LIST G
BARRISTERS

Alex James-Martin



Alex has a broad practice encompassing commercial, public and common law.

QUALIFICATIONS

Master of Laws (Hons I) (Cantab)
Bachelor of Laws (Hons I)
Bachelor of Commerce (Accounting)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Banking & Finance | Class Actions | Commercial Arbitration | Consumer Credit | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts | Private International Law | Regulatory Investigations

EMPLOYMENT & INDUSTRIAL

Discrimination

TORT LAW

Appellate | Class Actions | Defamation | Professional Negligence

PUBLIC LAW

Administrative Law | Appellate | Civil & Human Rights | Commissions & Inquiries | Customs Law | Discrimination | Extradition Law | Freedom of Information | Immigration | Judicial Review | Planning & Local Government | Privacy | White Collar Crime

He has particular experience in class actions and regulatory proceedings. He has appeared in Courts at all levels from complex class action trials, to appeals in the High Court of Australia.

Alex's commercial practice is broad, including financial services regulation, equity and trusts, insolvency and professional liability.

Alex's public law practice is varied and has involved a significant focus on confidential information, including legal professional privilege, public interest immunity, freedom of information and privacy disputes. He has frequently acted for government agencies, including in relation to the *Charter of Human Rights and Responsibilities Act 2006* (Vic).

Alex holds a Master of Law from the University of Cambridge and a Bachelor of Laws from the University of Adelaide, each with First Class Honours. He also holds a Bachelor of Commerce majoring in accounting, which assists him in dealing with financial evidence. Before coming to the bar, Alex practised at now Herbert Smith Freehills Kramer and the VGSO.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

APPELLATE

Bird v DP (a pseudonym) [2024] HCA 41; 98 ALJR 1349 (led by BW Walker SC and AM Dinelli KC) – High Court of Australia – Tort – Vicarious Liability.

Bird v DP (a pseudonym) (2023) 69 VR 408 (led by RN Annesley KC and AM Dinelli KC) – Supreme Court of Victoria – Tort – Vicarious Liability

CLASS ACTIONS

Holmes v Knowmore Legal Service Limited [2025] VSC 561 – Supreme Court of Victoria – Class action – Professional liability (solicitor) - (led by G A Costello KC and D Seeman with M Driscoll).

Jane Jones (a pseudonym) v Waller Legal Pty Ltd [2025] VSC 42 – Supreme Court of Victoria – Class action – Professional liability (solicitor) - (led by MD Rush KC).

Alford v AMP Superannuation Limited – VID572/2019 – Federal Court –Class action – Superannuation Trustee duties – Settled after six-week trial (led by PW Collinson KC, (formerly NJ Owens SC) and AM Hochroth, with SJ Chordia and SE Kearney) (settled subject to approval) (see e.g. [2024] FCA 423).

DBE17 v Commonwealth – VID1392/2019 – Federal Court – Class action – Unlawful imprisonment (led by BW Walker SC, B Quinn KC, M Albert, and M Guo).

Endeavour River Pty Ltd v Murray Goulburn Corporation Ltd – Class action – Securities class action.

REGULATORY

ASIC v National Australia Bank Limited [2021] FCA 1013 – Federal Court – Corporations – Financial services regulation – Consumer protection – Misleading or deceptive conduct (led by PW Collinson KC, CM Archibald KC, and C Klemis).

ASIC - Advice regarding "greenwashing" (led by F McLeod AO SC).

GENERAL COMMERCIAL, INSOLVENCY AND PROFESSIONAL LIABILITY

Duke v All About Graphics Aust. Pty. Ltd. (ACN 078 016 387) – Federal Court – (VID 620 of 2024) - Just and equitable winding up (unled) (settled).

Gasparotti v Financial Services Partners Pty Ltd (ACN 089 512 587) – County Court – CI-23-05246 - Professional liability (Financial advisor) - (unled) (settled)

Asparq Consolidated Pty Ltd v Chameron Pty Ltd – Supreme Court of Victoria – Corporations – Oppression of minority shareholder (with A Segal) (settled)

Aura Energy Ltd v Pre-Emptive Trading Pty Ltd – Supreme Court of Victoria – Corporations – Contract – Misleading or deceptive conduct – Oppression of minority shareholder (with D Lorbeer) (settled)

Zylux Distribution Pty Ltd v BOW France SAS [2019] VCC 1252 – County Court of Victoria – Contract – Objection to jurisdiction by foreign defendant – *Forum non conveniens* (unled) (settled)

Chandra v Kubale Constructions Pty Ltd – VCAT – Building and construction – Domestic building (unled) (settled)

Xiang v Trustee in Bankruptcy – Federal Court – Bankruptcy – Application to set aside notice by official receiver under s 139Z (settled)

PUBLIC LAW

Suburban Rail Loop Authority v Davis (Review and Regulation) [2024] VCAT 1175 – FOI - Exempt documents – Internal working documents (unled).

Davis v Department of Treasury and Finance Z214-2024 – FOI – (unled) (settled).

Department of Health v Lovell (Review & Regulation) [2024] VCAT 998 - FOI - Exempt documents - Cabinet documents (unled) (settled).

Samaras v Secretary to the Department of Justice and Community Safety – Supreme Court of Victoria –S ECI 2022 01755 – Judicial review – *Charter of Human Rights and Responsibilities Act 2006* (Vic) (unled) (settled)

Chief Commissioner of Police v Accused – Supreme Court of Victoria – Judicial review – legal professional privilege where documents seized under search warrant (led by AM Dinelli).

QEX v Department of Health (Review and Regulation) [2022] VCAT 349 – FOI – Exempt documents (unled).

Foster v Department of Health (Review and Regulation) [2021] VCAT 742 – FOI – jurisdiction of VCAT – Constitutional law – Inconsistency between Commonwealth and State law, s 109 Constitution (unled)

Pitman v WorkSafe Victoria (Review and Regulation) [2020] VCAT 487 – FOI – Exempt documents (unled)

Zeqaj v Victoria Police (Human Rights) [2019] VCAT 1641 – Privacy – Alleged breach of Information Privacy Principles (unled)

Wol v Fines Victoria – Judicial review – *Charter of Human Rights and Responsibilities Act 2006* (Vic) (led by L Brown, Crown Counsel)

Caldwell v Towong Shire Council (Human Rights) [2019] VCAT 1560 – Human Rights – Discrimination – Summary dismissal (unled)

Alex has frequently been briefed to appear for the Chief Commissioner of Victoria Police, both led and unled, regarding claims for public interest immunity and the issue of subpoenas. He has appeared in such matters in the Supreme, County, and Magistrates' Court. Examples include:

- *Goussis v The King* [2022] VSCA 255 – Public interest immunity (led by AM Dinelli SC);

- *DPP v Westbrook (a pseudonym) (Ruling 1)* [2020] VSC 290; *R v Westbrook* [2020] VSC 472 – Public interest immunity – Murder – criminal trial disclosure (led by AM Dinelli);

- *R v Halis & Ors* – Public interest immunity – criminal trial disclosure – Conspiracy to commit acts in preparation for, or planning, a terrorist act (led by AM Dinelli)

COMMON LAW

Mammoliti & Ors v State of Victoria – Supreme Court – Institutional Liability (unled) (settled).

James Stevens v DP World Melbourne Ltd – County Court – Common law – (led by RA Annesley KC) (settled).

Miljon v Telstra Ltd – County Court – Public liability – damage to real property (led by AM Dinelli) (resolved) (settled).

Bartle v Port of Portland – County Court – Public liability – indemnification (led by AM Dinelli and CP Young KC)

Memberships

Commercial Bar Association