

# Philip A Walker SC

## Barrister



### Practice summary

Philip was called to the Bar in 1988 and appointed as Senior Counsel in 2013. He has extensive experience in public and commercial law. He has practical knowledge of both territory and federal legal practice. Philip is also a Military lawyer, with both disciplinary and inquiry experience.

He has interests in English and European history particularly military and legal history.

### Practice areas

Prerogative writs

Constitutional law

Revenue law

Administrative Decisions (Judicial Review) Act applications (federal and territory)

Occupational licensing

Administrative Appeals Tribunal cases (federal and territory)

Public service discipline

Town planning law

Territory commercial and leasing disputes

Military law

Equity

### Admissions and qualifications

Appointed as Senior Counsel	2013
Called to the Bar	1988
Admission as a legal practitioner	1988
Bachelor of Laws, The Australian National University	1986
Bachelor of Economics, The Australian National University	1983

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## Significant cases

- *John Pfeiffer Pty Ltd v Rogerson* [2000] 203 CLR 503 - Junior counsel to the ACT Attorney-General appeal to the High Court of Australia. Appeal was centred primarily on conflict of laws issues.
- *Wreck Bay Aboriginal Community Council v Williams* [2017] ACTCA 46. Question of inconsistency between Commonwealth law and ACT as it applies in the Jervis Bay Territory.
- “A Revenue Matter”. \$150 million stamp duty case involving Caribbean share transfer.
- [HMAS Success Commission of Inquiry 2010–2011](#). Counsel for the executive officer at the HMAS Success Commission of Inquiry—“Allegations of unacceptable behaviour and the management thereof”.
- [ACT Bushfire Inquiry 2003](#). Counsel for the Chief Fire Control Officer in a coronial inquiry into the 2003 Canberra Bushfire, which resulted in four deaths, the destruction of 487 homes and 23 commercial and government premises.
- *The Queen v. Ali Asgha Donyadideh* [1993] 115 ACTR. Constitutional issue arising out of attack on Iranian Embassy
- *ACT v Pinter* [2002] 121 FCR 509. Retrospective removal of criminal injuries compensation rights and unjust acquisition of property case argued before the Full Court of the Federal Court of Australia.
- *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science (No 2)* [2018] FCAFC 47. Custom anti-dumping on imported steel
- *Leda Commercial Properties Pty Ltd v Brenda Hungerford Pty Ltd* [2018] ACTCA 17. Misleading and deceptive conduct
- *Denham Constructions Pty Ltd v Republic of Pakistan*. Commonwealth constitutional issue under Building Security of Payments Act.

- *Supabarn Supermarkets P/L v Cotrell Pty Ltd*. Lease dispute between supermarket and shopping centre, currently reserved by Penfold J of the ACT Supreme Court.
- *Trust Company Ltd v ACT Planning Authority*. Valuation and change of use charge for five Canberra City office buildings.
- *Re Sports Alive Pty Ltd (in liquidation)* [2013] VSC 69. Application to determine whether funds held by online sports betting agency were held on trust.
- *HJA Holdings Pty Ltd and Ors v Commissioner For Act Revenue*. Payroll tax grouping case of 18 leisure, land development and technology companies.
- *Amarso Pty Ltd and Ors and Act Planning And Land Authority*. Land development matter for development of 332 residential units and 11 commercial units.
- Board of Inquiry into Disability Services 2001. Counsel for the Australian Capital Territory in an Inquiry into Disability Services in the ACT following four deaths.
- ACT Legislative Assembly Committees. As President of the ACT Bar Association, appeared before ACT Legislative Assembly Committee hearings for:
  - a proposal to reduce damages for personal injuries arising from motor vehicle accidents
  - a proposal to abolish the defence of self-defence when unlawfully arrested by police
  - a review of the ACT self-government legislation.

## Contact

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