



# DEBORAH DINNEN

Maurice Byers Chambers  
MLC Centre, Level 60, 19-29 Martin Place, Sydney NSW 2000  
P: 8233 0349 F: 8233 0333 DX: 1070 SYDNEY E: [d.dinnen@mauricebyers.com](mailto:d.dinnen@mauricebyers.com)  
ABN: 27 821 624 424

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**Admissions:** Solicitor 2005, Barrister 2011  
**Qualifications:** BA LLB (Macquarie University 2004)  
LLM (Sydney University 2012)

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## ***Barrister, Maurice Byers Chambers***

Appears regularly in all State and Federal Courts, and the following Tribunals / Commissions:

- Fair Work Commission, including Full Bench Appeals, Arbitrations and Conciliations
- Administrative Appeals Tribunal
- NCAT
- NSW Industrial Relations Commission and Court

## **Specialist expertise in the following practice areas:**

- Administrative law (state and federal)
- Work Health and Safety law
- Employment and Industrial law
- Discrimination

## **Published decisions as Counsel:**

- *Stephen Bell v Commissioner of Police* [2015] NSWIC 11
- *Health Services Union v Jackson (No 2)* [2015] FCA 670
- *Fair Work Ombudsman v Rainbow Paradise Preschool & Anor* [2015] FCCA 1652
- *SZTGN v Minister for Immigration & Anor* [2014] FCCA 1467
- *Fletcher v TNT Australia Pty Ltd No 2* [2014] FCA 981
- *Comcare v Prater* [2014] FCA 895
- *Liu v Liashenko* [2014] FCCA 204
- *Banovec v Director General, Department of Attorney General & Justice (Commissioner of Corrective Services NSW)* [2014] NSWCATAD 27
- *Rasmussen v State of NSW, NSW Police Force* [2013] NSWADT 277
- *Barons and Comcare* [2013] AATA 667
- *Liu v Liashenko* [2013] FCCA 470
- *In the matter of Mothercare Australia Ltd (administrators appointed)* [2013] NSWSC 263
- *Board of Studies v ANC High School Pty Ltd (GD)* [2013] NSWADTAP 8
- *Sagigi and Comcare* [2012] AATA 705
- *Gordon and Comcare* [2012] AATA 578
- *ANC High School Pty Ltd v The Board of Studies* [2012] NSWADT 125
- *Painter v Commonwealth of Australia (Department of Defence)* [2011] FWAFB 8043
- *TQM Design & Construct Pty Ltd & Anor v Romeo & Anor* [2011] NSWDC 143
- *Chevalley v Industrial Court of New South Wales* [2011] NSWCA 357

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## **Publications**

“The New Work Health & Safety legislation – a practical guide”, co-authored with Justice F Marks.  
(Federation Press, March 2013)

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**Professional Experience:**

***Barrister, 6 & 7 St James' Hall Chambers***

***April 2012 – April 2013***

***Barrister (Reader), 9 Selborne Chambers***

***May 2011 - April 2012***

***Lawyer, Australian Government Solicitor***

***2005-2011***

***Administrative, Employment/Industrial, Trade Practices and Regulation, Compensation, Customs and Law Enforcement***

Providing advice and appearing for Commonwealth departments and agencies across a broad range of practice areas. Including:

- Employment and Industrial issues, including Code of Conduct investigations and proceedings, unfair contracts, unfair dismissals, drafting of general employment-related contracts, AWAs and collective agreements, workplace and OH&S policies and guidelines, directives and delegations, union rights of entry, protected ballots, and contractor issues;
- Applications for judicial review, administrative review, public interest immunity, privilege and confidentiality, jurisdictional objections and constitutional issues;
- Prosecutions for contempt of court, industrial and OH&S breaches, prudential regulation breaches, Customs offences;
- Advising, instructing, and appearing for Comcare in approximately 20 applications made in the AAT under the *Safety, Rehabilitation and Compensation Act 1988*, including related appeals to the Federal Court;
- Drafting Undertakings, originating and interlocutory processes, pleadings, settlement deeds; affidavits, court attendance notices, submissions;
- Brief advisory services to law enforcement agencies (reviews of Briefs of Evidence (and parts thereof), recommendation of appropriate charges, and provision of assessments and advice as to further evidence required to meet elements of the offence of recommended charges).

**Advisory Secondments to:**

- Australian Federal Police: November 2010-April 2011;
- Fair Work Ombudsman: June-August 2009;
- AGS Litigation and Dispute Management Group, January-September 2008: drafting litigation policy for the Commonwealth and liaising with the Law Council of Australia, the Attorney-General's Department, and other external bodies on various parliamentary inquiries (eg Access to Justice).

**Notable cases as Instructing Solicitor:**

- [\*Hogan v Australian Crime Commission \[2010\] HCA 21\*](#) (instructing Gageler J, then Solicitor-General and D Thomas);
- [\*Stitt and Australian Prudential Regulation Authority \[2009\] AATA 601\*](#) (instructing J Stevenson SC, now Justice, and P Braham, now SC);
- *ACCC v DRS C3 Systems Inc & Anor* (NSD588 of 2009); *ACCC v Ozdirect Online Brands P/L & Anor* (NSD704 of 2009); *ACCC v All Trades and Services P/L & Ors* [2009] FCA 647; *ACCC v Roberson* [2008] FCA 1735;
- [\*Different Solutions & Ors v Commissioner, Australian Federal Police \(No 2\) \[2008\] FCA 1686\*](#) (instructing J Hilton SC and K Stern, now SC);
- [\*ASIC v Albarran \(No 2\) \[2008\] FCA 386\*](#) (instructing R Macfarlan QC, now Justice, and J Gleeson).
- *CPSU v Australian Broadcasting Corporation* (AIRC: BP2006/3181); *CPSA v ITSA* (AIRC: DR2007/230); *CPSU v Cth* [2007] FCA 1634; *CPSU v Cth* (OEA); *John Holland Pty Ltd v MUA*;
- *Croker v Commonwealth* - NSD 504 of 2007 / 1668 of 2007 / 2376 of 2007 / [2008] FCA 972 (including award of indemnity costs); SYG 548 of 2006 (instructing R Pepper, now Justice)
- *Walworth v Merit Protection Commissioner & Anor* [2007] FMCA 24 (instructing G Kennett, now SC).

***NSW Industrial Court, Tipstaff to Justice Marks******2005-2006***

- Case management and preparation; assistance in conciliations/ mediations, single and full bench OH&S prosecutions, Contract of Carriage Tribunals, arbitration of Industrial disputes and Unfair Contract claims, and site inspections of Unionised workplaces.
- Acting as court officer, providing research assistance, advising his Honour on matters of law, and responsibility for proofreading and editing judgments.

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**Other information**

- ***Presentations:*** The Work Health Safety Act (Law Society conferences 2014, 2013; chambers CLE 2014); Delegations (Legalwise Seminars 2014); Litigation Dos and Don'ts (Young Lawyers Employment Law Committee Meeting July 2011); Mandatory Rule 176 training (AGS CLE March 2010); Role of the Commonwealth as a Model Litigant (Australian Crime Commission's In-House Lawyers Conference, November 2009); The Australian Consumer Law Bill 2009 (AGS Trade Practices CLE October 2009); Appendix C to the Legal Services Directions 2005 (May 2009); Dispute Resolution and Monetary Claims (May 2009); Alternative Dispute Resolution and the Commonwealth (March 2009); Section 87B Undertakings: What the Court will consider (AGS Trade Practices CLE March 2009); Transition to Forward with Fairness (AGS Employment Law Forum December 2008); Recent and Forthcoming Amendments to the Trade Practices Act 1974 (the Cartel provisions) (AGS Trade Practices Forum July 2008); Golden Handcuffs for Generation Y (AGS Employment Law Forum December 2007); Rehabilitation under the *Public Service Act 1999* and *Safety Rehabilitation and Compensation Act 1988* (AGS Compensation Law Forum).
- ***Volunteer:*** at Inner City Legal Centre since 2009; as coach for Law Society Civil Litigation Moot 2011 and Law Society Mock Trial 2011 -2013; as judge for Macquarie University Law Society Moot 2011 and Client Interview Competition 2011.
- ***Interests: Archaeology and Archaeological excavations:*** Ein Gedi (Roman era site associated with Dead Sea Scrolls): 2002, 2007; Hazor (Biblical era/ Bronze age site): 2003. Recipient of Macquarie Ancient History Association (MAHA) Grant 2001; Sir Asher Joel Foundation Scholarship (inaugural grantee) for Archaeology in 2005.