

ANDREW BOE

Curriculum Vitae

Criminal • Appellate • Public Law • Coronial • Public-Interest Litigation

Professional Profile

Over approximately 37 years in legal practice, first as a solicitor and solicitor advocate and later as a barrister, Andrew Boe has appeared in courts and tribunals in every State and Territory of the Commonwealth, including the High Court of Australia. His practice has included complex criminal, appellate, public law, coronial and public-interest matters, often involving questions of legal principle, the administration of justice, fundamental human rights and the treatment by the law of vulnerable persons and diverse communities. It has also included extensive civil litigation across a broad range of areas.

A substantial part of Andrew's professional life has involved work bearing directly on matters of public justice, including First Nations justice, deaths in custody, judicial independence, domestic violence, child protection, human rights and institutional accountability. Those matters have required not only legal analysis and forensic skill, but also fairness, patience, cultural sensitivity, independence of mind and a sustained commitment to public service. Andrew has also been willing to act pro bono where circumstances have required it.

Andrew's practice continues to encompass matters in other States and Territories, although his present chambers are in Sydney, where he now principally resides. That experience, together with the cases conducted outside Queensland and listed in Appendices A and B, demonstrates his capacity to adapt readily to different legal frameworks and to work constructively with local practitioners and institutions.

Personal, Admission and Practice Details

Born	11 August 1965, Rangoon, Burma (Myanmar).
Citizenship	Australian citizen. Entered Australia lawfully in 1969 at age four with Burmese-born parents and four siblings, all of whom also became Australian citizens. Holds no other citizenship.
Admission	Admitted as a legal practitioner by the Supreme Court of Queensland in December 1989.
Previous practice	Sole practitioner in private firm as a solicitor December 1990 until 2009
Current practice	Barrister since 2009; present chambers in Sydney; practice continues to encompass matters in other States and Territories.
Bar memberships	"A" Class member, New South Wales Bar Association; "B" Class member, Queensland Bar Association; Associate member, Victorian Bar Association.
Jurisdictional breadth	Litigation and appearances as solicitor advocate or counsel in courts and tribunals in every State and Territory of the Commonwealth, including the High Court of Australia.

Professional Capabilities

The following capabilities are demonstrated through the nature of the work undertaken, the issues raised, the different professional roles performed as solicitor and counsel, and the range of courts and jurisdictions involved.

- **Legal knowledge, analysis and litigation:** Appropriate knowledge of relevant law and its underlying principles; ability to acquire new knowledge; a high level of expertise in the chosen area of practice; ability quickly to absorb and analyse information; and litigation experience and familiarity with court processes, including alternative dispute resolution.
- **Integrity and personal qualities:** Integrity and independence of mind; sound judgment; decisiveness; objectivity; diligence; sound temperament; and the ability and willingness to learn, develop professionally and adapt to change.
- **Fairness and respect:** Impartiality; awareness of and respect for diverse communities and sensitivity to differing needs; commitment to justice, independence, public service and fair treatment; willingness to listen with patience and courtesy; and respect for all court users.
- **Communication and authority:** Ability to explain procedure and decisions clearly and succinctly; inspire respect and confidence; maintain authority when challenged; and communicate orally and in writing in clear standard English.
- **Efficiency and collaboration:** Ability to organise time effectively and work at speed and under pressure; produce clear, reasoned judgments expeditiously; and work constructively with others.
- **Leadership and management:** Ability to form strategic objectives and lead their implementation; engage constructively and collegially with others, including court administration; represent legal institutions appropriately to external bodies; motivate, support and encourage professional development; manage change; and manage available resources.

Selected Significant Matters

The selected matters below are significant not simply by reference to years of practice or number of cases, but by the nature of the work, the issues raised, the different professional roles undertaken, and the range of courts and jurisdictions in which the work was performed.

Administration of Justice — Judicial Independence

Payne v Deer [1999] QSC 124; [2000] 1 Qd R 535, *Gribbin & Anor v Fingleton* [2002] QSC 390; [2003] 1 Qd R 698 and *Cornack v Fingleton* [2002] QSC 391; [2003] 1 Qd R 667

Andrew represented all of the applicant magistrates in separate judicial review proceedings concerning the exercise of administrative power by the two Chief Magistrates. In *Payne v Deer*, Chief Magistrate Deer's decision to transfer Magistrate Payne shortly after her appointment was set aside by Chief Justice de Jersey as 'manifestly unreasonable' – insufficient regard had been given to her family responsibilities. The matter attracted intense public attention, noting that Magistrate Payne was the first Indigenous judicial officer appointed in Queensland and the surrounding commentary included overtly racist elements.

The legislative response to Payne altered the transfer regime under the *Magistrates Act* and materially facilitated the appointment and retention of more women in the magistracy. Chief Magistrate Deer resigned citing this case as the reason he did so prematurely.

Magistrate Diane Fingleton was then appointed Chief Magistrate. The same underlying issues of institutional authority and judicial independence then arose again under her tenure. In *Cornack* and *Gribbin*, it was alleged that the transfer and administrative powers of the Chief Magistrate were being exercised manifestly unreasonably and, in substance, as a form of punishment. The litigation involved allegations of judicial bullying, misuse of administrative power and improper interference with the judicial independence of magistrates. The taking of instructions from magistrates and other judicial officers in that litigation went to the lawful limits of internal court hierarchy and the administration of justice.

The broader significance of those matters was later reflected in the criminal proceedings brought against Chief Magistrate Fingleton – in which Andrew was not involved – arising out of conduct connected with the Cornack litigation. Fingleton CM was convicted by a jury and gaoled.

The High Court in ***Fingleton v The Queen*** [2005] HCA 34 (in which Andrew was not involved) later held that the statutory protections and immunities attaching to the exercise of administrative powers within the magistracy were engaged and the conviction was set aside.

These matters were of substantial institutional significance. They concerned gender issues within the courts, racism, judicial independence, bullying, the lawful exercise of transfer powers and the proper administration of justice.

They demonstrate substantial knowledge of public law and the law governing courts, together with substantial familiarity with superior court process in litigation of institutional significance.

Domestic Violence — “Battered Woman Syndrome”

***R v Kina* [1993] QCA 480, *R v Lane* [1998] QCA 167, *R v MacKenzie* [2000] QCA 324; [2002] 1 Qd R 410**

These matters, spanning 1993 to 2000, concerned serious criminal litigation and required sustained engagement over many years, during which Andrew held different professional roles, with complex issues concerning prolonged domestic violence and what was then described as the “battered woman syndrome”. He was the solicitor for the appellants in Kina and MacKenzie. He was also the solicitor at trial in Lane, and solicitor advocate in the Lane and MacKenzie sentence appeals.

The cases required close attention to criminal responsibility, self-defence, sentencing principle, and the forensic use of complex factual, psychiatric and social material. Kina was of particular importance in exposing the forensic consequences of cross-cultural misunderstanding between First Nations clients and their lawyers, and the failure to obtain and understand critical instructions in a culturally competent way. Lane and MacKenzie required careful analysis of the effect of long-term abuse on criminal culpability, self-defence and sentence, and the further MacKenzie application extended that work into the practical operation of sentencing outcomes. Taken together, these matters illustrate a sustained professional contribution to the development of the law in this area across trial, appeal and sentence work, and demonstrate substantial knowledge of criminal law and its underlying principles, a high level of expertise in appellate and sentence work, the ability to absorb and analyse complex factual and psychological material, and substantial familiarity with superior court process across differing professional roles.

The sequence of these matters also reflects a continuing commitment to the proper treatment by the law of women subjected to prolonged domestic violence, and to ensuring that cultural difference and gendered experience are properly understood in the administration of criminal justice.

First Nations — Criminal Law and Sentencing

***Munda v Western Australia* (2013) 249 CLR 600; [2013] HCA 38, *Western Australia v Munda* (2012) 43 WAR 137; [2012] WASCA 164, *Daniels v State of Western Australia* (2012) 226 A Crim R 61; [2012] WASCA 95 and *KJM v The State of Western Australia* [2013] WASCA 23.**

These matters, heard between 2012 and 2013, involved serious appellate criminal litigation and substantial work in interstate superior courts on issues concerning First Nations defendants, sentencing principle and the proper application of criminal justice standards in cultural contexts. Andrew appeared as lead counsel in the High Court appeal in ***Munda*** and in the Western Australian Court of Appeal in ***Western Australia v Munda***. ***Munda*** remains an important authority on Crown appeals for manifest inadequacy, appellate restraint, and the treatment of an Aboriginal offender’s antecedents and personal circumstances in sentencing. The related appellate work in ***Daniels*** and ***KJM*** likewise concerned the application of orthodox criminal principle in matters involving First Nations parties in Western Australia. Taken together, these matters demonstrate substantial knowledge of the relevant law and its underlying principles, a high level of expertise in appellate advocacy, the ability to absorb and analyse complex material within strict timelines, and substantial familiarity with superior court process in another jurisdiction.

These matters also reflect a sustained professional commitment to questions affecting First Nations people in the criminal justice system, and to ensuring that issues of disadvantage, culture and personal history are properly addressed within Australian legal principle.

First Nations — Deaths in Custody

Inquest into the death of Mulrunji (27 September 2006), *Inquest into the death of Mulrunji* (14 May 2010), *Hurley v Clements & Ors* [2008] QDC 323, *Hurley v Clements & Ors* [2009] QCA 167, *Hurley v Clements & Ors (No 2)* [2009] QCA 207, *Inquest into the death of Kumanjayi Walker* (Ruling No 3) [2022] NTLC 019, *Inquest into the death of Kumanjayi Walker* (Ruling No 8) [2023] NTLC 025 and *Inquest into the death of Kumanjayi Walker* [2025] NTLC 8,

The Mulrunji matters entailed a ten-year engagement and the Walker matters a six-year engagement, much of it on a pro bono basis. They involved sustained and complex litigation arising from two significant First Nations deaths in police custody. In the Doomadgee/Hurley proceedings, Andrew acted over an extended period as solicitor, solicitor advocate and later as lead counsel for the Doomadgee family.

In the Northern Territory proceedings, Andrew was lead counsel for the Walker, Lane and Robertson families. I also coordinated legal representation for the Brown family and the Yuendumu community by teams from Queensland and Victoria. Both these matters required sustained engagement with coronial process, appellate review, police conduct and custody practices, and the legal and factual issues arising where First Nations people die in custody. They demonstrate substantial knowledge of public law, coronial law and the administration of justice, a high level of expertise in complex and sensitive litigation, the ability to absorb and analyse extensive factual, medical and governance evidence, substantial familiarity with superior court and inquest process, and leadership in the conduct of major public interest proceedings.

These matters also demonstrate a sustained commitment to justice, public service and fair treatment, reflected both in the pro bono character of much of the work and in the continuing representation of First Nations families over extended periods in matters of acute personal, community and institutional significance.

They also demonstrate an awareness of and respect for the diverse communities served by the courts, including sensitivity to the distinct historical and social context in which deaths in custody involving First Nations people are experienced and examined.

The conduct of these matters over many years, in highly contentious public proceedings, also required independence of judgment, forensic discipline and the capacity to maintain a principled course in litigation directed to the proper scrutiny of state power and the administration of justice.

High Court Advocacy

BBH v R [2011] HCATrans 121; (2012) 245 CLR 499, *Munda v State of Western Australia* [2013] HCATrans 136; (2013) 249 CLR 600, *Smith v R* (2015) 255 CLR 161, *NB & Ors v SB & Ors* [2020] HCATrans 168, *Kencian & Anor v Watney* [2017] HCASL 270 and *Couchy v Del Vecchio* [2004] HCATrans 520.

These cases demonstrate a breadth of litigation at the highest appellate level across a wide range of subject areas, including criminal law, sentencing (including First Nations sentencing), jury issues, defamation and child protection. They involved appearances in the High Court in both special leave applications and substantive appeals, as junior and leading counsel, requiring the identification and articulation of questions of principle suitable for determination at that level, and the capacity to engage with diverse areas of law. Taken together, they demonstrate substantial knowledge of the law and its underlying principles across multiple fields, a high level of expertise in appellate advocacy, the ability to absorb and analyse complex and varied material, and substantial familiarity with High Court process.

The range of subject matter, including criminal justice and child protection, reflects a sustained engagement with matters affecting individual rights and the proper administration of justice at the national level. **Couchy** was a vulnerable young First Nations homeless woman gaoled for swearing at a police officer. Her case was taken on pro bono from the Magistrates Court through to the High Court. The conduct of these matters at the highest appellate level required the identification and advancement of principled arguments, often in circumstances where the outcome turned on the proper resolution of contested questions of law.

Advancement of the Law

***R v Thompson* (1996) 90 A Crim R 416, *KBT v The Queen* (1997) 191 CLR 417; *Re Criminal Proceeds Confiscation Act 2002* (Qld) [2003] QCA 249; [2004] 1 Qd R 40**

These cases challenged and changed the law, both in criminal principle and in constitutional doctrine. In *Thompson*, Andrew appeared as solicitor advocate in the Court of Appeal and then instructed senior counsel in the successful appeal to the High Court in ***KBT v The Queen***. The case raised complex questions concerning compound criminal liability and jury anonymity.

Re Criminal Proceeds Confiscation Act 2002 (Qld) was a successful constitutional challenge to legislation on Kable principles, requiring analysis beyond criminal law into questions of institutional integrity and constitutional limitation.

Taken together, those matters are illustrative, at an early stage of practice, of the capacity to engage closely with difficult appellate issues, to assist in the development of arguments through successive levels of appeal, and to contribute to cases of continuing significance in later appellate and academic discussion.

These matters demonstrate a willingness to advance difficult questions of principle including constitutional questions, where the validity of legislation or the coherence of established criminal doctrine was in issue.

This constitutional challenge also bears upon the maintenance of institutional integrity and the proper limits of legislative power in the administration of justice.

Public Law and Justice-System Funding

***Boe v Criminal Justice Commission* (1993) 1 QAR 167; [1993] QSC 186**

Andrew identified and litigated an important statutory issue arising from his criminal practice, much of which then involved legally aided clients, namely that the Criminal Justice Commission had a statutory duty to monitor and report on the sufficiency and adequacy of government funding for the Public Defender's Office and the Office of the Director of Public Prosecutions, and that it had failed to do so. He first sought to have the Commission undertake to perform that task. The Commissioner refused. Andrew brought judicial review proceedings in the Supreme Court as the Applicant. The matter required close analysis of the post-Fitzgerald Inquiry political and legislative framework and its underlying purpose in safeguarding the integrity of the criminal justice system. de Jersey J ordered the Commission to perform the obligation. The case is illustrative, early in Andrew's practice, of the capacity to identify a significant legal issue, analyse the governing law and its purpose, and bring effective superior court proceedings.

Professional Independence, Judgment and Temperament

Andrew Boe's professional life has been spent in independent practice. This has required him consistently to exercise professional independence, including by giving frank advice, maintaining fidelity to the law and the evidence, and conducting matters that may be controversial or unpopular. These experiences have strengthened, rather than diminished, Andrew's commitment to the rule of law, procedural fairness and the equal dignity of all who come before a court.

Andrew's work has frequently involved serious criminal allegations, difficult factual disputes, public controversy and strong personalities. It has required sound judgment, decisiveness, objectivity, diligence and a sound temperament in circumstances that have often been professionally and personally demanding. It has also required Andrew to remain calm, disciplined and fair while dealing with complex material and competing pressures.

Andrew's practice across multiple jurisdictions has required him to adapt continuously to differing statutory schemes, procedural settings and court expectations. He has continued to learn and develop professionally through specialist accreditation, committee work, writing, teaching, conference presentations and the conduct of complex litigation in new jurisdictions and developing areas of law. Those experiences have reinforced his habits of professional independence, careful judgment, diligence and continued learning.

Some matters conducted by Andrew have required him to discharge his professional obligations in circumstances that were notorious, politically contentious or publicly unpopular. They called for integrity and independence of mind, objectivity, sound judgment, diligence and a sound temperament, particularly where

acting at all could attract criticism. They also required adherence to professional duty and to the equal application of the law, irrespective of public opinion, political controversy or personal disagreement with a client's position.

Selected matters illustrating those qualities include:

Notorious, Politically Contentious and Publicly Unpopular Matters

***A-G (NSW) v Milat* (1995) 37 NSWLR 370; *Milat v Attorney-General for New South Wales* S142/1995 [1995] HCATrans 397 and *Regina v Milat* [1998] NSWSC 795**

Andrew acted for Ivan Milat in proceedings arising from crimes that attracted intense national and international attention – serial murders of international backpackers. Acting in those matters required professional courage, disciplined judgment and fidelity to proper process in circumstances of acute public revulsion.

***Ettridge v DPP* [2003] QCA 410; *Ettridge v Director of Public Prosecutions* [2003] HCA 68; (2003) 202 ALR 423; (2003) 78 ALJR 157 and *R v Hanson*; *R v Ettridge* [2003] QCA 488**

Andrew acted in politically contentious proceedings involving public figures associated with views widely regarded as racist, including towards Asian communities, notwithstanding that he is. Those matters illustrate independence of mind, objectivity and a commitment to the equal application of the law, irrespective of personal characteristics or public controversy.

In her maiden speech to the Federal parliament Ms Hanson stated: "Arthur Calwell said: 'Japan, India, Burma, Ceylon and every new African nation are fiercely anti-white ... Do we want or need any of these people here? I ... say no.' I have no hesitation in echoing the words of Arthur Calwell."

***Doomadgee and Anor v Deputy State Coroner* [2005] QSC 357; [2006] 2 Qd R 352**

The associated Palm Island litigation required sustained pro bono representation in proceedings of intense public and political controversy. The matter involved sharp criticism of state conduct and, at one stage, public criticism of me by the Premier under parliamentary privilege. The work required diligence, stamina and sound temperament over an extended period, together with the capacity to maintain a principled and professional course notwithstanding criticism from different quarters.

***Wertheim v Haddad* [2025] FCA 720 (1 July 2025) (leading Fuller and Kalinosis)**

Federal Court proceeding under s 18C of the *Racial Discrimination Act* 1975 (Cth) concerning speeches, a sermon and an interview published online. The matter arose in a context in which allegations of antisemitism are often the subject of polemical public debate. It required the Court to distinguish between antisemitism, on the one hand, and criticism of Israel or disparagement of Zionism, on the other. Stewart J said:

The ordinary, reasonable listener would understand that not all Jews are Zionists or support the actions of Israel in Gaza and that disparagement of Zionism constitutes disparagement of a philosophy or ideology and not a race or ethnic group. Needless to say, political criticism of Israel, however inflammatory or adversarial, is not by its nature criticism of Jews in general or based on Jewish racial or ethnic identity ... The conclusion that it is not antisemitic to criticise Israel is the corollary of the conclusion that to blame Jews for the actions of Israel is antisemitic; the one flows from the other.

The proceeding also required consideration of the scope of the s 18D exemptions and the implied freedom of political communication.

These matters illustrate a willingness to act fearlessly, independently and objectively in difficult cases, including where the client, the subject matter or the surrounding controversy made the work unpopular. They

also demonstrate adherence to professional duty, sound temperament under pressure, and fidelity to the rule of law and proper process.

Fairness, Communication and Diverse Communities

Andrew Boe's personal and professional life has informed his understanding of the diversity of the communities served by the courts and the importance of fairness, dignity and respect in legal and judicial work. Andrew was brought to Australia as a child after his parents fled military rule and political repression in Burma (Myanmar). He has four adult daughters who identify as First Nations through their mother, Magistrate Jaqueline Payne, and her Butchulla family from K'gari. Those personal experiences, together with Andrew's professional work in matters concerning First Nations justice, human rights and the Royal Commission into Institutional Responses to Child Sexual Abuse, have deepened his appreciation of the need for careful listening, cultural respect, equal justice and the principled exercise of public power.

These professional attributes overlap in practice. Fairness depends, in part, upon the capacity to listen carefully, understand differing circumstances and needs, and explain processes and outcomes clearly. Authority, in turn, depends not only upon firmness, but also upon fairness, patience, courtesy, clarity of expression and the capacity to maintain the confidence of those appearing before the court.

Across both branches of his career, Andrew has acted for accused persons, victims and affected families, vulnerable children and families in child protection matters, migrants, people for whom English is not a first language, people experiencing mental illness, politically prominent individuals, and First Nations clients and communities. That breadth of experience has reinforced the discipline of approaching each matter according to its facts and the law, without favour or prejudice, while adapting communication and forensic methods to the needs of those involved

Representative Matters

Royal Commission into Institutional Responses to Child Sexual Abuse

***R v Kina* [1993] QCA 480;**

***Del Vecchio v Couchy* [2002] QCA 9, *R v C* [2000] QCA 145**

***Couchy v Del Vecchio* [2004] HCATrans 520;**

***Doomadgee and Anor v Deputy State Coroner* [2005] QSC 357; [2006] 2 Qd R 352;**

***R v Abdul Alghunaim* (District Court, Brisbane, September 2018).**

Those matters required Andrew Boe to exercise fairness and patience when dealing with vulnerable people and culturally diverse communities, to explain difficult legal issues clearly to clients, witnesses and courts, and to maintain authority in settings that were often sensitive, complex or highly charged.

Andrew's work in the Royal Commission into Institutional Responses to Child Sexual Abuse further required the careful handling of vulnerable witnesses and sensitive material. It reinforced the importance of patience, respect, clarity and trauma-informed fairness in the administration of justice when dealing with people in such circumstances.

English is not Andrew's first language. He was born in Burma, and his family spoke mainly Burmese at home. He was, however, educated in Australian schools and tertiary institutions. He observed the difficulties his mother experienced in integrating into Australian society and engaging with schools, banks, government agencies and other institutions without proficiency in English.

Throughout his professional life, Andrew has developed strong spoken and written English, together with the capacity to analyse, explain and apply legal principles clearly, both orally and in writing. His work providing written and oral advice, crafting cogent submissions and undertaking oral advocacy in trials, appeals, inquests and commissions of inquiry has repeatedly required him to communicate complex issues to clients, witnesses, juries, coroners, commissioners and appellate courts in circumstances involving difficulty or strong emotion.

These experiences demonstrate Andrew's ability to deal fairly with people from widely differing backgrounds and circumstances, to listen with patience and courtesy, and to communicate clearly and effectively in both

trial and appellate settings. They also demonstrate his capacity to maintain authority when challenged while treating all court users with dignity and respect.

Efficiency, Case Management and Written Advocacy

My practice has required me to manage urgent bail applications and appeals, lengthy trials, large documentary records and matters of substantial public importance, often over sustained periods and with teams drawn from different jurisdictions.

My appellate and public law work has also required the rapid distillation of large records and the identification of dispositive issues under time pressure; those are directly relevant skills for the prompt production of clear and reasoned judgments.

My appellate practice across multiple jurisdictions has, however, required close analysis of many first-instance and intermediate appellate judgments. I understand the importance of timely judgment delivery and the different discipline required when moving from adversarial writing to judgment writing.

Representative Written Work

- High Court [submissions](#) in [Munda](#) concerning the intersection between the Australian criminal justice system and First Nations traditional lore and practices.
- Pro bono submissions in the *Inquest into the death of Kumanjaji Walker*, engaging with months of evidence, addressing multiple issues of fact and law, and leading to the Coroner's finding of "institutional racism" in the Northern Territory Police Force.

Professional Development, Writing and Teaching

Andrew has continued to develop professionally through formal accreditation, committee work, teaching, writing, conference presentations and practice in new jurisdictions. He held specialist accreditation in criminal law from the Queensland Law Society, is accredited as specialist appellate counsel by the New South Wales Legal Aid Commission, and has served on specialist professional committees of the Queensland Law Society, and other committees of the Queensland Bar Association, the New South Wales Bar Association and the Australian Bar Association. For more than 25 years he has written on criminal law topics, including as co-author since 1999 of a chapter in the *Lawyers Practice Manual* published by Caxton Legal Centre.

In 2022 Hachette Australia published Andrew's first book, [The Truth Hurts](#), examining complexities within the Australian criminal justice system.

In 2024 Andrew authored academic articles for publication in the [Griffith Law Review](#) and [Pandora's Box – Law & Justice](#) concerning Indigenous justice issues. I have also taught and presented guest lectures in criminal law at Griffith University, the University of Queensland and the University of Sydney, presented papers for a range of professional bodies, and appeared on university and professional panels on Indigenous justice and criminal law issues.

In December 2024 the [NSW Bar Association Journal](#) published an article Andrew wrote concerning suggested reforms to the process of investigating First Nations Deaths in Custody where there are parallel criminal proceedings associated with the death to ensure that the outcomes meet the expectations of the community.

Leadership, Management and Public-Interest Initiatives

Andrew's experience of leadership and management has arisen both within practice and through the creation and conduct of professional and public-interest initiatives. It has required the identification of strategic objectives, the coordination of people from different professional backgrounds, and the delivery of projects directed to legal education, institutional engagement and law reform.

Selected matters illustrating those requirements include the following.

In 2000, Andrew established the **Lawyers' Information Network Inc** (LiNK), which sought to promote rule of law issues and to address, from a legal perspective, Indigenous social deprivation. LiNK later organised projects including a rule of law conference in Rangoon, a workshop involving members of the Burmese Supreme Court, a seminar for Papua New Guinean women lawyers during a tour of the Queensland courts and legal institutions, and a public seminar on refugee law and policy. Those projects required strategic planning, cross-cultural engagement, coordination of participants and institutions, and the effective use of limited resources.

In 2014, he established the **Law and Justice Institute**, an organisation comprising members of both branches of the profession, and remained its Vice-President until 2018. In that role, I helped create and maintain a vehicle for professional collaboration and public engagement on questions of law and justice.

In 2016, as Vice-President of the **Law and Justice Institute**, Andrew convened and presented a seminar in the Queensland Banco Court on diversity in the law. The seminar examined the careers of Deng Adut and Tony McAvoy SC, Australia's first Indigenous silk. It required the design and delivery of a professional programme dealing with questions of diversity, representation and professional development within the law.

In 2016, Andrew was appointed chair of the Organising Committee of the 2018 **International Criminal Law Congress**, which was held at Byron Bay from 3 to 7 October 2018. The Congress involved more than 230 attendees from Australia and New Zealand and included current and former senior judicial officers, senior practitioners, academics and public figures. The presenters included Kiefel CJ, the Honourable Robert French AC, Holmes CJ (Qld), McCallum J (NSW) (as the Chief Justice then was), Chief Judge Jan-Marie Doogue (NZ) and others.

This role required the formation and implementation of a complex strategic plan, the coordination of high-profile participants, collegial engagement across jurisdictions and professions, the management of competing logistical and professional demands, and the successful delivery of a major professional event.

Taken together, these matters demonstrate the capacity to formulate and implement strategic objectives, to work constructively and collegially with others, to represent legal institutions appropriately in professional and public settings, and to manage change and limited resources effectively. They also demonstrate a style of leadership grounded in collaboration, planning, reliability and sustained professional commitment.

Referees

The following current and former judicial officers and senior counsel may be approached as referees:

Referee	Contact
The Honourable Catherine Holmes AC SC, former Chief Justice of Queensland	(07) 3369 6996; 0418 986 674; ceholm1000@gmail.com
Justice Peter Callaghan, Supreme Court of Queensland	0419 641 360; peter.sc@bigpond.com
Justice Dina Yehia, Supreme Court of New South Wales	0414 864 553; justice.yehia@courts.nsw.gov.au
The Honourable Tony Fitzgerald AC KC, former President of the Queensland Court of Appeal	02 9361 5003; 0407 870 084; tonyfitzkc@icloud.com
Bret Walker SC, New South Wales Bar	02 8257 2527; 0413 000 375; contact via caroline.davoren@stjames.net.au

Appendix A — Criminal Law Cases

Appearances as Counsel

Appeals and Applications for Special Leave in the High Court

BBH v R [2011] HCATrans 121 (led by Walker SC, with Morreau (now KC)): special leave deferred to the Full Court

BBH v R (2012) 245 CLR 499, [2012] HCA 9 (led by Walker SC and Callaghan SC (now Callaghan J)): application for special leave and appeal before the Full Court

Munda v State of Western Australia [2013] HCATrans 136 (led by Callaghan SC (now Callaghan J)): application for special leave

Munda v State of Western Australia (2013) 249 CLR 600, [2013] HCA 38 (with Brunello, WA (now Magistrate Brunello)): appeal before the Full Court

Smith v R [2015] HCATrans 84 (with Dighton, contra Moynihan QC (now DCJ) and Hedge): application for special leave

Smith v R (2015) 255 CLR 161, [2015] HCA 27 (with Morreau (now KC) and McGee, contra Moynihan QC and Hedge): appeal before the Full Court

Appearance in the Australian Capital Territory

DPP (ACT) v Papandrea & Aulich (March 2025) before McCallum CJ (leading Muthurajah (ACT)) – Stay Application

Trials and Applications in New South Wales

R v Brooks, March-April 2017 (coram Hamill J, NSW) (6 weeks) - murder trial

R v Vitale, July 2015 (with McGee, coram Yehia SC DCJ, NSW) – jury trial, commercial quantity drug manufacture

R v Younan, 2016 (with McGee, coram Norrish SC DCJ, NSW) – jury trial

R v Pham, July 2015 (with McGee, coram McCallum J, NSW) - bail application, commercial quantity drug supply;

Trials and Applications in Queensland

In the matter of Queensland Nickel Pty Ltd (In Liquidation), May 2017 (with Fuller, contra Sullivan QC, coram Dowsett J, Fed Court) – corporations law examinations;

R v Oakley, March 2016 (with O'Brien, coram McMeekin J) – murder /manslaughter plea

R v P & Anor [2016] QSC 49, March 2016 (with Morreau, coram Applegarth J) – evidence exclusion applications

R v Mackenzie, May 2016 (with Dighton, coram Richards DCJ, Rockhampton) – jury trial, dangerous driving causing grievous bodily harm

R v Mackenzie, June 2015 (with Dighton, coram Rafter SC DCJ) – jury (re)trial, dangerous driving causing grievous bodily harm

R v Claasen, June 2015 (coram Botting DCJ) – jury trial, serious assaults, deprivation of liberty

R v Ford, February 2015 (coram Scotting DCJ, NSW) – appeal, non-recording of conviction;

***R v Jones*, November 2014** (with Dighton, coram Bradley DCJ) – jury trial, fraud
***R v Hadgelias*, October 2014** (with Morreau, coram McGuinness DCJ) - burglary
***R v Simmons*, August 2014** (coram Everson DCJ) – jury trial, rape;
***R v Kenward*, June 2014** (coram Andrews SC DCJ) – jury trial, burglary;
***R v Smith*, March 2014** (with Morreau, coram Shanahan DCJ) – jury trial, rape;
***R v Fonoti*, August 2013** (coram Farr SC DCJ) – jury trial, indecent dealing;
***R v Grimes* [2013] 1 Qd R 351, [2012] QSC 229** (with O'Brien, coram P Lyons J) – stay of indictment, drug trafficking;
***R v Nocon* [2011] QSC 271** (with O'Brien, coram McMeekin J) – jury trial, manslaughter;
***R v McLauchlan*, 2012** (with Gass, coram Martin SC DCJ) – jury trial, dangerous driving
***R v Smith*, February/August 2013** (with Morreau, coram Durward SC DCJ) - jury trial, rape

Trial in Western Australia

***R v Daniels*, 2011 and 2012 (re-trial)** (with Brunello, coram Hall J, WA) – jury trial, manslaughter;

Appeals in Queensland

***Arndt v Rowe* [2011] QDC 313** (with Robb, contra Burns QC)
***R v Lacey & Lacey* [2011] QCA 386** (with Morreau, contra Byrne QC)
***R v Luong* [2010] QCA 14** (with Morreau)
***R v Cavalli* (2010) 206 A Crim R 306, [2010] QCA 343** (with Morreau, contra Copley QC)
***Skorka v Hartley* [2011] QCA 116** (with O'Brien)
***R v BCA* [2011] QCA 278** (with O'Brien, contra Copley QC)
***R v You* [2011] QCA 279**
***R v Versac* [2011] QCA 318** (with Robb, contra RG Martin QC)
***R v Jobsz* [2013] QCA 5**
***R v McCallum* [2013] QCA 254** (with Anderson, contra MR Byrne QC)
***R v Alt* (2013) 236 A Crim R 486, [2013] QCA 343** (led by Temby QC)
***R v KAK* [2013] QCA 310** (with Anderson)
***R v Baker* [2014] QCA 5** (with O'Brien, amicus curiae)
***R v MBY* [2014] QCA 17**
***R v Tran* [2014] QCA 90** (with Morreau)
***R v HBK* [2014] QCA 100** (with Morreau)
***R v Smith* [2015] 2 Qd R 452, [2014] QCA 277** (with Dighton)
***R v Khaled* [2014] QCA 349**
***R v Engeln* [2014] QCA 313**
***R v Simmons* [2015] QCA 194** (with Morreau)
***R v Duong* (2015) 255 A Crim R 57, [2015] QCA 170** (led by Walker SC)
***R v Mackenzie* (2016) 78 MVR 327, [2016] QCA 277** (with Dighton)
***R v Kay; Ex Parte Attorney-General (Qld)* [2016] QCA 269** (with Morreau)

Appeals in New South Wales

***Thafer v R* [2019] NSWCCA 143** (with Rajalingam (NSW))
***R v DP* [2019] NSWCCA 55** (with McGee (NSW)).
***R v Adam Bortic* [2021] NSWCCA 138**
***Yacoub v R* [2026] NSWCCA 18;**
***Wonnocott v R* [2025] NSWCCA 208**
***Gillette v R* [2026] NSWCCA 59** (with Fuller)

Appeals in Western Australia

***Daniels v State of Western Australia* (2012) 226 A Crim R 61, [2012] WASCA 213**
***State of Western Australia v Munda* (2012) 43 WAR 137, [2012] WASCA 164;**
***KJM v The State of Western Australia* [2013] WASCA 23.**

Appeal in South Australia

***Kerin v The Queen* [2022] SASCA 19** (with Fuller)

Conducted as Solicitor and/or Appearances as Solicitor Advocate

High Court Special Leave

***Pretorius v The Queen* [2009] HCATrans 152 (25 June 2009)**

MacPhee v The Queen [2005] HCATrans 783 (30 September 2005)
Lumley v The Queen [2005] HCATrans 174 (21 March 2005)
Couchy v Del Vecchio [2003] HCATrans 557 (10 February 2003)
Ettridge v DPP (Queensland); Hanson v DPP (Queensland) [2003] HCATrans 377 (23 September 2003)
Lam, Ex parte - Re MIMA [2002] HCATrans 315 (24 June 2002)
KBT v The Queen [1997] HCATrans 200 (25 June 1997)
Thompson v The Queen [1997] HCATrans 116 (4 April 1997)
Milat v Attorney-General for New South Wales [1995] HCATrans 397 (23 November 1995)
Din, Ex parte - Re MIMA [2001] HCATrans 204 (17 May 2001)
Dang v The Queen [2000] HCATrans 357 (21 June 2000)
Hamdan v Callanan; Younan v Callanan [2015] HCATrans 271 (16 October 2015)
Director of Public Prosecutions (Cth) & Anor v Kainhofer [1995] HCATrans 208 (20 June 1995)

Queensland Court of Appeal

R v Dang [1997] QCA 29
R v Lane [1998] QCA 167
R v Houghton & Genrich [1998] QCA 137
R v Dang [1999] QCA 414
R v Runcan [1999] QCA 498
R v Beer [2000] QCA 193
R v MacKenzie (2000) 113 A Crim R 534, [2002] 1 Qd R 410
R v Le; ex parte A-G (Qld) [2000] QCA 392
R v Shepherd [2001] QCA 181
R v Lau (2002) 136 A Crim R 495, [2002] QCA 542;
R v Van Le [2003] QCA 256
Andrews v Henderson [2004] QCA 145
R v McArdle (2004) A Crim R 151, [2004] QCA 7
R v Hoad (2005) 43 MVR 475, [2005] QCA 92
R v Poppa [2005] QCA 157
R v BAY (2005) 157 A Crim R 309, [2005] QCA 427
R v Ewen [2006] QCA 11
R v Lam [2006] QCA 560;
Gardner (Snr) v DPP [2009] QCA 29
R v Denyer [2009] QCA 53
R v Bobonica & Runcan [2009] QCA 287.

Appendix B — Non-Criminal Cases

High Court

Appearances as Counsel

Kencian & Anor v Watney [2017] HCASL 270 (12 October 2017) (leading McCafferty (now McCafferty J) and Fuller)
NB & Ors v SB & Ors [2020] HCATrans 168 (leading Dighton & Morreau (now KC))

Conducted as Solicitor

Lam, Ex parte - Re MIMA [2002] HCATrans 315 (24 June 2002)
Din, Ex parte - Re MIMA [2001] HCATrans 204 (17 May 2001)
Hamdan v Callanan; Younan v Callanan [2015] HCATrans 271 (16 October 2015)
Director of Public Prosecutions (Cth) & Anor v Kainhofer [1995] HCATrans 208 (20 June 1995)

State, Territory and Federal Courts

Child Protection

REF and SJP v Chief Executive Office, Territory Families [2019] NTSC 4
NB & Ors v SB & Ors [2019] NTSC 61.
NB, MB, PB v SB, MS and the CEO, Territory Families NT [2020] NTCA 2
NB & Ors v SB & Ors [2020] HCATrans 168

Coronial Inquests and Related Litigation

Rolfe v The Territory Coroner & Ors [2023] NTCA 8.
Inquest into the death of Mulrunji (27 September 2006)
Inquest into the death of Mulrunji (14 May 2010)
Hurley v Clements & Ors [2008] QDC 323
Hurley v Clements & Ors [2009] QCA 167
Hurley v Clements & Ors (No 2) [2009] QCA 207
Inquest into the death of Kumanjaya Walker (Ruling No 3) [2022] NTLC 019,
Inquest into the death of Kumanjaya Walker (Ruling No 8) [2023] NTLC 025
Inquest into the death of Kumanjaya Walker [2025] NTLC 8

Human Rights — Constitutional Law

Wertheim v Haddad [2025] FCA 720 (1 July 2025) (leading Fuller and Kallinos)

Corporations Law and Consumer Law

Parberry, in the matter of Queensland Nickel Pty Ltd (in liq) [2017] FCA 881
Re Allan Victor Brownbill; Frederica Kathleen Brownbill and Palmat Pty Ltd v Esanda Finance Corporation Limited [1991] FCA 196

Immigration

Re Minister for Immigration and Multicultural Affairs; Ex parte Lam (2003) 214 CLR 1

Family Law — Child Custody

Dodd v Carson [2011] FamCA 256: 'Magellan' child sex allegation.

Defamation

Daunt Watney v Woolley & Kencian, July 2016 (with McCafferty, coram Morzone QC DCJ), (8 days) – defamation trial with a jury
Kencian & Anor v Watney [2015] QCA 212 [2016] 2 Qd R 357
Watney v Kencian [2017] QCA 116 [2018] 1 Qd R 407
Kencian & Anor v Watney [2017] HCASL 270 (12 October 2017)
Daunt Watney v Woolley & Kencian, March 2018 (with McCafferty, coram Morzone QC DCJ), (8 days) – defamation trial with a jury (re-trial)

Judicial Review

Bauwens & Anor v The Territory Coroner [2022] NTSC 92
Rolfe v The Territory Coroner & Ors [2023] NTCA 8.

Beale v O'Connell [2017] QSC 127, May 2017
Boe v Criminal Justice Commission (1993) 1 QAR 167; [1993] QSC 186
Re Criminal Proceeds Confiscation Act 2002 (Qld) [2003] QCA 249; [2004] 1 Qd R 40
Payne v Deer [1999] QSC 124; [2000] 1 Qd R 535,
Gribbin & Anor v Fingleton [2002] QSC 390; [2003] 1 Qd R 698
Cornack v Fingleton [2002] QSC 391; [2003] 1 Qd R 667
Nikolic v Chief Commissioner of Police [2016] VSC 143
X v Callanan [2016] QSC 42.
Hamdan v Callanan; Younan v Callanan [2013] QCA 104
X v Callanan & Anor [2016] QCA 335
Hamdan v Callanan; Younan v Callanan [2016] 1 Qd R 128, [2014] QCA 304
Hamdan v Callanan; Younan v Callanan [2015] HCATrans 271
Hurley v Clements & Ors [2008] QDC 323,
Hurley v Clements & Ors [2009] QCA 167
Hurley v Clements & Ors (No 2) [2009] QCA 207
Le Grand v CJC (No 1) [2001] QCA 383
Le Grand v CJC (No 2) [2001] QCA 432
Doomadgee and Anor v Deputy State Coroner [2006] 2 Qd R 352, [2005] QSC 357.

Native Title

Anderson on behalf of the Quandamooka People (Mulgumpin/Moreton Island Claim) v State of Queensland [2019] FCA 1886
Turrbal People v Queensland [2002] FCA 1082

Extradition

Taylor v United States of America [2012] FCA 366
Director of Public Prosecutions (Cth) & Anor v Kainhofer [1995] HCATrans 208

Royal Commissions and Commissions of Inquiry

Truth-telling and Healing Commission (Queensland)

Co-Lead Counsel Assisting in inquiry role under the Path to Treaty Act 2023 (Qld).

Royal Commission into Institutional Responses to Child Sexual Abuse

Case Study 12 – Independent School, held in Perth, WA (Justice Coate presiding with Commissioners Murray and Atkinson AO APM)

Case Study 15 – Swimming Australia, held in Sydney, NSW (Justice McClellan AM presiding with Commissioners Fitzgerald AM and Associate Professor Milroy)

Case Study 39 – Sporting Clubs, held in Sydney, NSW (Justice McClellan AM presiding with Commissioners Atkinson AO APM and Associate Professor Milroy).