LIST G
BARRISTERS

Dr Laura Hilly



Laura is a leading public law, commercial and employment law junior with an extensive appellate and trial practice across the High Court, Federal Court, Court of Appeal and specialist tribunals.

QUALIFICATIONS

Doctor of Philosphy (PhD) (Law)
Master of Philosophy (Masters by Research) (Law)
Bachelor of Civil Law (Distinction)
Bachelor of Laws (Honours)
Bachelor of Arts

CORRESPONDENCE

P 03 9225 8558
F 03 9225 8668
E laura.hilly@vicbar.com.au

CHAMBERS

Rosanove Chambers
Level 34 Room 19
500 Bourke Street
Melbourne VIC 3000

COMMERCIAL LAW

Appellate | Contractual Disputes | Class Actions | Climate Change | Taxation

EMPLOYMENT & INDUSTRIAL

Appellate | Discrimination | Employment Contracts | Industrial Disputes | Public Sector Appeals | Statutory Employment Rights

PUBLIC LAW

Administrative Law | Appellate | Civil & Human Rights | Commissions & Inquiries | Constitutional Law | Discrimination | Freedom of Information | Judicial Review | Native Title | Privacy | Environment | Taxation

Laura has advised on and appeared in a broad range of matters, including administrative law (both merits review and judicial review), discrimination and human rights law, regulatory actions, revenue law, class actions, native title and First Nations justice work.

Laura has appeared in significant commissions and inquiries. She acted for the Premier of Victoria and other senior Victorian Ministers in the Yoorrook Justice Commission; provided advice in respect of the Royal Commission on Antisemitism and Social Cohesion; and has acted as Counsel Assisting for a national corruption body. Laura has also been engaged by private entities to undertake several sensitive workplace inquiries in respect of allegations of discrimination and sexual harassment.

Laura has a security clearance of negative vetting level 2.

Laura has received a number of industry recognitions. She was ranked by Legal 500 as a "rising star" in 2022 and then consistently since 2023 as a leading junior in Commercial Disputes; as "one to watch" on several occasions by Best Lawyers Australia; and in Doyles Guide as a leading junior in both public law and employment law. Client feedback to Legal 500 describes her as "*Incredibly incisive, easy to work with and impressive practical thinking*"; "*an exceptional junior who brings unique regulatory experience and background to complex commercial dispute matters*" and "*very bright, very hard working and easy to deal with*" .

Before joining the Bar, Laura was an Associate to the Hon Chief Justice Black AC at the Federal Court; a Senior Lawyer at the Australian Government Solicitor; and a lawyer in the Commercial Litigation group at Blake Dawson (now Ashurst).

Laura holds a DPhil, MPhil and BCL (with distinction) from the University of Oxford, where she studied as a Rhodes Scholar and a Clarendon Scholar. She graduated with first-class honours, the University Medal in Law and the Supreme Court Judges' Prize from her undergraduate degree at the Australian National University.

She is currently an Honorary Senior Fellow at the University of Melbourne and has taught administrative law and equality law subjects on the JD and the Melbourne Law Masters. She was previously a Post-Doctoral Fellow at the University of Oxford and the Deputy Director of the Oxford Human Rights Hub.

Laura is the Deputy Co-Chair of the Victorian Bar Pro Bono Committee and the Secretary of the Victorian Public Law Bar Association, and a member of the Advisory Board of the Centre for Employment and Labour Relations Law (CERL) at the University of Melbourne.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

HIGH COURT OF AUSTRALIA

Mpwerempwer Aboriginal Corporation *v Minister for Territory Families and Urban Housing as delegate of the Minister for the Environment & Anor* [2026] HCATrans 5 (led by C Young KC with H Douglas) (Judgment Reserved); and below: [2025] NTCA 6 (led by K Young KC); [2024] NTSC 4 (led by C Young KC) – judicial review – challenge by traditional owners to grant of water licence.

Chaplin *v Secretary, Department of Social Services & Anor* [2026] HCATrans 021 (led by K O'Gorman SC with T Farhall and G Ayres) (Judgment Reserved); and below: [2025] FCAFC 89; [2024] AATA 3021 – social security – statutory construction – test case concerning the Secretary for Social Services' debt recovery

post-Robodebt.

Citta Hobart Pty Ltd v ***Cawthorn*** (2022) 276 CLR 216; [2022] HCA 16 (led by R Merkel KC with S Beckett and C Tran); ***Cawthorn*** *v Citta Hobart & Anor* [2020] TASFC 15 (led by R Merkel KC with S Beckett) – disability discrimination and constitutional law – access to facilities – questions on the exercise of federal jurisdiction by a State Tribunal and s 109 inconsistency between State and Commonwealth anti-discrimination law.

Northern Territory v ***Griffiths*** (2019) 269 CLR 1; [2019] HCA 7 (led by S Glacken KC with G Hill SC) – native title – proper approach to compensation under the *Native Title Act 1993* (Cth), including test for awarding compensation for loss of traditional attachment to land and connection to country

Northern Territory v ***Griffiths*** (2019) ALJR 803; [2019] HCA 19 (led by S Glacken KC) – native title – suppression and non-publication orders in respect of gender restricted evidence.

PUBLIC LAW

Appeals

McGary v ***Australian National University*** [2025] FCAFC 164 (led by S Rebikoff SC) – judicial review – construction of delegated legislation conferring powers on University Appeals Committee.

Towns (a pseudonym) v Towns (a pseudonym) [2025] VSCA 32 (appeal) (Amicus Curiae, with J McComish) – Statutory interpretation and practice and procedure

Top End (Default PBC/CLA) Aboriginal Corporation *v Northern Territory of Australia* [2025] FCA 22 (led by S Glacken KC), (appeal) – successful appeal - determination by the Tribunal that proposed grants of certain exploration licences were future acts attracting the expedited procedure under the *Native Title Act 1993* (Cth)

Secretary to Department of Education and Training v Paul and ***Disciplinary Appeals Board*** [2019] VSC 670 (led by P Neskovcin KC (as her Honour then was)), on appeal: *Secretary to Department of Education and Training v Paul* [2020] VSCA 280 (unled) – administrative law - judicial review of decision of the Disciplinary Appeals Board.

BQQ15 *v Minister for Home Affairs* [2019] FCAFC 218 (with M Albert) – on behalf of the applicant – judicial review – appeal to the Full Court of the Federal Court of Australia for judicial review of decision made under the *Migration Act 1958* (Cth).

Infosys Technologies Ltd v ***State of Victoria*** [2021] VSCA 219 (led by P O'Grady KC) – statutory construction of the *Long Service Leave Act 2018* (Vic) and s 48(b) of the *Interpretation of Legislation Act 1984* (Vic).

Other public law matters

Australian Ilmenite Resources Pty Limited v ***Bradley Farrar & Ors (Kewulyi Polygon Claim) and Another*** [2026] NNTTA 2 (led by C Young KC with C O'Bryan)

Fagan on behalf of the Wadawurrung Native Title Claim v ***State of Victoria*** [2025] FCA 1011 (unled, with H Douglas) - application for determination of native title over coastal land and waters in southern central Victoria; continuing to act ongoing in the matter, led by R Webb KC with H Douglas.

Wandin on behalf of the Wurundjeri Woi-Wurrung People v ***State of Victoria*** (unled, with P Coleridge) –

application for determination of native title over land and waters in Victoria, including a metropolitan claim over the city of Melbourne (ongoing).

Sydney Fish Market Pty Ltd v Infrastructure NSW [2025] NSWCATAD 131 (unled, for Multiplex Constructions Pty Ltd, the intervenor)

***Cooper** v National Offshore Petroleum Safety and Environmental Management Authority* [2023] FCA 1158 (final hearing) (led by C Harris SC, with P Coleridge) – successful judicial review of regulator's approval of environmental plan; [2023] FCA 1112 (injunction) (unled, with P Coleridge) – successful application for injunction to restrain Woodside Energy Group Ltd from undertaking seismic survey in respect of the Scarborough gas project;

Austin on behalf of the Eastern Maar People v ***State of Victoria*** [2023] FCA 237 and *(No 2)* [2024] FCA 266 (led by P Willis SC) - consent determination of native title under s 87A of the *Native Title Act 1993* (Cth).

Advising and appearing on behalf of the Premier, Ministers and senior Victorian Government witnesses in the Royal Commission into Past and Ongoing Injustices Experienced by Victorian First Peoples (the ***Yoorrook Justice Commission***); (2023, led by C Horan KC (as his Honour then was) with G Cafarella and P Coleridge; 2024 led by E Bennett SC with S Keating and N Petrie.

***Environment Centre NT (Inc)** v Pastoral Land Board of the Northern Territory & Ors* (2023, Northern Territory Supreme Court) (led by J Hutton SC with P Coleridge) — judicial review; land clearing; proper construction of scheme for pastoral leases, resolved following revocation of lease.

Montagner and ***Secretary, Department of Health and Aged Care*** [2023] AAT 1443 (unled) - Freedom of Information - deliberative process exemptions.

***Attorney-General** v Khan* [2022] VSC 687 (led by S Ginsbourg with R McEwen) - application for interim supervision orders and an extended supervision order under the *Criminal Code Act 1995* (Cth) following imprisonment for terrorism offences.

***Attorney-General** v Khan (Suppression Order)* [2022] VSC 627 (led by S Ginsbourg) - suppression and non-publication orders - terrorism - protection of security and prejudice to the proper administration of justice and national security.

XY (A Pseudonym) v Companies Auditors Disciplinary Board, ***Australian Securities and Investments Commission*** *& Anor* [2022] FCA 1583 (led by R Seiden SC) – judicial review – regulatory – whether error in refusal of Board to stay of disciplinary proceedings where criminal proceedings were pending – statutory interpretation –suppression and non-publication orders.

HYY (Guardianship) [2022] VCAT 97 (led by L Brown, Crown Counsel) - intervening on behalf of the Attorney-General - application for advice - proper construction of guardianship power to - whether 'physical restraint' authorised - whether interpretation incompatible with the *Charter of Human Rights and Responsibilities Act 2006* (Vic).

Angel Flight Australia v ***Civil Aviation Safety Authority*** [2021] FCA 469 (interlocutory decision [2020] FCA 1316) (led by led by P Hanks KC) – administrative law – on behalf of the Commonwealth – judicial review of the making of a statutory instrument.

Clark v ***Minister for the Environment*** [2019] FCA 2027 (led by C Horan SC) – administrative law – on behalf of the Commonwealth - judicial review of decision made under the *Aboriginal Heritage Protection Act 1984* (Cth).

Re An Application under section 10 of Witness Protection Act 1991 [2018] VSC 810 (with E Nekvapil) – appearing on behalf of the Chief Commissioner of Police - information protection of evidence from human sources.

Kaliszewski v ***Department of Justice and Regulation*** (Human Rights) [2018] VCAT 2035 (unled) – claim for breaches of the *Privacy and Data Protection Act 2014* (Vic).

COMMERCIAL, CLASS ACTIONS, REGULATORY AND REVENUE

Walters v ***State of Western Australia****; BIJ23 v* ***State of Western Australia*** (ongoing), instructed by Norton Rose Fulbright (led by R Craig KC, then J Kirkwood KC with A McRoberts, T Jeffrie and C O'Bryan) – acting for the State of Western Australia in two class actions in the Federal Court alleging torts and breaches of anti-discrimination legislation in detention facilities:

KXO24 v ***BHP Group Limited*** (ongoing) – instructed by Herbert Smith Freehills (led by S Mirzabegian SC, I Ahmed SC; with T Kane and N Golan) – acting for BHP in a class action in the Federal Court alleging vicarious liability for sexual harassment and liability in tort in relation to alleged historical conduct.

Commissioner of State Revenue v ***Vicinity Funds Re Ltd*** [2026] VSCA 119 (led by D McInerney KC with R Marsh); ***Vicinity Funds & Ors*** *v Commissioner of State Revenue* [2024] VSC 658 (led by D McInerney KC with K Chan) – revenue - acting for the taxpayer in respect of assessment of duty payable on transfer of leases over land.

DNV24 *v Commissioner of Taxation* (ongoing) – (led by D McInerney KC with W Wong) – appeal against income tax assessment concerning the treatment of cryptocurrency.

Babbage and ***Australian Securities and Investments Commission*** [2023] AATA 3487 (unled) – merits review of decision to make order banning person from providing financial services.

XY (A Pseudonym) v Companies Auditors Disciplinary Board, ***Australian Securities and Investments Commission*** *& Anor* [2022] FCA 1583 (led by R Seiden SC) –judicial review – regulatory – whether error in refusal of Board to stay of disciplinary proceedings where criminal proceedings were pending – statutory interpretation –suppression and non-publication orders.

Zivkovic & Ors v ***Parke*** [2022] VSCA 43 (led by J P Moore KC) - contracts - interpretation of settlement agreement in defamation proceedings - accord and satisfaction or accord and conditional satisfaction.

Australian Securities and Investments Commission *v GoGetta Equipment Fundy Pty Ltd* [2021] FCA 420 (with E Nekvapil) - regulatory - National Credit Act - penalty.

Daswan Australia Pty Ltd *v Linacre Developments Pty Ltd (in liq)* [2018] VSCA 350 (led by J P Moore KC) – contracts – interpretation of deed of compromise - accord and satisfaction or accord and conditional satisfaction.

Australian Competition and Consumer Commission *v Landmark Operations* [2018] FCA 1977 (led by O Bigos KC) – regulatory – consumer law – misleading or deceptive conduct.

Szuch *v Australian Prudential Regulatory Authority* [2018] FCA 405 (unled – regulatory – application for discontinuance of disqualification.

Complete Training Institute Pty Ltd and ***Australian Skills Quality Authority*** [2018] AATA 4638 (with S Rebikoff).

DISCRIMINATION AND EMPLOYMENT

EIX20 v State of Western Australia (No 2) [2025] FCA 28; *EIY20 v State of Western Australia (No 2)* [2025] FCA 29 (led by R Craig KC, with T Jeffrie and A McRobert) – disability discrimination – strike out – including consideration of the provision of "goods, services and facilities" in a correctional facility.

Soo v Department of Justice and Community Safety (Corrections Victoria) [2025] VSC 548 (unled, for VEOHRC, the intervenor) – discrimination in the context of a correctional facility – issues arising under in respect of the *Charter of Human Rights and Responsibilities Act 2006* (Vic).

Secretary DFFH v Hage (a pseudonym) [2024] VSC 764 (*Amici Curiae*, led by F Gordon KC), *Parens patriae* jurisdiction - Application for order authorising use of chemical, mechanical, physical or other restraint of child where all other strategies have been tried and found inadequate in opinion of treating medical team.

Wheatley v ***Fire Rescue Victoria*** *(Human Rights)* [2023] VCAT 12 (first instance); ***Fire Rescue Victoria*** *v Wheatley* [2023] VSC 269 (appeal) (led by C Harris KC) - sexual harassment and sex discrimination - application for strike out of claims on the basis of delay.

Goldfinger v ***Victoria Police (Human Rights)*** [2023] VCAT 390 (unled) – allegations of race and religious discrimination and vilification.

Short v ***Immutable Pty Ltd*** [2023] FWC 1201 (unled) – unfair dismissal and questions of application of *Professional Employees Award 2020* and *Miscellaneous Award 2020*.

Australian Municipal, Administrative, Clerical and Services Union (ASU) v ***Commissioner of Taxation*** [2022] FCA 1225 (led by P O'Grady KC with M Salinger) – alleged breaches of the enterprise agreement, adverse action and misrepresentations in the context of ATO's COVID-19 work from home policy.

Brunec v ***Department of Justice and Community Safety*** [2022] FWCFB 137 (appeal - unled), [2022] FWC 1262 (first instance - unled) – unfair dismissal – unable to perform inherent requirements of position due to vaccination status.

Van Niekerk v ***State of Victoria (Victoria Police)*** (Human Rights) [2022] VCAT 1267 (unled) - discrimination - summary dismissal - question of whether Victoria Police were providing a "service" to the complainant when performing police functions, including policing a protest.

Infosys Technologies Ltd v ***State of Victoria*** [2021] VSCA 219 (led by P O'Grady KC) – statutory construction of the *Long Service Leave Act 2018* (Vic) and s 48(b) of the *Interpretation of Legislation Act 1984* (Vic).

Wright *v Chief Commissioner of Police* [2020] FCA 21 (interlocutory, substantive matter resolved) (led by C Harris KC) – disability discrimination in respect of accommodation of an assistance animal.

Milam v ***University of Melbourne*** [2019] FCA 171 (interlocutory, substantive matter resolved) – employment law – injunction to prevent continuation of workplace investigation (led by P O'Grady KC).

Varasdi v ***State of Victoria*** [2018] FCA 1655 (interlocutory strike out); *Varasdi as Litigation Representative for Mimi Varasdi v* ***State of Victoria (No 2)*** [2019] FCA 1929 (costs) (substantive matter ongoing) (led by C Harris KC) – claim for disability discrimination in education.

Ferris v ***State of Victoria*** [2018] VSCA 240 (with S Fitzgerald) – Court of Appeal of the Supreme Court of Victoria – disability discrimination in employment.

Memberships

Member of the Board of Directors of Canberra Community Law

Deputy Co-Chair of the Victorian Bar Pro Bono Committee

Secretary for Victorian Public Law Bar Association

Member of the Advisory Board of the Centre for Employment and Labour Relations Law (CERL) at the University of Melbourne