

William A D Edwards KC



William A D Edwards KC is one of Australia's leading class actions barristers.

QUALIFICATIONS

Bachelor of Laws (First Class Honours)
Sydney University Medal
Bachelor of Arts

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Banking & Finance | Class Actions | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts | Insurance

TORT LAW

Appellate | Class Actions | Major Torts | Product Liability | Professional Negligence

PUBLIC LAW

Administrative Law | Appellate | Constitutional Law

William's expertise includes shareholder actions, consumer actions, mass tort actions, product liability actions and human rights class actions. He practises in all jurisdictions (Victoria and New South Wales in particular) and regularly appears in the Federal Court of Australia and all State superior courts. William also has a general commercial practice and advises Australian and foreign corporations (particularly litigation funders) on a range of matters.

Prior to joining the Bar, William was Associate to the Honourable Justice W.M.C. Gummow AC, then Justice of the High Court of Australia, a solicitor with Mallesons Stephen Jaques and a former Tipstaff to the late Honourable Justice G.F.K. Santow AO, then Justice of the Supreme Court of New South Wales Court of Appeal.

William holds degrees in Arts and Law (first class honours) from the University of Sydney where he was awarded the University Medal and a number of academic prizes.

William was admitted to the New South Wales Bar in 2008, the Victorian Bar in 2012 and is also a member of the Western Australian Bar Association.

Liability limited by a scheme approved under Professional Standards legislation

Recent Cases

APPEALS

Lendlease Corporation Ltd v Pallas [2025] HCA 19; 99 ALJR 834 – acting for respondents (supporting appeal) in appeal to High Court of Australia in relation to question of power to issue notice foreshadowing class closure to group members.

Mallonland Pty Ltd v Advanta Seeds Pty Ltd [2024] HCA 25; 98 ALJR 956 – acting for appellants in appeal to High Court of Australia in claim that respondent was negligent in respect of its manufacture of seeds causing them pure economic loss.

Singtel Optus Pty Ltd v Robertson [2024] FCAFC 58 – acting for respondents to appeal concerning whether Optus had successfully claimed privilege in respect of consultants' report into cyberbreach.

LCM Funding Pty Ltd v Stanwell Corp Ltd [2022] FCAFC 103 (2009) 180 FCR 11 – appointed as contradictor in appeal concerning whether litigation funding schemes are managed investments schemes.

Davaria v Seven Eleven Stores Ltd [2020] FCAFC 183; [2021] HCATrans 113 – acting for the Association of Litigation Funders of Australia (intervenor) before the Full Court of the Federal Court of Australia, and High Court of Australia concerning whether Court should entertain question of power to make common fund order.

Addenbrooke Pty Ltd v Duncan (2017) 348 ALR 1 – acting for appellant in successfully seeking retrial in misleading or deceptive conduct suit in the Federal Court of Australia (led by Mr J. Stoljar SC, briefed by Deutsch Miller).

Polo Enterprises Australia Pty Ltd v Pinctada Hotels and Resorts Pty Ltd [2015] NSWCA 397; [2012] NSWSC 1518 – acting for respondent in appeal concerning the construction of contract, and at first instance successfully defending claim for injunctive relief to restrain staging of an event – Supreme Court of NSW (Commercial List) briefed by Jarman McKenna / John de Mestre & Co).

ADCO Constructions Pty Ltd v Goudappel (2014) 254 CLR 1 – acting for appellant in High Court appeal concerning statutory construction of 'Henry VIII' clause in State legislation (led by Mr D.F. Jackson QC, briefed by Moray &

Agnew).

Fortescue Metals Group Ltd v Commonwealth of Australia (2013) 250 CLR 548 – acting for applicants in High Court constitutional challenge to the Minerals Resource Rent Tax (led by Mr D.F. Jackson QC and Mr B. Dharmananda SC, briefed by Corrs Chambers Westgarth).

AMP Capital Property Nominees Ltd v Westfield Management Ltd (2012) 247 CLR 129; [2011] NSWCA 386, (2011) 255 FLR 1 – appeared in High Court of Australia (and in NSW Court of Appeal, and at first instance) to successfully resist application for injunction to restrain voting on a resolution to wind up a registered management investment scheme (led by Mr D.F. Jackson QC, Mr P. Cosgrave SC and Mr M.I. Borsky, briefed by Allens).

E. & J. Gallo Winery v Lion Nathan (Australia) Pty Ltd (2010) 241 CLR 144 – appeared for respondent in trademark litigation in the High Court of Australia, led by Mr F.M. Douglas QC and Mr D.T. Kell (briefed by Mallesons Stephen Jaques).

ICM Agriculture Pty Ltd v Commonwealth & Ors (2009) 240 CLR 140 – appeared in challenge in the High Court of Australia to Constitutional validity of Commonwealth-State water right reductions, (led by Mr R.J. Ellicott QC and Mr M.G. McHugh).

SECURITIES CLASS ACTIONS

Byrnes v Origin Energy Ltd - acting for plaintiffs in shareholder class action in Supreme Court of Victoria alleging breach of continuous disclosure breaches and misleading or deceptive conduct concerning earnings guidance (briefed by Phi Finney McDonald). Ongoing.

Lidgett v Downer EDI Ltd - acting for plaintiffs in shareholder class action in Supreme Court of Victoria alleging breach of continuous disclosure breaches and misleading or deceptive conduct concerning accounting misstatements (briefed by Maurice Blackburn Lawyers & William Roberts Lawyers). Ongoing.

Raeken Pty Ltd atf Dowrick Superannuation Fund v James Hardie Industries Plc - acting for plaintiffs in shareholder class action in Supreme Court of Victoria alleging breach of continuous disclosure breaches and misleading or deceptive conduct concerning earnings guidance (briefed by Echo Law). Ongoing.

Parkin v Boral Ltd (“*Boral Class Actions*”) – acting for applicants in shareholder class action in Federal Court of Australia (NSW Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers). Ongoing.

Zonia Holdings Ltd v Commonwealth Bank of Australia; Baron v Commonwealth Bank of Australia (“*CBA Class Actions*”) – acting for appellants in investor class action in Federal Court of Australia (VIC/NSW Registries) alleging continuous disclosure breaches and misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers and Phi Finney McDonald). Ongoing.

Southernwood & Kidd v Brambles Ltd (“*Brambles Class Actions*”) – acting for applicants in shareholder class action in Federal Court of Australia (VIC Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers and Slater & Gordon Lawyers). Ongoing.

“*EML Class Action*” (*Mumford v EML Payments Ltd*) (2021-2025) – acting for applicants in shareholder class action in Supreme Court of Victoria alleging breach of continuous disclosure breaches and misleading or deceptive conduct (briefed by Shine Lawyers), settled for \$37.3M.

“Crown II Class Action” (Lieberman v Crown Resorts Ltd) (2020-2025) – acting for plaintiff in shareholder class action in Supreme Court of Victoria alleging breach of continuous disclosure breaches and misleading or deceptive conduct, and oppression (briefed by Maurice Blackburn Lawyers), settled for \$72.5M.

“Mayne Class Action” (Hillman v Mayne Pharma Group Ltd) (2020-2024) – acting for plaintiff in shareholder class action in Supreme Court of Victoria alleging breach of continuous disclosure breaches and misleading or deceptive conduct (briefed by Phi Finney McDonald), settled for \$38M.

“SGH Class Actions” – Hall v Pitcher Partners; Hall v Arnold Bloch Leibler; Hall & Slater & Gordon Ltd (2018-2022) – acting for applicant in shareholder class action in Federal Court of Australia (Victoria Registry) alleging misleading or deceptive conduct (briefed by Maurice Blackburn Lawyers), settled respectively for \$41M and \$28M, following earlier settlement of claim against company for \$32.5M with complex incorporated scheme of arrangement [2018] FCA 2071; [2022] FCA 163; [2022] FCA 1524

“Estia Class Action” – Wetdal Pty Ltd v Estia Health Ltd (2019-2021)– leading counsel for applicant in investor class action in Federal Court of Australia (VIC Registry) alleging prospectus disclosure breaches, continuous disclosure breaches and misleading or deceptive conduct: [2021] FCA 475 (briefed by Phi Finney McDonald), settled for \$38.4M

“Vocation Class Action” – Whittenbury v Vocation Ltd (2015-2021) – acting for applicant in investor class action in Federal Court of Australia (VIC Registry) alleging breach of prospectus disclosure provisions, continuous disclosure breaches and misleading or deceptive conduct: [2021] FCA 829 (briefed by Maurice Blackburn Lawyers and Slater & Gordon Lawyers), settled for \$50M.

“Vocus Class Action” – Fisher v Vocus Ltd (2018-2020) – leading counsel for applicant in shareholder class action in Federal Court of Australia (VIC Registry) alleging breach of continuous disclosure breaches and misleading or deceptive conduct, settled for \$35M: [2020] FCA 579 (briefed by Slater & Gordon Lawyers).

“QBE Class Action” – Money Max Int Pty Ltd v QBE Insurance Group Ltd (2015-2018) – acting for applicant in shareholder class action in Federal Court of Australia (VIC Registry) alleging continuous disclosure breaches and misleading or deceptive conduct, resulting in \$132.5M settlement (and the first successful ‘common fund’ application: [2016] FCAFC 148) (led by Mr M.B.J. Lee SC, then Mr B. Quinn QC, and with Ms M. Szydzik, briefed by Maurice Blackburn Lawyers).

“Allco Class Action” – Blairgowrie Trading Pty Ltd v Allco Finance Group Ltd (2013-2016) – acting for applicants in shareholder class action in the Federal Court of Australia (NSW Registry) alleging continuous disclosure breaches and misleading or deceptive conduct by Allco, (and on ‘common fund’ application (2015) 325 ALR 539)), resulting in \$40M settlement: (2017) 343 ALR 476 (led by Mr M.B.J. Lee SC, briefed by Maurice Blackburn Lawyers).

“River City Class Action” – Hopkins v AECOM Australia Pty Ltd (2012-2016) – acting for applicants in investor class action in Federal Court of Australia (NSW Registry) against traffic forecaster in relation to the Clem7 bypass tunnel in Brisbane, resulting in \$121M settlement (led by Mr J. Sheahan QC and Mr M. Pesman SC, briefed by Maurice Blackburn Lawyers).

“NAB CDO Class Action” – Pathway Investments Pty Ltd v National Australia Bank (2012) – acted for plaintiffs in shareholder class action for continuous disclosure breaches and misleading or deceptive conduct by NAB in Supreme Court of Victoria, resulting in \$115M settlement[2012] VSC 625 (led by Mr M.B.J. Lee SC, briefed by Maurice Blackburn Lawyers).

“Centro Class Action” – Kirby v Centro Properties Ltd & Ors; Kirby v Centro Retail Ltd; Stott v

PricewaterhouseCoopers Securities Ltd (2011-2012) – appeared for applicants in class actions for continuous disclosure breaches and misleading or deceptive conduct by Centro companies and their auditors in Federal Court, resulting in \$200M settlement after 10 weeks of hearing [2012] FCA 650 (led by Mr M.B.J. Lee SC and Mr N. Hutley SC, briefed by Maurice Blackburn Lawyers).

CONSUMER (PRODUCT, SERVICES AND SUPERANNUATION) CLASS ACTIONS

Cochrane (as executor of the deceased estate of Joan Marie Mudie) v BUPA Aged Care Australia Pty Ltd – acting for applicant in breach of contract and statutory claim for under-resourcing of residential aged care facilities (briefed by JGA Saddler). Ongoing.

Green v Johnson & Johnson Pacific Pty Ltd – acting for plaintiffs in consumer class action in Federal Court of Australia (VIC Registry) alleging breach of statutory guarantees in relation to efficacy of Codral and Sudafed products (briefed by JGA Saddler). Ongoing.

Johnston v Hyundai Motor Company Australia Pty Ltd and *Moroney v Kia Australia Pty Ltd* (“Hyundai and Kia ABS Defect Class Actions”) – acting for plaintiffs in consumer class actions in Supreme Court of Victoria alleging breach of consumer law, and acceptable quality guarantees in relation to ABS defects (briefed by Maurice Blackburn). Ongoing.

Kusmanoff v REST Employees Superannuation Pty Ltd - acting for applicants in superannuation class action in Federal Court of Australia (VIC Registry), alleging breach of covenant and best interests duty in relation to the maintenance of valueless insurance (briefed by Shine Lawyers). Ongoing.

Preece v Aristocrat Leisure Ltd - acting for applicants in consumer class action in Federal Court of Australia (VIC Registry), alleging illegality and unconscionability in relation to online poker-machine style / “social casino” games (briefed by William Roberts Lawyers). Ongoing.

Robertson & Anor v Singtel Optus Pty Ltd (“Optus Data Breach Class Actions”) – acting for applicants in consumer class action in Federal Court of Australia (VIC Registry) alleging breach of contract (and Australian Privacy Principles), and negligence arising out of Optus data breach (briefed by Slater & Gordon Lawyers).

McLean Phillips v Carnival Plc - acting for applicants in consumer class action in Federal Court of Australia (NSW Registry) alleging breach of consumer guarantees in connexion with norovirus affecting multiple cruises (briefed by Shine Lawyers).

“QSuper Class Action” (*Challenor v QSuper Board*) (2021-2025) - acting for applicants in consumer class action in Federal Court of Australia (Victoria Registry) alleging failure to notify insurance premium changes and breach of trustee duties by superannuation trustee (briefed by Shine Lawyers), settled for \$69M subject to Court approval.

“Colonial Fees Class Action” (*Krieger v Colonial First State Investments Ltd*) (2019-2023) – acting for applicants in class action in Federal Court of Australia (VIC Registry) on behalf of superannuation fund members, claiming losses associated with the charging of commissions for no financial advice (briefed by Slater & Gordon Lawyers), settled for \$100M.

“Combustible Cladding Class Actions” (*SP87231 v 3A Composites GmbH* and *SP91086 v Fairview Architectural Pty Ltd*) – acting in pre-evidence stage of litigation for applicants in consumer class action in Federal Court of Australia (NSW Registry) alleging breach of statutory warranties by manufacturer and deemed manufacturer of polyethylene core cladding for buildings (briefed by William Roberts Lawyers).

“Westpac Life Insurance Class Action” – Lenthall v Westpac Ltd (2017-2021) – leading counsel for applicant in consumer class action in Federal Court of Australia (NSW Registry) alleging breach of fiduciary duty and statutory contraventions in relation to advice given by Westpac financial planners in relation to life insurance policies, settled (briefed by Shine Lawyers), settled for up to \$30M: [2021] FCA 1004, and including proceedings in the Full Court and High Court concerning power to make early common fund orders ((2019) 265 FCR 21; (2019) 269 CLR 574).

“Bank Fees Class Actions” – Paciocco v Australia and New Zealand Banking Group Ltd and Farey v National Australia Bank Ltd (2014-2016) – acting for applicants in Federal Court proceedings concerning credit card penalty fees litigated against ANZ ((2014) 309 ALR 249; (2015) 236 FCR 199, (2016) 258 CLR 525), and resolved with NAB ([2016] FCA 340) (led by Mr M.B.J. Lee SC in the Federal Court, and Mr D.F. Jackson QC and Mr M.B.J Lee SC in the High Court, briefed by Maurice Blackburn Lawyers).

MASS TORT (AND ENVIRONMENTAL) CLASS ACTIONS

Haswell v Commonwealth of Australia (“Multi-Site PFAS Class Action”) and Wreck Bay Aboriginal Community Council v Commonwealth of Australia (2020-2023) – acting for applicants in class action in Federal Court of Australia (NSW Registry) on behalf of property owners in Bullsbrook (WA), Darwin (NT), Richmond and Wagga Wagga (NSW), Townsville (QLD), Edinburgh (SA) and Wodonga (VIC)), and Wreck Bay (Jervis Bay Territory), claiming property losses associated with contamination caused by historical use of Aqueous Fire Fighting Foam by the Department of Defence (briefed by Shine Lawyers), settled for combined \$154.7M.

Hudson v Commonwealth of Australia (“Oakey PFAS Contamination Class Action”) and Bartlett v Commonwealth of Australia (“Katherine PFAS Contamination Class Action”) (2016-2020) – leading counsel for applicants in class action in Federal Court of Australia (Sydney Registry) on behalf of property and business owners in Oakey (Qld) and Katherine (NT), claiming property losses associated with contamination caused by historical use of Aqueous Fire Fighting Foam by the Department of Defence: [2020] FCA 837 (briefed by Shine Lawyers) settled for combined \$126.5M.

“Kilmore East – Kinglake Bushfire class action” - Matthews v Ausnet Electricity Services Pty Ltd (formerly SPI Electricity Pty Ltd) (2013-2014) – advising applicant on aspects of the Kilmore East – Kinglake Bushfire class action in the Supreme Court of Victoria (led by Mr B. Walker SC, briefed by Maurice Blackburn Lawyers).

HUMAN RIGHTS CLASS ACTIONS

Caulton v State of Queensland – acting for applicant in racial discrimination class action against Queensland Health in relation to delivery of health services to Aboriginal and Torres Strait Islander peoples in North Queensland (briefed by JGA Saddler). Ongoing.

McDonald v Commonwealth (“NT Aboriginal Stolen Wages Class Action”) – acting for applicants in class actions in Federal Court of Australia seeking redress for historical non-payment or under-payment of wages to Aboriginal Australians, and racial discrimination (briefed by Shine Lawyers), settled for up to \$202M (NT).

Street v State of Western Australia (“WA Aboriginal Stolen Wages Class Action”) – acting for applicants in class actions in Federal Court of Australia seeking redress for historical non-payment or under-payment of wages to Aboriginal Australians, and racial discrimination (briefed by Shine Lawyers), settled for up to \$180M.

Stolen Generations Class Action (Ellis v Commonwealth of Australia – acting for litigation funder on application for common fund order in respect of \$50M settlement of human rights class action: [2023] NSWSC 550 (briefed by William Roberts Lawyers).

“Queensland Aboriginal Stolen Wages Class Action” – Pearson v State of Queensland (2017-2020) – acting for applicant in trust claims in Federal Court of Australia (QLD Registry) alleging misappropriation of wages of Aboriginal and Torres Strait Islanders in the 1970s; settled for \$190M: (briefed by Bottoms English Lawyers).

COMMERCIAL, INSOLVENCY & TRUSTS

Westgem Investments Ltd v Commonwealth Bank of Australia Ltd (2012-2022) – acting for plaintiffs in Supreme Court of Western Australia bringing substantial contractual and trade practices claims, went to trial in 2018: [2020] WASC 302; [2022] WASCA 132 (led by Mr C.R.C. Newlinds SC, briefed by Jackson McDonald).

Forge Ltd (in liq) v Robinson & Ors – acting for plaintiff company in liquidation in suit against former directors and auditors in Supreme Court of NSW, alleging negligence, breach of contract, and misleading or deceptive conduct (briefed by Banton Group), settled.

Bill Express Ltd (in Liq) v Pitcher Partners (a firm) ; Bill Express Ltd v KPMG (a firm) (2014-2016) – acting for plaintiff companies in auditors’ negligence suit in Supreme Court of Victoria, resolved in December 2016 (led by Mr M.B.J. Lee SC, briefed by Johnson Winter & Slattery).

Free Serbian Orthodox Church Diocese for Australia and New Zealand Property Trust v Dobrijevic [2017] NSWCA 28, [2015] NSWSC 1976. Contested application for variation of charitable trusts cy-pres (led by Mr G.O. Blake SC).

Re Anglican Development Fund Diocese of Bathurst (2015) 336 ALR 372 – acting for defendants in complex commercial dispute in Supreme Court of New South Wales concerning letters of comfort, and charitable trusts (led by Mr G.O. Blake SC).

Marathon Global Fund Plc v AustralianSuper Pty Ltd (2013-2015) – acting for defendant in contractual claims in Supreme Court of NSW concerning performance fees, resolved (briefed by Allens).

ADVICE PRACTICE

William Edwards KC has also provided advice to a range of Australian and foreign corporations, banks, insurance companies, superannuation trustees and litigation funders on a range of matters.

Memberships

Victorian Bar Commercial Bar Association

Federal Court of Australia, Class Actions Users Group

Supreme Court of Victoria, Group Proceedings Reference Group

