

DECLAN ROCHE
Barrister

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Practice Areas

- Appellate
- Administrative and Public Law
- Class Actions
- Commercial
- Competition and consumer law
- Corporations and Insolvency
- Equity
- Family law
- Regulatory proceedings

Qualifications

- Doctor of Philosophy (in Law), ANU: 2001
- Bachelor of Laws (1st Class Hons), ANU: 1996
- Bachelor of Economics, ANU: 1994

Admissions

- NSW Bar: 2009
- State of New York: 2008
- ACT Supreme Court: 1998

Prior Legal Experience

2007–09 Litigation Associate, Milbank Tweed Hadley & McCloy, LLP, New York
2005–07 Senior Lawyer, Litigation, Australian Government Solicitor, Canberra
2001–05 Lecturer, Law Department, London School of Economics, London

Selected Counsel Experience

Competition and Consumer Law

- *ACCC v Visa Inc* [2015] FCA 1020 (acting for Visa in relation to contravention of *Competition and Consumer Act 2010*)
- *Application for Authorisation of Acquisition of Macquarie Generation by AGL Energy Limited* [2014] ACompT 1 (acting for AGL)
- *ACCC v Woolworths Ltd* [2014] FCA 364 (acting for Woolworths in relation to ‘shopper docket’ undertaking given to ACCC)
- *ACCC v Metcash Trading Ltd* (2011) 198 FCR 297 (acting for Metcash in relation to its acquisition of Franklins supermarkets)
- *ACCC v Adepto Publications Pty Ltd* [2013] ATPR 42-434 (acting for ACCC)
- Competition law advice in relation to mergers
- Advice in relation to ACCC investigations

Other Regulatory Work

- *Australian Energy Regulator v Snowy Hydro Limited (No 2)* [2015] FCA 58 (acting for Snowy Hydro in relation to contraventions of the National Electricity Rules)
- Advice in relation to ASIC investigations
- Local court prosecutions for Customs

Commercial Law and Equity

- *Chand v Commonwealth Bank of Australia* [2015] NSWCA 181 (acting for CBA in contractual claim)
- *Jones v Hirst* [2013] NSWSC 163 (acting for trustees of creditors' trust)
- *Re Straits Resources Ltd* [2010] FCA 1467 (acting for acquisition target in scheme of arrangement)

Private International Law

- *PT Bayan Resources TBK v BCBC Singapore Pte Ltd* [2015] HCA 36 (power of court to make freezing order in respect of foreign proceedings)
- *PT Garuda Indonesia Ltd v ACCC* (2012) 247 CLR 240 (foreign state immunity)

Honours and Awards

2008	Prize for Excellence in Pro Bono Advocacy, Sanctuary Women's Center for Battered Women's Legal Services, New York
2004	British Society of Criminology Book Prize
2004	London School of Economics Teaching Prize
1998	Australian National University PhD Scholarship

Publications

2006	'Governance and Restorative Justice in Cali, Colombia' in Newburn and Rock (eds), <i>The Politics of Crime Control</i> (Oxford University Press)
2003	<i>Accountability in Restorative Justice</i> (Oxford University Press)
2002	'Restorative justice and the regulatory state in South African townships', <i>British Journal of Criminology</i> , 42(3): 514-533
2000	'Between rhetoric and reality: socio-legal and republican perspectives on entrapment' (w S. Bronitt), <i>International Journal of Evidence and Proof</i> , 4(2): 77-106
1999	'Mandatory Sentencing', <i>Trends and Issues in Criminal Justice</i> , 138: 1-6