines Ltd* in relation to a significant claim by *Kingstream* in the Supreme Court of Western Australia

ASIC, on the application to wind up *Storm Financial Ltd*

The voluntary administrators and liquidators of *Lehman Brothers Australia Ltd*

*The Australia and New Zealand Banking Group Ltd*, in respect of claims by investors in *Opes Prime Stockbroking Ltd*

*Apple Computer Australia Pty Ltd*, in substantial litigation lasting for over a decade comprising a series of cases and appeals arising from the failure of *Buzzle Operations Pty Ltd*

*Optus*, in a large commercial dispute with *Telstra*

*The Commonwealth of Australia*, on an application concerning the *ABC Learning Group*