

## Haroon Hassan



Haroon is an experienced and highly effective advocate.

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### QUALIFICATIONS

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

### CORRESPONDENCE

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### CHAMBERS

Castan Chambers  
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460 Lonsdale Street  
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### COMMERCIAL LAW

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

### 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

He is often briefed to appear in superior courts and specialist tribunals in sensitive and urgent matters. He is regularly briefed as counsel in royal commissions, inquiries, compulsory examinations and regulatory investigations. Recent examples include:

1. Hotel Quarantine Inquiry (led by Dr K Hanscombe QC)
2. Royal Commission into National Natural Disaster Arrangements (led by R Attiwill QC)
3. Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (led by R Attiwill QC)
4. Royal Commission into Victoria's Mental Health System (led by K Walker QC, Solicitor-General for Victoria)
5. Royal Commission into the Management of Police Informants (led by K Walker QC, Solicitor-General for Victoria)

Haroon has degrees in Arts and Law (with Honours) from the University of Adelaide. He completed a Master of Laws at Columbia University in New York where he graduated as a Harlan Fiske Stone Scholar. Prior to being called to the bar he worked as an associate to Justice John Perry AO in the Supreme Court of South Australia and subsequently to Justice Mary Gaudron in the High Court of Australia.

### **Administrative, Public & Regulatory Law**

Haroon has appeared on behalf of 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.

### **Commercial Law**

He 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 and class actions.

### **Planning, Environment & Local Government Law**

Haroon often acts for and advises municipal authorities. He is regularly sought out to advise on statutory interpretation, governance and regulatory issues. He welcomes briefs in planning, environmental, development and regulatory disputes (including regulatory prosecutions). He also has experience acting in panel and advisory committee hearings in respect of major infrastructure developments and projects.

### **Technology, Media & Telecommunications Law**

He has acted for leading publishers and broadcasters throughout Australia (ABC, Fairfax, News Corporation, Nine and Seven). He has also acted for ".auDA" (Australia's domain name regulator) in a number of disputes. His other clients have included Oscar and Grammy award winning artists, elite athletes and other prominent individuals. He routinely advises private and public sector clients on defamation, contempt, privacy, reputation management, suppression orders and regulatory issues.

## Recent Cases

**ROYAL COMMISSIONS AND INQUIRIES**

*Royal Commission into the Casino Operator and Licence (on behalf of the State of Victoria)*[2021]  
Royal Commission (led by K L Walker QC, Solicitor-General for Victoria)

*Hotel Quarantine Inquiry (on behalf of the Department of Justice and Community Safety)* [2020] Board of Inquiry (led by Dr K P Hanscombe QC with H A Tiplady)

*Royal Commission into National Natural Disaster Arrangements (on behalf of the State of Victoria)* [2020] Royal Commission (led by R H M Attiwill QC with E Nekvapil, H A Tiplady, K A Brazenor, R Amamoo and M Narayan)

*Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (on behalf of the State of Victoria)* [2019] Royal Commission (led by R H M Attiwill QC)

*Royal Commission into Victoria's Mental Health System (on behalf of the State of Victoria)* [2019] Royal Commission (led by K L Walker QC, Solicitor-General for Victoria)

*Royal Commission into Management of Police Informants (on behalf of the State of Victoria)* [2018] Royal Commission (led by K L Walker QC, Solicitor-General for Victoria)

*Operation Lansdowne (for a witness)* [2017] IBAC Public Examinations

*Building Practitioners Board (Victoria)*2016] - [2020] Counsel assisting (various matters)

*Woolworths Ltd v Casey City Council, Chief Commissioner of Victoria Police and the Licensing Inspector* [2016] VCGLR 7 Public Inquiry under the *Liquor Control Reform Act 1998*

*Inquiry into the CFA Training College at Fiskville (for a witness)* [2015] Parliamentary Inquiry

**ADMINISTRATIVE, PUBLIC AND REGULATORY LAW**

*CUB Australia Holding Pty Ltd v Commissioner of Taxation* [2021] FCFCA – Appeal – Taxation (led by F O'Loughlin QC)

*CUB Australia Holding Pty Ltd v Commissioner of Taxation* [2021] FCA 43 Judicial review – Taxation (led by F O'Loughlin QC with R Chan)

*Commissioner, Aged Care Quality & Safety Commission (Cth)* [2020] Advising the Commissioner (led by T L Wong SC)

*Azaria Family Day Care Pty Ltd v Secretary, Department of Education, Skills & Employment (Cth)* [2019] AAT Merits review (ongoing)

*Mattiske v Victorian Building Authority* [2019] VCAT 1620 Merits review of disciplinary decision

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

*Russell v Heathmont Animal Hospital* [2018] VSC 53 s 148 Appeal from VCAT

*Barrett v Munro & Repac (on behalf of IBAC)* [2018] VCC (unreported) Review of suppression order (led by RBC Wilson)

*Secretary, Department of Justice and Community Safety v Berlyn (various matters)* [2018] VCAT FOI reviews – Resolved prior to hearing

*Draper v Building Practitioners Board (No.2)* [2017] VCAT 1402 Merits review

*M166/2016 v Minister for Immigration and Border Protection* [2016] HCA Application for interlocutory injunction, declarations and relief pursuant to s.75(v) (led by K L Walker QC)

*CKI Utilities Development Ltd & Ors v Australian Energy Regulator* [2016] FCA 17 Judicial review – Energy law (led by P R D Gray QC)

*Trevena v Building Practitioners Board* [2016] VCAT 1908 Review of disciplinary decision

*STCJ v Tertiary Education Quality Standards Agency* [2016] AAT (unreported) Merits review – Stay – Confidentiality (led by T Bradley QC with N de Young (now QC))

*Xin Yi Dai Inc. v Victorian Registration and Qualifications Authority* [2015] VCAT (unreported) Merits review – Stay (led by P R D Gray QC)

*Tirant v Psychology Board of Australia* [2015] VCAT Merits review of disciplinary decision – Resolved prior to trial

*Tsamis v Victoria Police* [2015] VCAT 1080 FOI Review

*Gondarra v Minister for Families, Housing, Community Services and Indigenous Affairs* [2014] FCA 16 Application for specific performance of agreement (led by A L Tokley QC)

#### COMMERCIAL LAW

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

*McLaren v Morgan & Ors* [2018] VCC Sale of Land – Misleading and deceptive conduct – Negligent misstatement – Misrepresentation – Settled at mediation

*Ausurv Operations Pty Ltd v Swanston Joe Pty Ltd* [2017] VSC 389 Statutory demands – Indemnity costs

*Davey v .au Domain Administration Ltd & Anor* [2017] VSC (unreported) Application for leave to appeal – Summary judgment

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

*Spooner & Kassem & Anor v Hassan & Ors* [2016] VSC Liquidator's public examinations

*Australian Democrats National Inc v .auDA Ltd & Anor* [2016] VSC (unreported) Security for costs – Stay – Proceedings dismissed

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

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

*Re Ezyclad Pty Ltd (in liquidation)* (2014) 98 ACSR 38 Ex parte application – s 530C warrant

*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)

*Robinson v Essendon Football Club Ltd* [2013] VSC Employment dispute – Settled prior to trial (led by P D Santamaria QC with J Firkin (now QC))

#### TELECOMMUNICATIONS, MEDIA AND TECHNOLOGY

*ABC v Victoria Police & Gardiner* [2020] VSC 599 Successful application under s 464JB of the *Crimes Act* for the ABC (Australian Story)

*Peris v Price* [2020] VSC Defamation – Settled prior to trial

*Branch v Papyrus Australia Ltd & Ors* [2019] FCA 1879 Defamation – Summary judgment – Strike out

*DPP v Gargasoulas (on behalf of the ABC)* [2018] VSC (unreported) Successful application under s 464JB of the *Crimes Act* for the ABC (Four Corners)

*Fenn & Anor v ABC* [2018] VSC 449 Defamation – Hore-Lacy pleading (led by D P Gilbertson QC)

*Fenn & Anor v ABC* [2018] VSCA 166 Defamation – Strike out – Appeal (led by Dr M J Collins AM QC)

*Sesalim v Herald & Weekly Times Pty Ltd* [2018] VSC Defamation – Settled prior to trial (led by J Ruskin QC)

*Sesalim v Herald & Weekly Times Pty Ltd* [2018] VSC 264 Defamation – Contextual Truth – Discovery – Interrogatories

*Fenn & Anor v ABC* [2018] VSC 80 Defamation – Strike out (led by Dr M J Collins AM QC)

*DPP v Pell (on behalf of the ABC)* [2017] – [2018] VCC Production of documents – Journalists' Privilege

*Fenn & Anor v ABC* [2017] VSC 486 Defamation – Strike out

*Sisalem v Herald & Weekly Times Pty Ltd & Anor* [2017] VSC 254 Application for leave to appeal – Leave refused

*Sisalem v Herald & Weekly Times Pty Ltd & Anor* [2016] VCAT 1197 Religious vilification – Application dismissed

*Madafferi v The Age & Ors (No.2)* [2016] VSC 103 Defamation – Suppression orders (led by Dr M J Collins AM QC)

*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)

*CDPP v Brady & Ors (on behalf of Fairfax & News Corp)* (2015) 252 A Crim R 50 Review of suppression order

*ABC and DHS & Ors* [2014] VChC 1 Application under s.534 *Children Youth and Families Act*

#### PLANNING, ENVIRONMENT AND LOCAL GOVERNMENT

*Brighton Foreshore Association Inc v Bayside City Council & Ors*[2021] VSCA – Application for leave to appeal – Planning – Statutory interpretation (led by S R Morris QC)

*Brighton Foreshore Association Inc v Bayside City Council & Ors*[2021] VSC 26 s 148 Appeal from VCAT – Planning – Statutory interpretation (led by S R Morris QC)

*Wertheimer & Ors v Bayside City Council*[2019] VCAT 1689 Merits review – Planning (led by S M Brennan SC)

*Bayside City Council v Sec’y Department of Premier and Cabinet* [2018] VCAT Merits review – Cultural heritage – Resolved prior to hearing (led by S M Brennan SC)

*Hume C205 (PSA) (on behalf of Satterley Property Group Pty Ltd)* [2018] PPV 25 Planning panel (led by P X Connor QC)

*Mornington Peninsula Shire Council v Dawson & Dawson* [2018] VMC (unreported) Prosecution – Penalties – Costs

*Zakula & Ors v South Gippsland Shire Council*[2017] VSC Judicial review – Nuisance –Public Health & Wellbeing Act (Settled prior to trial)

*Denmark Street Holdings Pty Ltd v City of Boroondara & Anor*[2017] VCAT 1049 Merits review – Planning (led by A J Finanzio SC)

*Wertheimer & Ors v Bayside City Council*[2017] VCAT 726 Preliminary question of law – Jurisdiction – Declaratory relief

*Sokol & Anor. v Mornington Peninsula Shire Council*[2016] VCC (unreported) Appeal – Penalties – Costs

*Mornington Peninsula Shire Council v Sokol & Anor.* [2015] VMC (unreported) Prosecution – Penalties – Costs

*Ingram v David McLennan & Associates Pty Ltd & Ors*[2014] VCAT 133 Strike out – Costs

## Memberships

Advisory Committee for the Centre for Media and Communications Law at the University of Melbourne

Media Law Section of the Commercial Bar Association of Victoria

County Court Defamation List Users Group