LIST G
BARRISTERS

Richard J Harris SC



Richard J Harris SC practises in commercial law and has particular expertise in complex contractual disputes (litigation and arbitration), trade practices and corporations related matters.

QUALIFICATIONS

Bachelor of Arts
Bachelor of Laws (Hons)
Graduate Diploma in Legal Practice (ANU)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Contractual Disputes | Building & Construction | Commercial Arbitration | Energy & Resources | Equity & Trusts | Insurance | Competition | Consumer Law

TORT LAW

Product Liability | Professional Negligence

Richard advises and appears in commercial disputes including those arising under contract and involving partnerships, misleading conduct claims, breach of trust or fiduciary duties, and construction and engineering matters.

Richard appears principally in superior courts and arbitrations. He acts in substantial infrastructure and construction cases involving claims for variations, acceleration, delay and disruption, liquidated damages and prevention.

Richard has been recognised in Doyle's Guide 2025 as a Leading Construction & Infrastructure Law Senior Counsel, Victoria. Richard is also recognised in The Legal 500 Asia Pacific as a leading Senior Counsel in Australia for Commercial Disputes and Construction, Infrastructure and Property.

Before joining the Victorian Bar in 2001, Richard was a Senior Associate at Freehills (Litigation); and was an Associate to the Hon Sir Gerard Brennan, AC, KBE, Chief Justice of the High Court of Australia.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

COMMERCIAL LAW

Arbitration (Victoria, ACICA Rules) – Public-Private Partnership – Construction and engineering dispute, 2023-24.

Transonic Travel Pty Ltd v Tilakee Nominees Pty Ltd [2024] VSC 86 – Share sale agreement dispute – Misleading or deceptive conduct – Accessorial liability; and on appeal.

Shume Pty Ltd (as trustee) v Van Aanholt & Ors , Supreme Court of Victoria, Commercial Court, 2022-23 – Trustee duties – Unit trust.

Pakis v Zphere Pty Ltd, Supreme Court of Victoria, Commercial Court, 2022-23 – Partnership dispute.

Keppel Prince Engineering Pty Ltd v Vestas Australian Wind Technology Pty Ltd , Supreme Court of Victoria, TEC List, 2020-23 – Contract dispute – Wind turbine tower sections – Liquidated damages – Prevention principle.

Hastie Group litigation – Corporate insolvency – Debt claims – Bank guarantees: *Hastie Group Limited (in liq) v Multiplex Constructions Pty Ltd (formerly Brookfield Multiplex Constructions Pty Ltd)* [2020] FCA 1824; *Hastie Group Limited (in liq) v Multiplex Constructions Pty Ltd (formerly Brookfield Multiplex Constructions Pty Ltd) (No 2)* [2021] FCA 1344; 155 ACSR 217; *Hastie Group Limited (in liq) v Multiplex Constructions Pty Ltd (formerly Brookfield Multiplex Constructions Pty Ltd) (No 3)* [2022] FCA 1280; and *Hastie Group Limited (in liq) v Multiplex Constructions Pty Ltd (formerly Brookfield Multiplex Constructions Pty Ltd) (No 4)* [2022] FCA 1575; and appeal (2023).

Pirmax Pty Ltd v Kingspan Insulation Pty Ltd [2022] FCA 1340; *Pirmax Pty Ltd v Kingspan Insulation Pty Ltd (No 2)* [2022] FCA 1526; and appeal (2022-23) – Consumer Law – Whether misleading and deceptive conduct in relation to building insulation products – Tort of injurious falsehood.

L U Simon Builders Pty Ltd v Caydon MP No. 1 Development Pty Ltd , Supreme Court of Victoria, TEC List, 2022 – Application for leave to continue proceeding, s 500(2) *Corporations Act 2001* (Cth).

Related Arbitrations acting for specialist contractors in relation to a project in Victoria (2020-21) – Design & Construct Contracts - Variation and acceleration claims.

Senvion GmbH, in the matter of Senvion GmbH (No 2) [2019] FCA 1732; (2019) 140 ACSR 20 – Corporations and Corporate Insolvency - Recognition under the *Cross-Border Insolvency Act 2008* (Cth) - Stay under Art. 20 Model Law on Cross-Border Insolvency – Leave to continue Supreme Court of Victoria proceedings pursuant to s 440D(1) *Corporations Act 2001* (Cth).

Senvion GmbH, in the matter of Senvion GmbH [2019] FCA 1124; BC201906398 (Lee J).

Pacific Hydro Crowlands Pty Ltd v Senvion GmbH , Supreme Court of Victoria (2019) – Action for delivery up of software and codes for wind turbines in view of insolvency of Senvion GmbH.

FBR Fund Administration Pty Ltd v Chickabo Pty Ltd [2019] VSCA 314 – Whether later joined parties bound by trial findings.

Chickabo Pty Ltd v Zphere Pty Ltd [2019] VSC 73; 57 VR 406 – *Chickabo Pty Ltd v Zphere Pty Ltd (No 2)* [2019] VSC 580 – *Chickabo Pty Ltd v Zphere Pty Ltd (No 3)* [2020] VSC 464 – *Chickabo Pty Ltd v Zphere Pty Ltd* [2020] VSC 556 – Equity – Fiduciary duties – Partnership – Accessorial liability.

Arbitration (South Australia, ACICA Rules), 2019, relating to a significant project/services agreement.

Lochard Energy (Iona Operations Holding) Pty Ltd v EnergyAustralia Investments Pty Ltd [2018] VSC 539 – Trade rivals - Confidentiality regime.

Form 700 (NSW) Pty Ltd v Probuild Constructions (Aust) Pty Ltd , Supreme Court of Victoria, 2018 – Building and Construction.

VINCI Energies SA v McConnell Dowell Holdings Pty Ltd [2017] FCA 561 – Stay.

Pryse v Clark [2017] NSWSC 185; 264 IR 451 (Equity – Commercial List) – Partnership agreement – Restraint of trade.

ICC arbitration (3 arbitrators) (2015 – 2016) - Acting for a contractor of a major gas plant and pipeline infrastructure project.

Centro shareholders class actions, Federal Court of Australia, 2012 - Appeared for Centro Properties Limited.

Ericsson Australia Pty Ltd v Service Stream Ltd (2010 – 2012) - ICC stop-clock arbitration before three arbitrators.

Industrial Conveying (Aust) Pty Ltd v SKM Recycling Pty Ltd [2012] VSC 278 – Contract / building and construction dispute – waste recycling plant.

Finch v Telstra Super Pty Ltd (2010) 242 CLR 254 – Trusts – Superannuation – Review of decisions of trustees of superannuation trusts.; *Telstra Super Pty Ltd v Finch* [2009] VSCA 318 – Trusts - Superannuation – Total and Permanent Invalidity (TPI).

Eureka Funds Management Limited v Freehills Services Pty Ltd (2008) 19 VR 676; [2008] VSCA 156 - Landlord and tenant – Lease - Rental determination of office premises by expert.

Mond & Mond v Berger (2004) 10 VR 534 –- Arbitration agreement - Misconduct by arbitrators giving rise to reasonable apprehension of bias - Whether Award provisional or final.

GEC Marconi Systems Pty Limited v BHP Information Technology Pty Limited (2003) 128 FCR 1 - Contract - Government procurement - Back-to-back IT contracts - Claims and cross-claims of breach of contract or repudiation by subcontractor, head contractor and customer.

Memberships

Victorian Bar - Commercial Bar Association

Law Institute of Victoria (Associate Member)

Society of Construction Law Australia