LIST G
BARRISTERS

Declan Murphy



Declan Murphy practises primarily in employment and industrial relations law and commercial matters, including class actions.

QUALIFICATIONS

Bachelor of Arts (Mon)
Bachelor of Laws (Hon)(Mon)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Class Actions | Competition | Consumer Law | Contractual Disputes

EMPLOYMENT & INDUSTRIAL

Appellate | Confidential Information | Discrimination | Employment Contracts | Industrial Disputes | Public Sector Appeals | Restraint of Trade | Statutory Employment Rights | Work Health & Safety | Workers Compensation

TORT LAW

Class Actions

Declan has a trial and appellate practice and has appeared in the Court of Appeal, Supreme Court, Federal Court, Full Court of the Federal Court and various tribunals.

Before coming to the Bar, Declan was a Senior Associate in Maurice Blackburn's employment and industrial law practice.

Declan read with Siobhan Kelly SC and his senior mentor was Claire Harris KC (as her Honour then was).

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

REPRESENTATIVE PROCEEDINGS

Daniel Lanzer v Lombardo & Ors [2025] VSCA 229 (Victoria Court of Appeal) - consumer and negligence class action - appeal - with C Truong KC and A Mackenzie

ASMOF v Peninsula Health (No 4) [2025] FCA 1268 (Federal Court) - settlement approval application - with K Burke SC

Kajula Pty Ltd v Downer EDI Limited and Justine and Cameron Lidgett [2024] VSCA 236 (Victoria Court of Appeal) – shareholder class action - appeal - with D Fahey and R Doyle SC (and at first instance: *Lidgett v Downer EDI Ltd* [2023] VSC 574 (Supreme Court of Victoria) - with L Armstrong KC)

Tham v Australian Capital Territory [2024] FCA 1508 (Federal Court) – settlement approval application – with M Szydzyk SC

Elliot-Carde v McDonald's Australia Limited [2023] FCAFC 162 (Full Court of the Federal Court) - referral on a question of law - power to make a settlement Common Fund Order - with P Turner, S Kelly and L Armstrong KC

Elliot-Carde v McDonald's Australia Limited (Stay Application) [2023] FCA 1210 (Federal Court) - stay application brought by the Shop, Distributive and Allied Employees' Association in underpayment class action - with S Kelly and L Armstrong KC.

Ongoing representative proceedings include:

· the 'rest breaks' class actions concerning McDonald's, KFC and Grill'd

· the 'progression amounts' class action concerning senior public servants in Victoria

· the 'junior doctors' class actions concerning unpaid overtime at various health services

EMPLOYMENT AND INDUSTRIAL

Scott v Equatorial Launch Australia Pty Ltd (in liquidation) (No 2) [2026] FCA 788 (Federal Court) - breach of contract - with S Kelly SC

Radcliffe v Toll Transport Pty Ltd (MAG-CI-240277761) (Magistrates Court) - constructive dismissal - unled

Helen Woodlock v Parks Victoria [2025] FWCFB 126 (FWC Full Bench) - appeal from dispute arbitration - unled

(and at first instance: *Helen Woodlock v Parks Victoria* [2024] FWC 3424 (FWC) – unled)

General Manager of the Fair Work Commission v Diana Asmar (Stay Application) [2025] FCA 67 (Federal Court) - application to stay prosecution under the *Fair Work (Registered Organisations) Act 2009* (Cth) - with C Massy

Loram Pty Ltd v Australian Rail, Tram and Bus Industry Union [2024] FWCFB 44 (FWC Full Bench) – appeal from majority support determination – unled

Jolly v Sharma & Ors [2024] FCA 171 (Federal Court) - rules dispute in the Australian Rail, Tram and Bus Union - with E Brumby and C Massy.

Veale v Drewmaster Pty Ltd [2024] FWC 400 (FWC) - unfair dismissal application - unled

In v Giri Australia Pty Ltd & Anor (No 2) [2024] FedCFamC2G 133 (Federal Circuit and Family Court) - default judgment application - unled

Slattery v Canard Consolidated Pty Ltd [2023] FedCFamC2G 198 (Federal Circuit and Family Court) - application for body corporate to be represented by a non-lawyer - unled

Rugg v the Commonwealth & Monique Ryan (Federal Court, resolved) - general protections and maximum weekly hours proceeding - with A Aleksov

Pentridge Village v CFMMEU (Supreme Court of Victoria, resolved) - economic tort proceeding - with J Gurr and R Doyle SC

Memberships

Law Institute of Victoria