

Kylie Evans



Kylie Evans appears in all courts and tribunals in public, administrative and general commercial law matters

QUALIFICATIONS

Bachelor of Commerce
Bachelor of Laws (Hons)
Master of Laws (Cantab)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Residential & Retail Tenancies

EMPLOYMENT & INDUSTRIAL

Discrimination

PUBLIC LAW

Administrative Law | Aged Care | Appellate | Civil & Human Rights | Commissions & Inquiries | Constitutional Law | Customs Law | Discrimination | Environment | Extradition Law | Freedom of Information | Guardianship & Administration | Immigration | Judicial Review | Licensing | Native Title | Privacy | Public International Law | Taxation

Kylie's expertise includes licensing and judicial review in respect of residential tenancy proceedings. She also provides advice in these areas to non-government and government clients. Kylie is co-author of the *Annotated Victorian Charter of Rights* (LawBook Co, 2019, Second edition) and has taught on this subject in the Masters program at Melbourne Law School.

She holds first class honours degrees in Law from the University of Melbourne and the University of Cambridge (Masters of Law) and a first class Bachelor of Commerce degree from the University of Melbourne. She was Associate to the Honourable Justice David Hunt AO QC at the International Criminal Tribunal for the former Yugoslavia in 1999 and a Research Fellow for the Honourable Professor James Crawford AC SC FBA (now a Justice of the International Court of Justice) from 2002-2005.

Liability limited by a scheme approved under Professional Standards legislation

Recent Cases

ELECTORAL LAW

Rae v Victorian Electoral Commission [2018] VSC 30 (appearing for the Victorian Electoral Commission in urgent proceedings concerning the printing of ballot papers in an election)

Rigoni v Victorian Electoral Commission [2015] VSC 97 (appearing for the Victorian Electoral Commission in proceedings before the Court of Disputed Returns challenging the outcome of the November 2014 Victorian general election)

PUBLIC LAW

AB v CD and EF [2017] VSCA 338 (appearing in the Victorian Court of Appeal for the Victorian Equal Opportunity and Human Rights Commission)

AB v CD [2018] HCA 58 (appearing in the High Court of Australia for the Victorian Equal Opportunity and Human Rights Commission, led by Chris Horan QC)

Doyle v Rimmer (appearing for the Melbourne City Council in an application for an injunction, led by Jason Pizer QC)

Cemino v Cannan [2018] VSC 535 (appearing for the Victorian Equal Opportunity and Human Rights Commission in this judicial review proceedings concerning the power of the Magistrates' Court of Victoria to transfer proceedings to the Koori Court Division)

Secretary to the Department of Justice and Regulation v LLF (a pseudonym) [2018] VSCA 155 (appearing for the Secretary in this appeal from a decision of the VCAT concerning an assessment notice under the Working with Children Act 2005 (Vic), led by Chris Horan QC)

Certain Children v Minister for Families and Children (No 2) [2017] VSC 304 (appearing for the Victorian Equal Opportunity and Human Rights Commission as intervener in this case concerning the detention of children at Barwon Prison, led by Peter Gray QC)

Re LBT[2017] VSC 282 (appeared for the Secretary to the Department of Health and Human Services in this case concerning a forensic patient detained at Thomas Embling Hospital)

Magee v Secretary to the Department of Justice and Regulation (Review and Regulation) [2017] VCAT 1044 (appearing for the Secretary to the Department of Justice and Regulation concerning a Working with Children Check assessment)

Matsoukatidou v Yarra Ranges Council and Attorney-General for Victoria [2017] VSC 61 (appearing for the plaintiffs with Evelyn Tadros in this judicial review proceeding concerning self-represented litigants and the right to a fair hearing)

INJ v Secretary to the Department of Justice and Regulation (Review and Regulation) [2017] VCAT 296 (appearing for the Secretary to the Department of Justice and Regulation)

Minister for Families and Children v Certain Children by their litigation guardian Sister Marie Brigid Arthur[2016] VSCA 343 (appearing for the Victorian Equal Opportunity and Human Rights Commission intervening in this appeal)

Certain Children by their litigation guardian Sister Marie Brigid Arthur v Minister for Families and Children [2016] VSC 796 (appearing for the Victorian Equal Opportunity and Human Rights Commission intervening in these significant proceedings concerning the legality of detention of children at Barwon Prison)

Bare v IBAC [2015] VSCA 197 (appearing for the IBAC in this important case concerning the Charter of Human Rights and Responsibilities, led by Peter Gray QC, also appearing in the trial proceedings: *Bare v Small* [2013] VSC 129).

TRV v Department of Health and Human Services (Human Rights) [2015] VCAT 1188 (5 August 2015) (appearing for the Patient Review Panel in these proceedings concerning access to IVF treatment under the Assisted Reproductive Treatment Act)

Donohue v Victorian Electoral Commission [2015] VSC 98 (appearing for the Victorian Electoral Commission in related proceedings before the Court of Disputed Returns challenging the outcome of the November 2014 Victorian general election)

ZZD v Secretary to the Department of Justice and Regulation (Review and Regulation) [2015] VCAT 1479 (appearing for the Secretary of the Department of Justice and Regulation)

AG v Secretary of Justice [2013] NRSC 10 (appearing for the Government of Nauru in this important habeus corpus and constitutional law case, led by Stephen Donaghue QC)

Ahmed v Chief Commissioner of Police (appearing for the Chief Commissioner of Police in an application for leave to appeal and application for extension of time)

R v Chaouk [2013] VSCA 99 (appearing as junior Counsel on behalf of the Attorney-General of Victoria in an appeal, led by Stephen McLeish SC (former Solicitor-General for Victoria))

Kuriakose v Nursing and Midwifery Board of Australia (appearing for the Nursing and Midwifery Board in a merits review of a decision regarding registration under the Health Practitioner Regulation National Law)

Rankin v Victims of Crime Assistance Tribunal (appearing for the VCAT in a review application)

In the matter of "HA" [2014] VSC 237 (appearing for the Secretary to the Department of Health and Human Services in this application for revocation of a non-custodial supervision order under the *Crimes (Mental Impairment and Unfitness to be Tried) Act 1997*(Vic))

Re HWL [2015] VSC 170 (appearing for the Secretary to the Department of Health and Human Services)

In the Matter of MP [2015] VSC 265 (appearing for the Secretary to the Department of Health and Human Services)

BJOB [2013] VSC 40R (appearing for the Attorney-General of Victoria)

PUBLIC INTEREST IMMUNITY

Emily Scott (Informant) v Guerra-Ball (appearing with Dr Sue McNichol QC for the Independent Broad-Based anti-Corruption Commission) in Magistrates' Court committal proceedings concerning public interest immunity)

TENANCY LAW

Swan v Uecker and Greaves [2016] VSC 313 (appearing for the landlord in an appeal from VCAT to the Supreme Court concerning whether a tenant's use of Airbnb is a sub-lease)

Fauth v Director of Housing [2015] VSC 320 (appearing for the Director of Housing in this appeal from VCAT concerning s 248 of the *Residential Tenancies Act 1997* (Vic))

Burgess v Director of Housing [2014] VSC 648 (appearing for the Director of Housing led by Peter Gray QC in this important case about the Charter of Human Rights and Responsibilities)

Janusauskas v Director of Housing [2014] VSC 650 (appearing for the Director of Housing in an appeal from a decision of the VCAT concerning sub-letting by a tenant)

Director of Housing v Janusauskas [2014] VCAT 42 (appearing for the Director of Housing in a contested application for possession of rented premises on the basis of sub-letting).

Director of Housing v Burgess [2013] VCAT 926 (appearing for the Director of Housing in a contested application for possession of rented premises on the basis of drug trafficking).

Director of Housing v Caddaye [2014] VCAT 114 (appearing for the Director of Housing in an application for possession order of rented premises on the basis of illegal use of premises).

GUARDIANSHIP AND ADMINISTRATION

Matters on behalf of applicants and respondents seeking guardianship and administration orders under the *Guardianship and Administration Act 1986* (Vic) and orders in relation to powers of attorney under the *Instruments Act 1958* (Vic) and *Powers of Attorney Act 2014* (Vic).

FREEDOM OF INFORMATION

Wilderness Society of Victoria v VicForests and Paper Australia Pty Ltd (appearing for Australian Paper in these FOI proceedings which concerned commercial-in-confidential information).