

## SIMEON BECKETT

### CURRICULUM VITAE

#### **Barrister**

##### **Maurice Byers Chambers**

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#### **Education**

*LLM (Public Law)* (London School of Economics) 1999

Administrative Law, European Constitutional Law, International Human Rights Law, Short Thesis on Proportionality in Human Rights Jurisprudence of the European Court of Human Rights and Canadian Supreme Court

*LLB* (University of New South Wales) 1989

*BA (Sociology)* (University of New South Wales) 1989

#### **Employment History**

*Barrister, Maurice Byers Chambers, Sydney* (1997 to current)

Areas of practice: inquiries, public law, administrative law, judicial review, common law, human rights and anti-discrimination law, public international law.

I regularly appear in judicial review matters in the Supreme Court of NSW, Court of Appeal and the Federal Court including at appellate level as well as administrative law matters in a number of State and Commonwealth tribunals. The areas in which I have appeared in administrative law and judicial review include crime related administrative decisions, migration, national security, anti-discrimination, and child protection.

I have held statutory appointments as counsel assisting the Royal Commission into Institutional Responses to Child Sexual Abuse from the Commonwealth Attorney-General and the NSW Attorney-General (2013-2015). I was counsel assisting the Royal Commission in 6 cases studies including inquiries into the Anglican Church, The Marist Brothers, The Salvation Army and Pentecostal Churches (Australian Christian Churches).

I have also appeared in major inquiries in the NSW Independent Commission Against Corruption and frequently as counsel assisting in the NSW Coroners Court.

A list of recent cases and inquiries is set out below.

## **Selected List of Cases**

### ***State Superior Courts***

- Dr Chen v Health Care Complaints Commission* [2017] NSWCA – health disciplinary appeal, judicial review (represented the doctor)
- Mauceri v McMahon, Attorney-General* [2017] NSWSC 545 – request for fresh inquest (appeared for the Attorney-General)
- Minister for Mental Health v Paciocco* [2017] NSWSC 4 – extension of status as a forensic patient (appeared for the Minister)
- Allianz Australia v Zein* [2016] NSWSC 196 – judicial review
- Jubb v Insurance Australia Ltd* [2016] NSWCA 153 – appeal, judicial review
- Minister for Corrections v Cawthray* [2015] NSWSC 1188 – judicial review
- Smalley v Motor Accidents Authority of NSW* [2013] 85 NSWLR 580 (NSWCA) – appeal, judicial review
- AAMI v Cirevska* [2013] NSWSC 1438 – judicial review
- State of New South Wales v TD (by her tutor)* [2013] 83 NSWLR 566 (NSWCA)
- Commissioner for Children and Young People v FZ* [2011] 80 NSWLR 43 (NSWCA) – cross-examination in tribunals
- FZ v Commissioner for Children and Young People* [2010] NSWSC 1144
- TD v State of New South Wales* [2010] NSWSC 368
- Commissioner of Corrective Services v Wedge* [2006] NSWCA 399 – appeal, judicial review, habeas corpus
- Wedge v Commissioner of Corrective Services* [2006] NSWSC 998 - habeas corpus
- McDonald v Commissioner of Corrective Services* [2006] NSWSC 496 – judicial review, habeas corpus
- Graham v Baptist Union of New South Wales* [2006] NSWSC 818 – judicial review

### ***Federal Superior Courts***

- WET040 v Republic of Nauru* (2018) High Court of Australia (Nov 2018)
- WET052 v Republic of Nauru* (2018) High Court of Australia (reserved) (appeared leading MLL Albert)
- QLN116 v Republic of Nauru* (2017) High Court of Australia (settled)
- Murad v Minister for Immigration and Border Protection* (2017) FCAFC 148 – Federal Court Appeal, judicial review, habeas corpus, migration
- McAlister v State of New South Wales* (2016) Federal Court – class action by residents of a boarding house (appeared for State of NSW)
- CQG15 v Minister for Immigration and Border Protection* [2016] FCAFC 146 – Federal Court Appeal, judicial review

*Murad v Assistant Minister for Immigration* [2016] FCA 876 – judicial review  
*Nicky v Minister for Immigration and Border Protection* [2015] FCA 174 – judicial review, migration  
*State of New South Wales v TD (by her tutor)* [2013] HCATrans 209 High Court of Australia (special leave) – common law (wrongful imprisonment, appeared for State)  
*SZNW v Director-General of Security, Minister for Foreign Affairs* (AAT) (2012) – merits appeal, security  
*Minister for Immigration & Citizenship v Makasa* (2012) FCAFC 166 – judicial review  
*Makasa v Minister for Immigration & Citizenship* [2012] FCA 321  
*Screen Australia v EME Productions No 1* [2012] 200 FCR 282 (led by Williams SC) – appeal from AAT  
*EME Productions No 1 v Screen Australia* [2011] AATA 439 - taxation

### ***Inquiries***

#### **Royal Commission into Institutional Responses to Child Sexual Abuse**

Five year major inquiry into institutional responses to child sexual abuse conducted by 6 Commissioners assisted by counsel assisting of which I was one. I was the lead counsel in the following five inquiries involving over 10 weeks of hearing, cross-examination of 100-125 witnesses. I lead a team of up to 10 lawyers plus assistants to run the inquiry. I drafted detailed submissions in each of the inquiries and also drafted the findings for the Commissioners.

Case Study 1, 2013 – opening case study for the Royal Commission

Case Study 3, 2013 – Anglican Church (Grafton) (counsel assisting)

Case Study 5, 2014 – The Salvation Army (counsel assisting)

Case Study 10, 2014 – The Salvation Army (counsel assisting)

Case Study 13, 2014-15 – Marist Brothers (counsel assisting)

Case Study 18, 2014-15 – Australian Christian Churches (counsel assisting)

#### **Independent Commission Against Corruption and Other Inquiries**

In 2017 I appeared for a former State Government Minister in the [Inquiry under the Charitable Fundraising Act into the Returned Services League and Related Entities](#).

*Operation Tunic*, 2015 (counsel for the Department of Trade and Investment)

*Operation Acacia* (major government corruption inquiry), 2013 (counsel for the Department of Trade and Investment)

*Operation Jasper* (major government corruption inquiry), 2012-2013 (counsel for the Department of Trade and Investment)

## **Coronial Inquiries**

I have been counsel assisting, counsel for the family, and counsel for interested parties in over 20 coronial inquiries. Most recently I have appeared in inquests concerning deaths in a number of correctional centres. I have also appeared in numerous inquests where the death occurred in police custody, the death of a police officer, numerous deaths involving mental illness, numerous deaths in hospital involving negligence or inadvertence. I appeared in coronial inquiries in relation to four suicides at Villawood Immigration Detention Centre.

## ***International Law***

I have been a visiting lecturer at the Law Faculty, Sydney University from 2009 where I have lectured in international human rights law and international law in both LLM/MIL and LLB programs while practising at the Sydney Bar. I taught the advanced international law course in the LLM/MIL degree program most recently in Semester 1, 2016 which included a component on international criminal law. My interest in international law comes from longstanding knowledge of international human rights law from both my law degrees, membership of various human rights bodies in Australia (see below) and practicing in human rights related cases.

## **Other Employment**

*Consultant Lawyer* (1996-1997), Sydney NSW

I was a consultant to Public Interest Advocacy Centre, Australian Human Rights and Equal Opportunity Commission

*Ministerial Adviser, Federal Minister for Aboriginal and Torres Strait Islander Affairs* (1993-1995), Canberra ACT

I advised Minister on Federal Government response to the High Court's decision in Mabo, Native Title Act, international indigenous issues, Minister's legislative program, appearances at Senate and Joint committees, media

*Solicitor, Central Land Council*, (1990-1992) Alice Springs (NT)

I practised in land rights and native title, international indigenous issues.

## **Board and committee memberships**

2006-2018 Member, Human Rights Committee, NSW Bar

2014-2018 Member, Human Rights Council of Australia

2008-2010 Executive Committee Member, Australian Human Rights Group

2009-2013 Board member, National Association of Visual Artists

2009-2012 Management Committee & Secretary, Sydney PEN

2005-2007 President, Australian Lawyers for Human Rights

2002-2005 National Committee Member, Australian Lawyers for Human Rights  
2002-2006 Treasurer, Level 60 Pty Ltd (Chambers Board)  
2016- Board Member, Level 60 Pty Ltd (Chambers Board)  
2018- Member, Australian Bar Association's Indigenous Issues Committee  
2018- Member, First Nations Committee, NSW Bar

**Admission as a barrister or solicitor**

2001 Barrister of the Supreme Court of Queensland  
1999 Solicitor of the Supreme Court of England and Wales  
1998 Barrister admitted to the High Court of Australia  
1997 Barrister of the Supreme Court of NSW  
1991 Barrister and Solicitor of the Supreme Court of the Northern Territory

**Referees**

On request