

CHARLES GREGORY

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QUALIFICATIONS

Tertiary Qualifications

Masters Int'l Law and Int'l Relations (MILIR) (UNSW) 2011
LLB (UTS) 2005
BComm (Journalism) (UTS) 2005

Professional Qualifications

Admitted as a lawyer on 26 May 2006
Admitted as a barrister in September 2014

AREAS OF PRACTICE

Charles was recommended as a leading native title barrister in the *Doyles Guide* for 2022 and has been since 2016.

Charles practices in:

- Administrative law.
- Land, property, and environmental law.
- Native title.
- Resources and mining.
- Equity and trusts.
- Intentional torts, including malicious prosecution.
- Discrimination and public international law.

Charles has acted for public, corporate, and Indigenous clients, in NSW, Queensland, the Northern Territory, South Australia, and Western Australia.

His commercial work includes contract, equity, and trusts. He has been led in the High Court and the NSW Court of Appeal, and has appeared in judicial review proceedings in the Federal Court and Supreme Court.

Charles has acted for public clients in class actions in the Federal Court and has run intentional tort (including malicious prosecution) proceedings in the Supreme Court and District Court. He appears regularly in native title proceedings in the Federal Court and has represented Aboriginal land holders under land rights regimes.

For over a decade Charles advised on discrimination issues at the Inner City Legal Centre and HIV/AIDS Legal Centre in Sydney, and at the LGBTI Legal Centre in Brisbane.

SELECTION OF WORK

High Court

- *Beck v Commonwealth Bank Officers Superannuation Corporations Pty Limited & Ors* [2017] HCATrans 56

Full Court of the Federal Court

- *Attorney General of New South Wales v Ohlsen on behalf of the Ngemba/Ngiyampaa People* [2022] FCAFC 38
- *Ah-Chee v Stuart* [2019] FCAFC 165
- *Hands v Minister for Immigration and Border Protection* [2018] FCAFC 225
- *Boney v Attorney General of New South Wales* [2018] FCAFC 218
- *Sandy on behalf of the Yugara People v State of Queensland* [2017] FCAFC 108
- *Gomeri People v Attorney-General of New South Wales (No 2)* [2016] FCAFC 116
- *Gomeri People v Attorney-General of New South Wales* [2016] FCAFC 75

Federal Court

- *Stuart v State of South Australia (Oodnadatta Common Overlap Proceeding) (No 4)* [2021] FCA 1620
- *Sparrow v State of South Australia (Mirning Eastern Sea and Land Claim)* [2021] FCA 1357
- *Gilla on behalf of the Yugunga-Nya People v State of Western Australia (No 2)* [2021] FCA 1174
- *Ohlsen on behalf of the Ngemba/Ngiyampaa People v Attorney General of New South Wales* [2021] FCA 169
- *Wagonga Local Aboriginal Land Council v Attorney General of New South Wales* [2020] FCA 1113
- *Bell on behalf of the Wakka Wakka People #4 v State of Queensland* [2020] FCA 695
- *La Perouse Local Aboriginal Land Council v Attorney General of New South Wales* [2019] FCA 1091
- *Boney v Attorney General of New South Wales (No 2)* [2018] FCA 1241
- *Akiba on behalf of the Torres Strait Regional Sea Claim v State of Queensland* [2018] FCA 772
- *Gomeri People v Attorney General of New South Wales* [2018] FCA 1066
- *Hands v Minister for Immigration and Border Protection* [2018] FCA 662
- *Gomeri People v Attorney General of New South Wales (No 3)* [2018] FCA 71
- *Gomeri People v Attorney-General of New South Wales* [2017] FCA 1464
- *Barambah on behalf of the Turrbal People v State of Queensland* [2016] FCA 894
- *Wongkumara People v Palpamudramudra Yandrawandra People* [2016] FCA 527
- *Rirratjingu Aboriginal Corporation v Northern Land Council* [2015] FCA 16

NSW Court of Appeal

- *El-Wasfi v State of New South Wales* [2017] NSWCA 332
- *Commonwealth Bank Officers Superannuation Corporation v Beck* [2016] NSWCA 218

Supreme Court

- *Commissioner of Police, NSW Police Force v Bazzi & Ors* [2021] NSWSC 1150
- *Kitchener v Magistrate Thomas in his capacity as a Coroner* [2019] NSWSC 701
- *Carly White v Candice Williams* [2019] NSWSC 437

- *Cummeragunja Local Aboriginal Land Council v Nicholson (No 2)* [2017] NSWSC 1248
- *Cummeragunja Local Aboriginal Land Council v Nicholson* [2017] NSWSC 394
- *Saad & Ors v State of New South Wales (No 2)* [2016] NSWSC 1482
- *Saad & Ors v State of New South Wales* [2016] NSWSC 1247

District Court

- *Mehanna v State of New South Wales* (Balla J, 21 September 2018, unpublished)
- *Mehanna v State of New South Wales* [2017] NSWDC 427
- *Shalhoub v State of NSW* [2017] NSWDC 363

NSW Civil and Administrative Tribunal

- *Czerniecki v TAFE NSW* [2017] NSWCATAD 278

SELECTED PUBLICATIONS AND PRESENTATIONS

- C Gregory, “Case Note: *Helmbright v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs (No 2)*” (2021) 14(3) *Native Title News* 47
- Co-presentation with Dr Madeline Taylor (Climate Council), Kate Dean (Partner, King & Wood Mallesons), and Odette Adams (Senior Associate, King & Wood Mallesons) to the UTS King & Wood Mallesons Speaker Series II, “State of Our World - an Intersection between Law and Environment”, 11 October 2021
- C Gregory, “Human Rights and Technology” [2020] (Winter) *Bar News*
- Presentation to the Legal Wise Native Title Intensive, “PBCs After the Recognition of Separate and Distinct Native Titles: *Drury on behalf of the Nanda People v State of Western Australia* [2020] FCAFC 69”, 11 November 2020
- Presentation to the NSW Bar Association Orange CPD Conference, Orange, “Protocol with Respect to Aboriginal and Torres Strait Islander Peoples”, 7 March 2020
- C Gregory, “Case Note: *Love v Commonwealth; Thoms v Commonwealth*” (2020) 13(6) *Native Title News* 110
- C Gregory and D Robertson, “Admissibility of expert evidence” [2018] (Spring) *Bar News*
- C Gregory, “Book review: Stoianoff, N.P (ed) *Indigenous Knowledge Forum – Comparative Systems for Recognising and Protecting Indigenous Knowledge and Culture* (LexisNexis Butterworths, 2017)” [2018] (Autumn) *Bar News*
- Presentation to the NSW Bar Association North Coast CPD Conference, Ballina, “Aboriginal freehold and native title in NSW”, 17 February 2017
- C Gregory, “Case Note: *Sandy (on behalf of the Yugara People) v Queensland*” (2017) 12(18) *Native Title News*
- Co- presentation with Vance Hughston SC and Tina Jowett to the 2017 AIATSIS National Native Title Conference, Townsville, “Legal and Anthropological Principles of Compensation”, 6 June 2017

- C Gregory, “Book review: Ananian-Welsh, R and Crowe, J (eds) *Judicial Independence in Australia: Contemporary Challenges, Future Directions* (Federation Press, 2016)” [2016] (Spring) *Bar News* 74
- Co-presentation with Tina Jowett to the Federal Court of Australia – NSW Native Title Users Group Forum, “Jurisprudence update - offshore connection, exclusive possession, and section 47B”, 14 September 2016
- C Gregory, “Book review: Connolly A.J and Stewart D (eds), *Public Law in the Age of Statutes: Essays in Honour of Dennis Pearce* (Federation Press, 2015)” [2016] (Winter) *Bar News* 60
- Presentation to the 2016 AIATSIS National Native Title Conference, Darwin, “ILUAs and Section 199C”, June 2016
- C Gregory, “Book review: Debra Mortimer (ed), *Administrative Justice and Its Availability* (Federation Press, 2015)” [2015] (Summer) *Bar News* 76
- Co-presentation with Matthew Moharich to the 2015 AIATSIS National Native Title Conference, Port Douglas, “The SA Royal Commission into the Nuclear Fuel Cycle: Has the Nuclear Door Been Opened and What Does it Mean?”, June 2015
- Consultant and joint-author with AFL, ARU, NRL, FFA, and CA, “Anti-Homophobia & Inclusion Framework for Australian Sports”, April 2014
- Presentation to the 2013 AIATSIS National Native Title Conference, Alice Springs, “International human rights, native title, and mining in Australia”, June 2013
- D McGann, P Toyne and C Gregory, “Chapter 3: The Needs and Aspirations of Indigenous Queenslanders”, Queensland Parliament’s State Development, Infrastructure and Industry Committee’s *Final Report: Inquiry into the future and continued relevance of government land tenure across Queensland*, May 2013
- C Gregory, L Davis and J Ford, “Comparison of Queensland and NSW cultural heritage laws” [2013] (April), *Australian Environment Review*
- Presentation to the Aboriginal cultural heritage CLE, Brisbane, “Aboriginal cultural heritage for large projects in NSW”, 2012
- Presentation to native title CLE, Brisbane, “Native Title in NSW”, 2012
- Presentation to the Environmental Management for the Mining Sector conference, Brisbane, “Project approvals and amendment processes in a strategic cropping land world”, 2012
- Presentation to the Carbon Tax Intensive Seminar, Queensland Law Society, Brisbane, “Carbon Tax CLE”, 2012
- A Murray and C Gregory, “Fees vulnerable to unfair preference provisions of the Corporations Act” (2009) *NSW Law Society Journal*, February 2009

MEMBERSHIPS

- NSW Bar Association
 - Member of the Human Rights Committee (2019-2022)
 - Member of the First Nations Committee (2019-2022)

- Member of the Bar News committee (2015-2018)
- Australian Association of Constitutional Law