LIST G
BARRISTERS

Rachel Doyle SC

Rachel Doyle SC is a leading trial and appellate advocate.

QUALIFICATIONS

Bachelor of Arts (Juris)
Bachelor of Laws (Hons)(Adel)

CORRESPONDENCE

P 03 9225 8558
F 03 9225 7293
E worka@vicbar.com.au

CHAMBERS

Ah Ket Chambers
Level 35 Room 18
500 Bourke Street
Melbourne VIC 3000

COMMERCIAL LAW

Appellate | Class Actions | Consumer Law

EMPLOYMENT & INDUSTRIAL

Appellate | Discrimination | Employment Contracts | Industrial Disputes | Restraint of Trade | Statutory Employment Rights

TORT LAW

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

PUBLIC LAW

Administrative Law | Appellate | Civil & Human Rights | Commissions & Inquiries | Constitutional Law | Discrimination

Rachel is a specialist in Class Actions, Industrial, Employment and Discrimination Law and Public Law. She has significant experience in common law proceedings involving novel torts, and in Royal Commissions and inquests.

Rachel came to the Bar in 1996 and was appointed senior counsel in 2009. Before joining the Bar, she was associate to Sir Daryl Dawson of the High Court between July 1994 and February 1996.

Liability limited by a scheme approved by Professional Standards Legislation

Recent Cases

CLASS ACTIONS AND COMMERCIAL LAW

Pacific Current Group Limited v Fitzpatrick and ors (re breach of directors duties, senior counsel for the plaintiffs)

Jeremey Clarke v JB Hi Fi Group (re Extended Warranties products, senior counsel for the group members / consumers)

Dawson and anor v Insurance Australia (re loyalty discount insurance policies, senior counsel for the group members / consumers)

Sinclair & Stott v Victoria (re land tax / s 109 Constitution, senior counsel for the group members / tax payers)

Lidgett v EDI Downer [2023] VSC 574 (senior counsel for the group members / shareholders)

Thomas & Xiao v a2 Milk (No 2) [2022] VSC 725 (senior counsel for the group members/ shareholders)

5 Boroughs NY Pty Ltd v Victoria (No 5) [2023] VSC 682 (the COVID lockdown class action / novel tort, senior counsel for the defendants)

5 Boroughs NY Pty Ltd v Victoria (No 2) [2022] VSC 494

5 Boroughs NY Pty Ltd v Victoria (the Covid lockdown class actions) [2021] VSC 785; senior counsel for the defendants

Crown Resorts v Zantran [2020] FCAFC 1; [2019] FCA 641 senior counsel for the shareholders

Gall v Domino's [2019] FCA 1799 senior counsel for the applicants

Roo-Roofing v Commonwealth [2019] VSC 331 senior counsel for the Commonwealth

McKay Super Solutions v Bellamys [2019] FCA 125 senior counsel for the shareholders

Clime Capital v UGL [2020] FCA 66 senior counsel for the shareholders

Centro Shareholders Class Action [2012] FCA 468, junior counsel for the shareholders

Esso Class Action (*Johnson Tiles v Esso Australia Pty Ltd* [2003] VSC 27, junior counsel for the plaintiffs

Oswal v ANZ 2016 (Victorian Supreme Court, commercial trial) senior counsel for defendant, Chemical Holdings

A v Peters 2014 (Victorian Supreme Court, Hepatitis C class action) senior counsel for Victoria

EMPLOYMENT AND INDUSTRIAL LAW

Esso Australia v Australian Workers Union (2021, Federal Court proceedings re industrial action Gippsland operations, senior counsel for the AWU)

Victoria International Container Terminal Limited v MUA (2021, Supreme Court proceedings re industrial action Webb Dock, senior counsel for the MUA)

Cummins South Pacific v Keenan (2020) 281 FCR 421 (Senior counsel for Cummins)

Wong v National Australia Bank (2022) Federal Court appeal (senior counsel for the NAB)

Pentridge Village v CFMMEU [2021] VSC 848 (senior counsel for the union)

Pattinson & CFMMEU v ABCC (2020) 282 FCR 580 (senior counsel for the union)

*Bashour v ANZ (*current discrimination claim, VCAT) senior counsel for ANZ

Registered Organisations Commission v Melhem & AWU [2020] FCA 1148 senior counsel for Melhem

ABCC v CFMEU (2018) 262 CLR 157 (the personal payment orders case) senior counsel for the CFMEU

Newton v Australia Post and Fahour [2018] FCA 2007 senior counsel for Australia Post and Fahour

ABCC v Powell [2017] FCAFC 89 (right of entry case) senior counsel for the CFMEU

ABCC v CFMEU [2018] FCAFC 88 (the Laverton North case) senior counsel for the CFMEU

ACCC v CFMEU [2017] FCA 1191 (the Boral "black ban" case) senior counsel for the CFMEU

Winters v Fogarty [2017] FCA 51 senior counsel for respondent

Swindells v State of Victoria [2016] VSCA 9 senior counsel for Victoria

United Voice v Ambulance Victoria 2016 (Paramedics' Wages Claim, FWC) senior counsel for Victoria

AEU v State of Victoria [2015] FCA 1196 senior counsel for Victoria

Boral v CFMEU 2015 (Victorian Supreme Court, industrial tort case) senior counsel for the CFMEU

Director v CFMEU ("the Myer Blockade Case") [2015] FCA 225 senior counsel for the CFMEU

State of Victoria (Office of Public Prosecutions) v Grant [2014] FCAFC 184 senior counsel for the OPP

CFMEU v Boral Resources [2014] VSCA 348 senior counsel for CFMEU

State of Victoria v CFMEU [2013] FCAFC 160 senior counsel for CFMEU

CFMEU v Victoria [2013] FCA senior counsel for CFMEU

The Equal Remuneration Case [2011] Full Bench FWA 2700 senior counsel for Victoria, intervening

Quinn v Overland (2010) 199 IR 40 senior counsel for the applicant

O'Shea v Heinemann (2008) 172 FCR 475 counsel for the regulator

Family Provisions Test Case [2005] AIRC 692 counsel for each State government in Australia, intervening

Minister v Gribbles (2005) 222 CLR 194 junior counsel for the Commonwealth

AiG v AFMEPKIU (the *Emwest Case)* (2003) 125 IR 449 junior counsel for the union

Working Hours Test Case [2002] AIRC 857 counsel for each State government in Australia, intervening

Greater Dandenong City Council v ASU (2001) 112 FCR 232 junior counsel for the union

Riverwood v McCormick (2000) 177 ALR 193 counsel for the applicant

ROYAL COMMISSIONS AND INQUIRIES

Hazelwood Mine Fire Inquiry 2014 - 2015 (Teague Commission of Inquiry: mine fire) senior counsel for Engie

Trade Union Royal Commission 2014 *(*Heydon Royal Commission) senior counsel for the Electrical Trades Union

Victorian Bushfires Royal Commission 2009 – 2010 junior counsel assisting

Esso / Longford Royal Commission 1998 junior counsel for Trades Hall

COMMON LAW

Pentridge Village v CFMMEU (Supreme Court current economic tort case) senior counsel for the union

Smith v Victoria [2018] VSC 475 (novel tort case re domestic violence victims) senior counsel for the plaintiff

Roo-Roofing v Commonwealth [2019] VSC 331 senior counsel for the Commonwealth

Hodson v Victoria (Supreme Court, novel tort case) senior counsel for Victoria

Dale v State of Victoria 2015 (Supreme Court, negligence claim), senior counsel for Victoria

Boral v CFMEU 2015 (Supreme Court, industrial tort case) senior counsel for the CFMEU

Bau v Victoria Police [2009] VSCA 107 (employee tort claim) junior counsel for Victoria Police

Premier v Spotless [2007] VSC 377 (professional negligence) junior counsel for the environmental consultants

Crimmins v Stevedoring Industry Finance Committee (1999) 200 CLR 1 junior counsel for the applicant

CONSTITUTIONAL AND ADMINISTRATIVE LAW / STATUTORY INTERPRETATION

VicForests v Environment Protection East Gippsland Inc [2023] VSCA 159 (Senior counsel for VicForests)

Masson v Parsons [2019] HCA 21 senior counsel for Victoria, intervening

Momcilovic v The Queen (2011) 245 CLR 1 junior to the Commonwealth Solicitor General

Magill v Magill (2006) 81 ALJR 254 junior to the Commonwealth Solicitor General

Vanstone v Clark [2005] FCAFC 189 junior counsel for Clark

Ng & Fittock v R (2003) 77 ALJR 967 junior counsel for the Victorian Attorney General, intervening

Ng v R (2002) 5 VR 257 counsel for the Victorian Attorney General, intervening

PRIVACY LAW

Foley v Australian Information Commissioner [2024] FCA 169 (re the Optus data breach, senior counsel for the Optus customers)

Medibank Private Limited v Australian Information Commissioner [2024] FCA 117 (senior counsel for the Medibank members)

EQUAL OPPORTUNITY AND HUMAN RIGHTS

R v Chaouk [2013] VSCA 99 counsel for the Victorian Equal Opportunity and Human Rights Commission intervening

Momcilovic v The Queen (2011) 245 CLR 1 junior to the Commonwealth Solicitor General

Kiefel v State of Victoria [2013] FCA 1398 senior counsel for Victoria

Benic v State of Victoria [2011] FCA 1263 senior counsel for Victoria

Turner v State of Victoria [2009] VSC 66 junior counsel for Victoria

Jacomb v ASU [2004] FCA 1250 counsel for HREOC, intervening

Schou v State of Victoria [2004] VSCA 71 junior counsel for the plaintff

INQUESTS AND CRIMINAL MATTERS

Director Public Prosecutions (Cth) v CFMMEU and O'Mara (criminal cartel case, senior counsel for the union)

Tomlin (Worksafe) v Engie committal (VWA prosecution re mine fire) senior counsel for the mine owners

*EPA v Engie committal (*EPA prosecution re mine fire) senior counsel for the mine owners

Inquest into the death of Luke Batty 2014 – 2015 senior counsel for Ms Rosie Batty

Inquest into the death of Terrence and Christine Hodson 2014 senior counsel for Chief Commissioner of Police

Inquest into the death of Heri 2006 junior counsel for Australian Fisheries Management Authority

Inquest into the death of Tanginoa 2003 junior counsel for the Commonwealth

Memberships

Victorian Bar Industrial Bar Association – member

Law Council of Australia - Federal Litigation and Dispute Resolution Section, Industrial Law Committee, committee member from 2013 to 2024