

Haroon Hassan



Haroon is an experienced and highly effective advocate

QUALIFICATIONS

Master of Laws (Columbia)
Bachelor of Laws (Hons)(Adelaide)
Bachelor of Arts
Graduate Diploma of Legal Practice

CORRESPONDENCE

P +61 3 9225 8558
E haroon.hassan@vicbar.com.au

CHAMBERS

Owen Dixon Chambers West
Room 25 Level 1
525 Lonsdale Street
Melbourne VIC 3000

COMMERCIAL LAW

Appellate | Class Actions | Consumer Law | Contractual Disputes | Corporations & Securities | Energy & Resources | Sports Law | Regulatory Investigations

EMPLOYMENT & INDUSTRIAL

Appellate | Confidential Information | Industrial Disputes

INTELLECTUAL PROPERTY

Appellate | Confidential Information | Information Technology | Media & Entertainment | Privacy & Data Protection | Telecommunications

TORT LAW

Appellate | Class Actions | Commissions & Inquiries | Common Law | Defamation | Inquests | Major Torts | Negligence | Professional Negligence

PUBLIC LAW

Administrative Law | Aged Care | Appellate | Civil & Human Rights | Commissions & Inquiries | Constitutional Law | Environment | Freedom of Information | Judicial Review | Planning & Local

He is often briefed to appear in superior courts and specialist tribunals in complex and high-profile litigation. His clients include publicly listed corporations, governments, statutory authorities as well as private companies and individuals. He is regularly briefed as counsel in royal commissions, statutory inquiries, compulsory examinations and regulatory investigations.

Royal Commissions and Inquiries

Recent matters in which he has been briefed include:

Royal Commission into the Casino Operator and Licence

Hotel Quarantine Inquiry

Royal Commission into National Natural Disaster Arrangements

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

Royal Commission into Victoria's Mental Health System

Royal Commission into the Management of Police Informants

Alternative Dispute Resolution

Haroon is a nationally accredited mediator and welcomes briefs to mediate disputes in his areas of practice.

Administrative, Public & Regulatory Law

He routinely acts for the Commonwealth, the State of Victoria, local government, public sector agencies, statutory authorities, corporate entities and individuals in matters at first instance, on review (both judicial and merits) as well as on appeal. He has also served as counsel assisting in a number of statutory inquiries. He has extensive experience acting for and advising public sector clients that exercise regulatory functions and powers. He is regularly sought out to advise on statutory interpretation, privilege claims, governance and regulatory issues.

His experience spans a broad range of fields including: aged care, building regulation, disciplinary proceedings, education, energy & resources, environment, freedom of information, firearms, health, liquor & gaming, pharmaceuticals, privacy & data protection, sports, technology, media and telecommunications.

He is a sessional member of the Tennis Australia Disciplinary and Integrity Tribunal.

Commercial Law

Haroon has appeared in significant commercial disputes before State and Federal courts and tribunals. This includes acting as counsel in disputes concerning high value contracts, shareholders rights, directors duties, restraints of trade, industrial disputes, copyright, breach of confidence, trade marks, domain names, data breach, privacy, information technology, energy law, competition and consumer law, corporate insolvency, tax and class actions.

Planning, Environment & Local Government Law

Haroon has experience in planning, environmental, development and regulatory disputes as well as regulatory prosecutions. This includes acting and advising in panel and advisory committee hearings in respect of major infrastructure developments and projects.

Technology, Media & Telecommunications Law

Haroon routinely advises private and public sector clients on defamation, contempt, privacy, reputation management, pseudonym and suppression orders, confidentiality and regulatory issues. He is often briefed in matters arising under the Open Courts Act 2013 or involving access to court files and exhibits.

He has represented many of Australia's leading publishers, broadcasters and content producers (including the ABC, The Age, News Corporation, Nine, ScreenTime Australia and Seven). He has also appeared as counsel for ".auDA" (Australia's domain name regulator) in a number of disputes. Over the course of his career he has acted for Oscar and Grammy award winning artists, elite athletes and other prominent individuals.

Liability limited by a scheme approved under Professional Standards legislation.

Recent Cases

A selection of Haroon's most recent and more significant cases is set out below.

A link containing all the reported decisions that Haroon has appeared in can be found [here](#).

ROYAL COMMISSIONS AND INQUIRIES

[Royal Commission into the Casino Operator and Licence](#) - Acting for the State of Victoria - led by K L Walker QC, Solicitor-General for Victoria (instructed by the Department of Premier & Cabinet)

[Hotel Quarantine Inquiry](#) - Acting for the Department of Justice and Community Safety - led by Dr K P Hanscombe QC with H A Tiplady (instructed by Allens)

[Royal Commission into National Natural Disaster Arrangements](#) - Acting for the State of Victoria - led by R H M Attiwill QC with E Nekvapil, H A Tiplady, K A Brazenor, R Amamoo and M Narayan (instructed by the VGSO)

[Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#) - Acting for the State of Victoria - led by R H M Attiwill QC (instructed by the Department of Premier & Cabinet)

[Royal Commission into Victoria's Mental Health System](#) - Acting for the State of Victoria - led by K L Walker QC, Solicitor-General for Victoria (instructed by the Department of Premier & Cabinet)

[Royal Commission into Management of Police Informants](#) - Acting for the State of Victoria - led by K L Walker QC, Solicitor-General for Victoria (instructed by the Department of Premier & Cabinet)

[Operation Lansdowne \[2017\] IBAC](#) - Public Examinations - For an examinee (sole counsel instructed by Patrick & Associates)

[Building Practitioners Board \(Victoria\) \[2016 -2020\]](#) - Counsel assisting (unled) in various disciplinary inquiries (instructed by the Victorian Building Authority)

[Woolworths Ltd v Casey City Council & Ors \[2016\] VCGLR 7](#) - Public Inquiry under the Liquor Control Reform Act 1998 - sole counsel appearing on behalf of the Chief Commissioner of Victoria Police and the Licensing Inspector (instructed by the VGSO)

[Inquiry into the CFA Training College at Fiskville \[2015\]](#) - Parliamentary Inquiry for a key witness (sole counsel instructed by Patrick & Associates on behalf of a witness)

ADMINISTRATIVE, PUBLIC AND REGULATORY LAW

Lorenzini & Anor v Victorian Building Authority [2023]

VCAT Merits Review of disciplinary decision by the Victorian Building Authority - Immediate Suspension - Alleged breaches of the Charter of Human Rights and Responsibilities Act - Natural Justice - Settled prior to trial (led C Winneke KC and instructed by Oldham Fairweather Legal)

HAD v Victoria Police [2023] VCAT (unreported) - Privacy - Review of OVIC Decision - Application dismissed (instructed by Victoria Police Legal Services)

Walne v Victoria Police [2023] VCAT (unreported) Privacy - Inconsistency between Privacy & Data Protection Act and Surveillance Devices Act - Application withdrawn by consent at final hearing (sole counsel instructed by Victoria Police Legal Services)

[Mt Wills Gold Mines Pty Ltd v Minister for Resources & Ors \[2022\] 66 VR 122](#) - Application for judicial review and declaratory relief - Successful application for costs (sole counsel acting for and advising the Mining Warden of Victoria and instructed by the VGSO)

[Bazi v Chief Commissioner of Victoria Police \[2022\] VCAT](#) - Review of Firearm Prohibition Order - Application withdrawn prior to final hearing (instructed by Victoria Police Legal Services Department)

[Economou v Chief Commissioner of Victoria Police \[2022\] VCAT](#) - Review of Firearm Prohibition Order - Application withdrawn prior to final hearing (instructed by Victoria Police Legal Services Department)

[CUB Australia Holding Pty Ltd v Commissioner of Taxation \[2021\] FCAFC 171](#) Appeal - Taxation (led by F O'Loughlin QC with A Lee - instructed by Johnson Winter & Slattery)

[CUB Australia Holding Pty Ltd v Commissioner of Taxation \[2021\] FCA 43](#) - Judicial Review - Taxation (led by F O'Loughlin QC with R E Chan - instructed by Johnson Winter & Slattery)

Fulton Hogan Construction Pty Ltd v Major Transport Infrastructure Authority & Anor [2021] VCAT - FOI Review - Resolved at Compulsory Conference (instructed by Corrs Chambers Westgarth)

Arcare v Commissioner, Aged Care Quality & Safety Commission (Cth) [2020] FCA - Aged Care (settled prior to trial - led by T L Wong SC and instructed by Clayton Utz)

[Mattiske v Victorian Building Authority \[2019\] VCAT 1620](#) - Merits review of disciplinary decision (instructed by the Victorian Building Authority)

Secretary, Department of Justice and Community Safety v Berlyn (various matters) [2018] VCAT - FOI reviews - Resolved prior to hearing (instructed by Consumer Affairs Victoria)

[Draper v Building Practitioners Board \(No.2\) \[2017\] VCAT 1402](#) - Merits review of decision of the Building Practitioners Board (sole counsel instructed by Minter Ellison)

[CKI Utilities Development Ltd & Ors v Australian Energy Regulator \[2016\] FCA 17](#) - Judicial Review - Energy law (led by P R D Gray QC and instructed by Minter Ellison)

[Trevena v Building Practitioners Board \[2016\] VCAT 1908](#) - Merits review of decision of the Building Practitioners Board (sole counsel instructed by the Victorian Building Authority)

STCJ v Tertiary Education Quality Standards Agency [2016] AAT (unreported) - Merits review - Stay - Confidentiality (led by T Bradley QC with N de Young - instructed by Minter Ellison)

Xin Yi Dai Inc. v Victorian Registration and Qualification Authority [2015] VCAT (unreported) - Merits review - Stay

(led by P R D Gray QC and instructed by in-house counsel)

Tirant v Psychology Board of Australia [2015] VCAT - Merits review of disciplinary decision - Resolved prior to trial (instructed by the VGSO)

[Tsamis v Victoria Police \[2015\] VCAT 1080](#) - FOI Review (sole counsel instructed by Victoria Police Legal Services)

[Gondarra v Minister for Families, Housing, Community Services and Indigenous Affairs \[2014\] FCA 1](#) - Application for specific performance of agreement (led by A L Tokley QC and instructed by Maddocks)

COMMERCIAL LAW

Whittenbury v Vocation Ltd (on behalf of the Department of Education and Training) [2018] - [2020] FCA - Class action - Discovery - Privilege - Confidentiality (instructed by the VGSO)

McLaren v Morgan & Ors [2018] VCC - Sale of Land - Misleading and deceptive conduct - Negligent misstatement - Misrepresentation - Settled at mediation (instructed by Robertson Hyetts)

[Ausurv Operations Pty Ltd v Swanston Joe Pty Ltd \[2017\] VSC 389](#) - Setting aside statutory demand - Indemnity costs (sole counsel instructed by McKean Park)

Davey v .au Domain Administration Ltd & Anor [2017] VSC (unreported) - Application for leave to appeal - Summary judgment (instructed by Maddocks)

Spooner & Kassem & Anor v Hassan & Ors [2016] VSC - Fiduciary duty - Constructive trust - Equitable compensation - Settled prior to trial (led by M S Osborne QC and instructed by DLA Piper)

Spooner & Kassem & Anor v Hassan & Ors [2016] VSC - Liquidator's public examinations (instructed by DLA Piper)

Australian Democrats National Inc v .auDA Ltd & Anor [2016] VSC (unreported) - Security for costs - Stay - Proceedings dismissed (instructed by Maddocks)

Australian Democrats National Inc v .auDA Ltd & Anor [2016] VMC (unreported) - Indemnity costs - Costs orders under s 29 of the Civil Procedure Act (instructed by Maddocks)

Re: Australian Vocational Driving Institute Pty Ltd (in liquidation) (on behalf of the Liquidators) [2015] VSC - Liquidator's public examinations (instructed by DLA Piper)

[Re Ezyclad Pty Ltd \(in liquidation\) \[2014\] 98 ACSR 38](#) - Ex parte application - s 530C warrant (sole counsel instructed by Saxbys Lawyers)

Alcoa of Aust. Limited & Anor v AGL Loy Yang Marketing Pty Ltd & Ors [2013] VSC - Contractual dispute - Settled prior to trial (led by J H Karkar QC with R J Harris - instructed by Herbert Smith Freehills)

[Robinson v Essendon Football Club Ltd \[2013\] VSC](#) - Employment - Settled prior to trial (led by P D Santamaria QC with J Firkin - instructed by Maddocks)

TELECOMMUNICATIONS, MEDIA AND TECHNOLOGY

[Porch v State of Victoria \[2023\] VSC 61](#) - Practice and Procedure - Application for inspection of court file by a non-

party (sole counsel instructed by Nine Entertainment Co on behalf of The Age Company Ltd)

[Feldman v Huf \(Ruling\) \[2023\] VCC 743](#) - Defamation - Application to set aside default judgment - Costs (sole counsel instructed by Bugden Allen Graham Lawyers)

[Mao v Business Licensing Authority \[2023\] VCAT 25](#) - s146 VCAT Act - Application for non-party access to s49 statement under the VCAT Act - Attorney General's Certificate (sole counsel instructed by Nine Entertainment Co on behalf of The Age Company Ltd)

[ABC v Victoria Police & Gardiner \[2020\] VSC 599](#) - Application under s 464JB of the Crimes Act (sole counsel instructed by ABC Legal)

[Nova Peris v Jacinta Nampijinpa Price \[2020\] VSC](#) - Defamation - Honest Opinion - Qualified Privilege - Settled prior to trial (sole counsel instructed by Henry William Lawyers)

[Branch v Papyrus Australia Ltd & Ors \[2019\] FCA 1879](#) - Defamation - Summary judgment - Strike out (sole counsel instructed by Gilchrist Connell)

[Fenn & Anor v ABC \[2018\] VSC 449](#) - Defamation - Hore-Lacy pleading (led by D P Gilbertson QC and instructed by ABC Legal)

[Fenn & Anor v ABC \[2018\] VSCA 166](#) - Defamation - Appeal (led by Dr M J Collins AM QC and instructed by ABC Legal)

[Fenn & Anor v ABC \[2018\] VSC 60](#) - Defamation - Strike out (led by Dr M J Collins AM QC and instructed by ABC Legal)

[DPP v Gargasoulas \[2018\] VSC](#) (unreported) - Application under s 464JB of the Crimes Act (sole counsel instructed by ABC Legal)

[Sesalim v Herald & Weekly Times Pty Ltd \[2018\] VSC](#) - Defamation - Settled prior to trial (led by J Ruskin QC and instructed by M+K Lawyers)

[Sesalim v Herald & Weekly Times Pty Ltd \[2018\] VSC 264](#) - Defamation - Contextual Truth - Discovery - Interrogatories (sole counsel instructed by M+K Lawyers and opposed to GL Schoff QC and MJ Marcus)

[Barrett v Munro & Repac \[2018\] VCC](#) (unreported) - Review of suppression order (led by RBC Wilson and instructed by IBAC)

[DPP v Pell \[2017\]](#) - [2018] VCC - Production of documents - Journalists' Privilege (sole counsel instructed by ABC Legal and opposed to R Richter QC and R Shann)

[Fenn & Anor v ABC \[2017\] VSC 486](#) - Defamation - Strike out (sole counsel instructed by ABC Legal)

[Sisalem v Herald & Weekly Times Pty Ltd & Anor \[2017\] VSC 254](#) - Religious Vilification - Application for leave to appeal - Leave refused (sole counsel instructed by HWT Legal)

[Sisalem v Herald & Weekly Times Pty Ltd & Anor \[2016\] VCAT 1197](#) - Religious vilification - Application dismissed (sole counsel instructed by HWT Legal)

[Madafferi v The Age & Ors \(No.2\) \[2016\] VSC 103](#) - Defamation - Suppression orders (led by Dr M J Collins AM QC and instructed by Minter Ellison)

[Madafferi v The Age & Ors \(No.1\) \(2015\) 50 VR 492](#) - Defamation - Application to reveal confidential sources - Journalists' Privilege (led by Dr M J Collins AM QC and instructed by Minter Ellison)

[CDPP v Brady & Ors \(2015\) 252 A Crim R 50](#) - Review of suppression order - Wikileaks (sole counsel instructed by Minter Ellison and News Corp - opposed to S P Donaghue QC and J Forsaith)

Herald and Weekly Times Pty Ltd v Jones & Anor [2015] VCC (unreported) - Variation of Suppression Order (sole counsel instructed by M+K Lawyers and opposed to D Grace QC and R Avis)

[ABC and DHS & Ors \[2014\] VChC 1](#) - Application under s534 Children Youth and Families Act (sole counsel opposed to R Niall QC and R Kune and Ors - instructed by ABC Legal)

PLANNING, ENVIRONMENT AND LOCAL GOVERNMENT

[Brighton Foreshore Association Inc v Bayside City Council & Ors \[2021\] VSCA 284](#) - Application for leave to appeal - Planning - Statutory interpretation (led by CJ Horan QC and instructed by Maddocks)

[Brighton Foreshore Association Inc v Bayside City Council & Ors \[2021\] VSC 26](#) - s148 Appeal from VCAT - Planning - Statutory interpretation (led by S R Morris QC and instructed by Maddocks)

[Wertheimer & Ors v Bayside City Council \[2019\] VCAT 1689](#) - Planning - Merits Review (led by S M Brennan SC and instructed by Maddocks)

[Doyle v CEO of Melbourne City Council \[2018\] VSC](#) - Settled prior to trial - Application for declaratory relief and injunction (led by R M Doyle SC and later J D Pizer QC, with K Evans - instructed by Minter Ellison)

Bayside City Council v Secretary of the Department of Premier and Cabinet [2018] VCAT (Resolved prior to hearing) Merits review - Cultural heritage (led by S M Brennan SC and instructed by Maddocks)

[Hume C205 \(PSA\) \[2018\] PPV 25](#) - Planning panels - Precinct Structure Plan (led by PX Connor QC and instructed by Norton Rose Fulbright)

Mornington Peninsula Shire Council v Dawson & Dawson [2018] VMC (unreported) Prosecution under the Building Act - Penalties - Costs (sole counsel instructed by Mornington Peninsula CC)

Zakula & Ors v South Gippsland Shire Council [2017] VSC (Settled prior to trial) Judicial review - Nuisance - Public Health & Wellbeing Act (sole counsel instructed by Maddocks)

[Denmark Street Holdings Pty Ltd v City of Boroondara & Anor \[2017\] VCAT 1049](#) - Merits review - Planning (led by A J Finanzio SC and instructed by Norton Rose Fulbright)

[Wertheimer & Ors v Bayside City Council \[2017\] VCAT 726](#) - Preliminary question of law - Jurisdiction - Declaratory relief (instructed by Maddocks and opposed to R C Gillard QC, CJ Wren QC & Ors)

Sokol & Anor. v Mornington Peninsula Shire Council [2016] VCC (unreported) Appeal - Penalties - Costs (sole counsel instructed by Maddocks)

Mornington Peninsula Shire Council v Sokol & Anor. [2015] VMC (unreported) Prosecution under the Planning & Environment Act and the Building Act - Penalties - Costs (sole counsel instructed by Maddocks)

[Ingram v McLennan & Associates Pty Ltd \[2014\] VCAT 412](#) - Successful application for costs (sole counsel instructed by Indemnity Legal)

[Ingram v McLennan & Associates Pty Ltd & Ors \[2014\] VCAT 133](#) - Strike out (sole counsel instructed by Indemnity Legal)

Memberships

Advisory Committee for the Media and Communications Law Research Network (University of Melbourne)
Asian Australian Lawyers Association
Commercial Bar Association of Victoria
Co-Chair, Equality & Diversity Committee (Victorian Bar)
Communications and Media Law Association
Melbourne Press Club
NSW Bar Association
Tax Bar Association (Victoria)
Victorian Planning and Environmental Law Association