

ANISH BHASIN

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PROFESSIONAL QUALIFICATIONS

May 2018	Called to the Bar of New South Wales
November 2016	Called to the Bar of England and Wales by the Inner Temple
February 2013	Granted Higher Rights of Audience (Civil) in England and Wales
August 2011	Admitted as a solicitor of the Senior Courts of England and Wales
July 2008	Admitted as a lawyer of the Supreme Court of New South Wales

LEGAL EXPERIENCE

May 2018 – Present (Sydney)	Barrister (select cases) <u>Public law / regulatory / crime</u> <ul style="list-style-type: none">• <i>AG (NSW) v Riley</i> [2019] NSWSC 602 (forensic patient order, unled, for the plaintiff)• <i>Ahmed v Attorney-General (Cth)</i> [2022] FCA 1270 (judicial review, revocation of Commonwealth parole, led by A Chhabra, for the defendant)• <i>R v Beck; R v Abbott (AG (NSW) intervening)</i> (protest/implied freedom of political communication, NSW Local Court, unled, for the defendants)• <i>Bou-Antoun v Commissioner of NSW Police</i>, Supreme Court of NSW, unreported (judicial review, child protection prohibition orders, unled for the plaintiff)• <i>Dimitropolous v ASIC</i> (banning orders under <i>Corporations Act 2001</i> and <i>National Consumer Credit Protection Act 2009</i>, AAT, led by Stephen Free SC, for ASIC)• <i>Dowling v Prothonotary</i> [2018] NSWCA 340 (contempt, appeal against conviction and sentence, led by Michael Izzo SC, amicus appointment)• <i>Fletcher v Racing NSW</i> [2019] NSWSC 35 (investigative powers, led by Peter Braham SC, for the defendant)• <i>Health Care Complaints Commission v Crouch</i> [2023] NSWCATOD 22 (professional regulation – nursing, unled, for the Commission)• <i>Health Care Complaints Commission v Galanto</i> [2022] NSWCATOD 22 (professional regulation – nursing, unled, for the Commission)• <i>Health Care Complaints Commission v Guard</i> [2022] NSWCATOD 103; [2022] NSWCATOD 161 (professional regulation – medicine, unled, for the Commission)• <i>Health Care Complaints Commission v Hallani</i> [2022] NSWCATOD 87 (professional regulation – pharmacy, unled, for the Commission)• <i>Health Care Complaints Commission v Hatoum</i> [2022] NSWCATOD 72 (professional regulation – medicine, unled, for the Commission)• <i>Health Care Complaints Commission v Kaye</i> [2022] NSWCATOD 24 (professional regulation – pharmacy); [2022] NSWCATOD 25 (apprehended bias) (unled, for the Commission)• <i>Health Care Complaints Commission v Moussa</i> [2022] NSWCATOD 26 (professional regulation – medicine, NCAT, unled, for the Commission)• <i>Jabbour v Secretary, Department of Home Affairs</i> (2019) 269 FCR 438 (migration, judicial review / constitutional law, led by Craig Lenahan, for the defendant)• <i>Jackson v R</i> [2022] NSWCCA 148 (appeal against sentence, NSW Court of Criminal Appeal, led by Paul Coady, for the appellant)• <i>Khan v R</i> [2022] NSWCCA 157 (appeal against conviction, NSW Court of Criminal Appeal, led by Paul Coady, for the appellant)
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- *Malik Fahd Islamic School Limited v Minister for Education and Early Childhood Learning* [2022] NSWSC 1176 (judicial review, school funding, led by Luke Livingston SC, for the plaintiff)
- *Nature's Care Manufacture Pty Ltd v Australian Made Campaign Limited* [2018] FCA 1936; 363 ALR 717 (consumer protection / statutory construction, led by Stephen Free SC, for the applicant)
- *Nelson v Health Care Complaints Commission* [2023] NSWCATOD 5 (professional regulation – nursing, reinstatement, unled, for the Commission)
- *R v Plumb* (fraud, NSW Local Court, unled, for the defendant)
- *Selim v Health Care Complaints Commission* (professional regulation, NSW Court of Appeal, led by Stephen Free SC, for the Commission)
- *Smith v Commissioner of NSW Police* (judicial review, child protection orders, led by Paul Coady, for the plaintiff)
- *State of NSW v Azar (Preliminary)* [2020] NSWSC 1807 (high risk offender, interim hearing, unled, for the defendant)
- *State of NSW v G* [2022] NSWSC 1617 (interim hearing); [2023] NSWSC 223 (final hearing) (high risk offender, lead by P Coady, for the defendant)
- *State of NSW v Richardson (Preliminary)* [2020] NSWSC 1442 (high risk offender, interim hearing, led by P Coady, for the defendant)
- *State of NSW v Tannous* [2019] NSWSC 1862; [2020] NSWSC 292 (high risk offender, interim and final hearings, unled, for the plaintiff)
- *TM v Commissioner of NSW Police* [2022] NSWSC 337 (judicial review, child protection orders, led by Paul Coady, for the plaintiff)
- *Tua v Commissioner of NSW Police* [2021] NSWSC 1159 (judicial review, child protection orders, led by Paul Coady, for the plaintiff)
- *Ugur v Attorney General of NSW* [2019] NSWCA 86 (habeus corpus, led by Stephen Free SC, for the respondent)
- *Veale v R* [2022] NSWCCA 154 (appeal against sentence, NSW Court of Criminal Appeal, led by Paul Coady, for the appellant)
- *Zhao v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2020] FCA 998 (citizenship, judicial review, led by Stephen Free SC, for the plaintiffs)

Commercial

- *Anderson v Canaccord Genuity Financial Ltd* [2022] NSWSC 58 (breach of fiduciary duties / breach of confidence / knowing assistance, led by Peter Braham SC, for the plaintiff)
- *Donau P/L v ASC AWD Shipbuilders P/L* [2018] NSWSC 1273 (contractual construction, NSW Supreme Court, led by Peter Brereton SC, Elisa Holmes and Rachel Mansted, for the defendant)
- *Hugos Operations P/L v Sydney Opera House Trust* (procurement, NSW Supreme Court, led by Vanessa Whittaker SC, for the defendant)
- *Forge Group Ltd v Hutchinson* (directors duties; NSW Supreme Court, led by M Elliott SC, for the first defendant)
- *Muruniti v King; Newell v Hemmings* [2019] NSWCA 232 (dismissal for want of prosecution, NSW Court of Appeal, unled, for the fifth respondent)
- *Valiant Finance P/L v Bryley Investment P/L* (contractual construction, NSW Local Court, unled, for the plaintiff)

Other

- *Yang v NSW Land and Housing Corporation* (negligence / conversion, limitations / disability; NSW Supreme Court, unled, for the defendant); [2020] NSWSC 1925 (determination of separate issue); [2021] NSWSC 1647 (expert evidence); [2023] NSWSC 84 (privilege – issue waiver)

- Apr 2017 – **Supreme Court of New South Wales, Equity Researcher**
 Dec 2017
 (Sydney)
- Researcher to the Equity Division of the Supreme Court of New South Wales under then Chief Judge in Equity Justice Julie Ward
- Feb 2010 – **Herbert Smith Freehills LLP, Senior Associate and Solicitor Advocate**
 Nov 2016
 (London)
- Corporate Crime / Financial Services Regulation / Banking Litigation**
- Acted for and advised a range of financial institutions, regulators and corporations on criminal, regulatory and litigation matters including in relation to:
 - The Serious Fraud Office’s prosecutions in relation to LIBOR manipulation
 - The Serious Fraud Office’s investigations into the Olympus corruption scandal
 - The Financial Services Authority’s investigation and regulatory action in relation to the Bank of Scotland’s Corporate Division in the lead up to the Global Financial Crisis
 - Judicial review proceedings challenging the Financial Services Authority’s regulation of payment protection insurance complaints
 - A shareholder class-action in relation to Lloyds Banking Group’s takeover of HBOS
- Public Inquiries / Professional Regulation**
- Acted and advised on a range of public law and professional regulatory matters, and public inquiries including:
 - Acting for the Church of England as a core participant in the Independent Inquiry into Child Sexual Abuse
 - Acting as the presenting officer for the Chartered Institute of Management Accountants in disciplinary proceedings against members and students
- Competition / Procurement**
- Acted for and advised a range of companies including Stagecoach Group plc, Royal Mail Group plc, Virgin Trains Limited and a major airline in relation to the economic regulation of transport and postal services, including in judicial review and EU law proceedings
- Pro-bono**
- Appeared in over 100 hearings before the First-tier Tribunal (Asylum Support) on behalf of asylum seekers challenging the Home Office’s decision to refuse or withdraw subsistence support
 - Assisting with the drafting of JUSTICE’s written submissions as an intervener in *Cadder v HM Advocate* [2010] UKSC 43 concerning a suspect’s right to seek legal advice before being interviewed by police in Scotland
- Oct 2009 – **International Criminal Tribunal for the former Yugoslavia, Chambers Legal Intern**
 Feb 2010
 (The Hague)
- Legal intern in Trial Chamber I working to support the three international judges sitting in *Prosecutor v Gotovina et al*
 - Researched international criminal law and broader public international law issues; undertook comparative domestic criminal law and evidence research; drafted witness briefings; witness summaries for the draft judgment; and interlocutory decisions of the Chamber
- Jan 2008 – **Office of the New South Wales Director of Public Prosecutions, Prosecution Officer**
 Aug 2008
 (Sydney)
- Case-managed the prosecution of serious criminal matters that were to proceed on indictment
 - Appeared on behalf of the Crown in bail applications in the Supreme Court of New South Wales; in the District Court of New South Wales in appeals against the severity of sentences imposed in the Local Court; and in District Court of New South Wales case-management lists
- Jan 2008 – **Sir Anthony Mason, Research Assistant (part-time)**
 Aug 2008
 (Sydney)
- Provided research assistance to Sir Anthony Mason in relation to anti-terrorism legislation and legislation targeting sex-offenders in the United Kingdom and Australia

NON-LEGAL EXPERIENCE

- Jul 2001 – **Macquarie Bank, Treasury and Commodities Group, Associate Director**
Aug 2004
(*Sydney*)
- Structured, priced and marketed vanilla and exotic derivative hedging products to base and precious metals clients globally

EDUCATION

- 2008 – 2009 **Bachelor of Civil Law, University of Oxford**
- Peter Cameron Sydney Oxford Scholar
- 2005 – 2007 **Bachelor of Laws with First Class Honours, University of Sydney**
- Nancy Gordon Smith Prize for top five students at graduation
 - Wigram Allen Scholarship for most proficient student in Graduate Law Year 1
 - George and Matilda Harris Scholarship for most proficient student in Graduate Law Year 2
 - Sir John Peden Memorial Prize for proficiency in Foundations of Law, Federal Constitutional Law, International Law, and Real Property
 - CA Hardwick Prize and Pitt Cobbett Prize for Constitutional Law
 - EM Mitchell Prize for Contracts
 - Chancellor's Committee Exchange Scholar to the University of Texas at Austin, School of Law in 2007. Worked with the School's Capital Punishment Center to represent indigent death-row inmates in their post-conviction appeals, including in a successful appeal to the US Supreme Court (*Panetti v. Quarterman*, 551 U.S. 930 (2007))
- 2002 – 2004 **Master of International Studies with Merit, University of Sydney** (part-time)
- 1997 – 2000 **Bachelor of Electrical Engineering with Class 2:1 Honours, University of Queensland / University of Auckland**