



**MYLES PULSFORD**

*Barrister*

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<b>ADMISSIONS</b>	<b>2020</b>	Barrister
	<b>2016-18</b>	Barrister
	<b>2014</b>	Solicitor

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<b>EDUCATION</b>	<b>2019</b>	<b>Masters of Laws</b> , New York University Hauser Global Scholar
	<b>2012</b>	<b>Bachelor of Laws (Honours Class I)</b> , University of Sydney Alan Bishop Scholarship 2012 C.A. Hardwick Prize and Pitt Cobbett Prize for Constitutional Law 2011
	<b>2010</b>	<b>Bachelor of Economic and Social Sciences</b> , University of Sydney

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<b>PAST PROFESSIONAL EXPERIENCE</b>	<b>2019 - 20</b>	<b>Crown Solicitor's Office (NSW)</b> Senior Solicitor, Government Law and Constitutional and Administrative Law Practice Groups
	<b>2016 - 18</b>	<b>Solicitor General and Crown Advocate of New South Wales</b> Counsel Assisting the Solicitor General (Michael Sexton SC) and Crown Advocate (David Kell SC)
	<b>2015 - 16</b>	<b>Crown Solicitor's Office (NSW)</b> Solicitor, Criminal Law Practice Group
	<b>2015</b>	<b>Herbert Smith Freehills</b> Solicitor and Graduate, Corporate, Mergers and Acquisitions
	<b>2013 - 14</b>	<b>Hon. Justice MJ Beazley AC KC, President, NSW Court of Appeal</b> Researcher to the President and Judicial Clerk

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**SELECTED LED CASES**

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**High Court**

***Bogan v The Estate of Peter John Smedley (Deceased)* [2025] HCA 7; 99 ALJR 619** – appeared for the representative plaintiffs in a cause removed to the High Court of Australia concerning whether group proceedings should be transferred from the Victorian Supreme Court to the New South Wales Supreme Court and the consequences of any transfer for the group costs order (led by J Gleeson SC and S Hartford Davis, instructed by Banton Group).

***Kramer v Stone* [2024] HCA 48; 99 ALJR 126** – appeared for the appellants in an appeal concerning proprietary estoppel by encouragement (led by N Hutley SC and S Hartford Davis, instructed by Walker & White).

***KPMG (A Firm) v BOGAN* [2024] HCASL 55; [2022] HCATrans 208** – appeared for the first and second respondents opposing applications to remove a cause to the High Court (led by S Hartford Davis, instructed by Banton Group).

***Hornsby Shire Council v Commonwealth of Australia* [2023] HCA 19; 276 CLR 645** – appeared for the second defendant, the State of NSW, in proceedings in the High Court’s original jurisdiction concerning whether the Commonwealth and State laws by which local councils pay notional GST contravenes s 114 of the Constitution (led by M Sexton SC, instructed by the CSO).

***HarperCollins Publishers Australia Pty Ltd & Anor v Gill* [2023] HCATrans 14** – appeared for applicants seeking special leave to appeal (led by J Sheahan KC and A d’Arville, instructed by Banki Haddock Fiora).

***Citta Hobart Pty Ltd v Cawthorn* [2022] HCA 16; 276 CLR 216** – appeared for the Attorney General for NSW, intervening, in a matter concerning federal jurisdiction and the effect of Ch III of the Constitution on State tribunals (led by M Sexton SC, instructed by the CSO).

***Burns v Corbett* [2018] HCA 15; 265 CLR 304** – appeared for the Attorney General for NSW and the State of NSW in a matter concerning Ch III of the Constitution and State legislative power (led by M Sexton SC and K Richardson SC, instructed by the CSO).

***Grajewski v Director of Public Prosecutions (NSW)* [2018] HCATrans 89** – appeared for the Director of Public Prosecutions (DPP) opposing the grant of special leave to appeal from decision of the NSW Court of Criminal Appeal (led by D Kell SC, instructed by the Office of the DPP (ODPP)).

***The Queen v Tran* [2017] HCASL 275** – appeared for the Crown in seeking the grant of special leave to appeal from a decision of the NSWCCA (led by D Kell SC, instructed by the ODPP).

***Hetherington v The Queen* [2017] HCASL 62** – appeared for the Crown in opposing the grant of special leave to appeal from a decision of the NSWCCA (led by D Kell SC, instructed by the ODPP).

**Intermediate  
Appellate  
Courts**

***Transport for NSW v Hunt Leather Pty Ltd; Hunt Leather Pty Ltd v Transport for NSW* [2024] NSWCA 227; 115 NSWLR 489** – appeared for the representative parties in an appeal concerning private nuisance and the interpretation of Pt 5 of the *Civil Liability Act 2002* (NSW) (led by T Bannon SC, L Shipway and A Hochroth, instructed by Banton Group).

***Aurizon Operations Limited v Australian Rail Tram and Bus Industry Union NSW Branch* [2024] NSWCA 24; 384 FLR 414** – appeared for Aurizon in an appeal concerning the construction of the *Rail Safety National Law* (NSW) (led by I Taylor SC, instructed by Corrs Chambers Westgarth).

***AgriWealth Capital Limited v Australian Financial Complaints Authority Limited* [2023] FCAFC 128; [2023] FCAFC 118; 299 FCR 319** – appeared for the Australian Financial Complaints Authority (AFCA) in an appeal concerning the Federal Court’s jurisdiction under Pt 9.6A of the *Corporations Act 2001* (Cth) and AFCA’s jurisdiction to determine a complaint (led by M Izzo SC, instructed by Becketts Lawyers).

***Bogan v The Estate of Peter John Smedley (Deceased)* [2023] VSCA 256; 72 VR 394** – appeared for the representative plaintiffs in respect of questions reserved for the consideration of the Victorian Court of Appeal (led by J Gleeson SC and S Hartford Davis, instructed by Banton Group).

***Conroy’s Smallgoods v Australasian Meat Industry Employees Union* [2023] FCAFC 59; 408 ALR 316** – appeared for the State of New South Wales, intervening, in an appeal concerning the construction of s 113 of the *Fair Work Act 2009* (Cth) (led by T Wong SC, instructed by the CSO).

***Mosaic Brands Ltd v Australian Communications and Media Authority* [2022] FCAFC 79; 294 FCR 119** – appeared for the ACMA in an appeal concerning the validity of a notice to produce issued by the ACMA (led by A d’Arville, instructed by AGS).

***Herron v HarperCollins Publishers Australia Pty Ltd* [2022] FCAFC 68; 292 FCR 336** – appeared for HarperCollins in respect of a notice of contention concerning the applicability of s 17(2) of the *Royal Commissions Act 1923* (NSW) in federal jurisdiction (led by T Blackburn SC and A d’Arville, instructed by Banki Haddock Fiora).

***Parkin v Boral Limited (Class Closure)* [2022] FCAFC 47; 291 FCR 116** – appeared with the Contradictor in proceedings concerning the Federal Court’s power to make class closure orders in representative proceedings (led by D Sulan SC).

***Health Care Complaints Commission v Hill* [2022] NSWCA 270** – appeared for the Health Care Complaints Commission (HCCC) in an appeal concerning the amenability of a disciplinary complaint to relief in the nature of certiorari (led by K Richardson SC, instructed by the HCCC).

***Wipro Limited v State of New South Wales* [2022] NSWCA 265; 110 NSWLR 520** – appeared for State of NSW in proceedings concerning the territorial operation of the *Long Service Leave Act 1955* (NSW) (led by J Emmett SC, instructed by the CSO).

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***R v Kinghorn* [2021] NSWCCA 313; 106 NSWLR 322** – appeared for the Attorney General for NSW, intervening, in respect of constitutional challenge concerning the accusatorial principle and the companion rule (led by M Sexton SC, instructed by the CSO).

***Doyle’s Farm Produce Pty Ltd v Murray Darling Basin Authority (No 2)* [2021] NSWCA 246; 106 NSWLR 41** – appeared for the applicants in proceedings concerning the interpretation of Pt 5 of the *Civil Liability Act 2002* and s 64 of the *Judiciary Act 1903* (Cth) (led by N Hutley SC and S Hartford Davis, instructed by Banton Group).

***Robson as former trustee of the estate of Samsakopoulos v Body Corporate for Sanderling at Kings Beach CTS 2942* [2021] FCAFC 143; 286 FCR 494** – appeared with the amicus curiae in appeal proceedings concerning the nature and extent of the Federal Circuit Court’s power to review a registrar’s decision to make a sequestration order (led by V Whittaker SC).

***Attorney General for New South Wales v Gatsby* [2018] NSWCA 254; 99 NSWLR 1** – appeared for the Attorney General for NSW in appeal and judicial review proceedings concerning whether the Civil and Administrative Tribunal was a “court of State” for the purposes of Ch III of the Constitution and was exercising judicial or administrative power (led by M Sexton SC and K Richardson SC, instructed by the CSO).

***R v Shashati* [2018] NSWCCA 167; 85 MVR 194** – appeared for the Crown in a Crown sentence appeal concerning the offence of aggravated dangerous driving occasioning death (led by D Kell SC, instructed by the ODPP).

***Green (a pseudonym) v R* [2018] NSWCCA 146** – appeared for the Crown in a sentence appeal (led by D Kell SC, instructed by the ODPP). Between 2016-2018, I appeared in 12 other sentence appeals in the NSWCCA led by the Crown Advocate: *Chaloner v R* [2018] NSWCCA 59; *Kassoua v R* [2017] NSWCCA 307; *Misiepo v R* [2017] NSWCCA 210; *Hanna v R* [2017] NSWCCA 168; *DG v R* [2017] NSWCCA 139; *IS v R* [2017] NSWCCA 116; *Why v R* [2017] NSWCCA 101; *Wang v R* [2017] NSWCCA 61; *Majid v R* [2016] NSWCCA 289; [2016] NSWCCA 311; *Westaway v R* [2016] NSWCCA 281; *Hitchcock v R* [2016] NSWCCA 226; and *R v Hetherington* [2016] NSWCCA 165.

***Lever (a pseudonym) v R* [2018] NSWCCA 107** – appeared for the Crown in a conviction appeal concerning offences of aggravated sexual assault on a child under 16 years of age (led by D Kell SC, instructed by the ODPP).

***R v Chase (a pseudonym)* [2018] NSWCCA 71** – appeared for the Crown in an interlocutory Crown appeal under s 5F of the *Criminal Appeal Act 1912* (NSW) concerning tendency and coincidence evidence (led by D Kell SC, instructed by the ODPP).

***White v R* [2018] NSWCCA 1** – appeared for the Crown in a conviction appeal concerning offences of sexual intercourse without consent and indecent assault (led by D Kell SC, instructed by the ODPP).

***Clancy v Director of Public Prosecutions* [2018] NSWCA 102** – appeared for the DPP in judicial review proceedings concerning a refusal to state a case under the *Criminal Appeal Act 1912* (NSW) (led by D Kell SC, instructed by the ODPP).

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***Grajewski v Director of Public Prosecutions (NSW) [2017] NSWCCA 251; 270 A Crim R 33*** – appeared for the DPP in a stated case concerning the meaning of damage to property in s 195 of the *Crimes Act 1900* (NSW) (led by D Kell SC, instructed by the ODPP).

***Tran v R [2017] NSWCCA 93*** – appeared for the Crown in an interlocutory appeal under s 5F concerning the compellability of a witness under s 18 of the *Evidence Act 1995* (NSW) and the right of a witness to appeal under s 5F (led by D Kell SC, instructed by the ODPP).

***Hansell v Director of Public Prosecutions (NSW) [2016] NSWCA 311*** – appeared for the DPP in judicial review proceedings concerning a breach of procedural fairness by the District Court (led by D Kell SC, instructed by the ODPP).

***Engelbrecht v Director of Public Prosecutions (NSW) [2016] NSWCA 290*** – appeared for the DPP in judicial review proceedings concerning the nature of rights of appeal to the District Court under the *Crimes (Appeal and Review) Act 2001* (led by D Kell SC, instructed by the ODPP).

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**Federal and  
Supreme  
Courts**

***Australian Information Commissioner v Meta Platforms, Inc. NSD 246 of 2020*** – acted for Meta Platforms, Inc. and Meta Platforms Ireland Ltd in civil penalty proceedings concerning alleged contraventions of the Australian Privacy Principles (led by K Richardson SC and S Hartford Davis, instructed by KWM).

***Australian Communications and Media Authority v Jones [2023] FCA 1455; [2023] FCA 834; [2023] FCA 511; [2023] FCA 246; [2022] FCA 546*** – appearing for the ACMA in the first civil penalty proceedings commenced under the *Interactive Gambling Act 2001* (Cth) including in applications for strike out, default judgment, penalty, substituted service and costs (led by D Roche, instructed by AGS).

***Crowley v Worley Limited [2024] FCA 211; [2023] FCA 1613; 171 ACSR 410*** – appeared for the applicant in representative proceedings concerning alleged misleading or deceptive conduct and contraventions of the continuous disclosure regime (led by D Sulan SC and A Edwards, instructed by Shine).

***Kvelde v State of New South Wales [2024] NSWSC 196; [2023] NSWSC 1560*** – appeared for the State of NSW in proceedings challenging the constitutional validity of s 214A of the *Crimes Act 1900* (NSW) on implied freedom of political communication grounds and the validity of cl 48A of the *Roads Regulation 2018* (NSW) on administrative law grounds (led by M Sexton SC, instructed by the CSO).

***Australian Rail Tram and Bus Industry Union v Aurizon Operations Ltd [2023] NSWSC 484*** – appeared for Aurizon in judicial review proceedings concerning a variation of accreditation under the *Rail Safety National Law* (NSW) (led by D Roche, instructed by Corrs Chambers Westgarth).

***Bogan v The Estate of Peter John Smedley (Deceased) [2023] VSC 103*** – appeared for the plaintiffs in respect of an application for the reservation of questions to the Victorian Court of Appeal (led by S Hartford Davis, instructed by Banton Group).

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***AgriWealth Capital Limited v Australian Financial Complaints Authority Limited* [2022] FCA 1336** – appeared for the AFCA in proceedings concerning the AFCA’s jurisdiction to determine a complaint (led by M Izzo SC, instructed by Becketts Lawyers).

***Civil Aviation Safety Authority v Australian and International Pilots Association* [2022] FCA 655; 293 FCR 580** – appeared for Qantas Airways Limited, the second respondent, in an application for judicial review concerning the jurisdiction of the Administrative Appeals Tribunal (led by K Richardson SC, instructed by MinterEllison).

***Office of the Children’s Guardian v EQE* [2022] NSWSC 871** – appeared for the Children’s Guardian in an appeal from a decision under the *Child Protection (Working with Children) Act 2012* (NSW) (led by F Roughley, instructed by the CSO).

***Dr Hill v Health Care Complaints Commission* [2021] NSWSC 1645** – appeared for the HCCC in judicial review proceedings challenging the commencement of disciplinary proceedings (led by K Richardson SC, instructed by the HCCC).

***Mosaic Brands Ltd v Australian Communications and Media Authority* [2021] FCA 669; 175 ALD 1** – appeared for the ACMA in judicial review proceedings challenging the validity of a notice to produce (led by A d’Arville, instructed by AGS).

***The Prothonotary of the Supreme Court of NSW v AS* [2018] NSWSC 664; *Prothonotary of the Supreme Court of NSW v A* [2017] NSWSC 495** – appeared for the Prothonotary in contempt proceedings (led by D Kell SC, instructed by the CSO).

***Romero v Director of Public Prosecutions* [2017] NSWSC 1190** – appeared for the DPP in an appeal against conviction (led by D Kell SC, instructed by the ODPP).

***Director of Public Prosecutions (NSW) v Chaheh* [2017] NSWSC 1061; *Director of Public Prosecutions (NSW) v Saunders* [2017] NSWSC 760** – appeared for the DPP in appeals against dismissals of charges (led by D Kell SC, instructed by the ODPP).

***Director of Public Prosecutions (NSW) v Sheen and The Local Court of NSW* [2017] NSWSC 591** – appeared for the DPP in judicial review proceedings (led by D Kell SC, instructed by the ODPP).

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**Other courts  
and tribunals**

***A Judicial Officer*** – appeared for a judicial officer before an investigation panel established by a Judicial Commission (led by M Izzo SC and E Sullivan, instructed by YPOL).

***Police v Glover* (NSWLC, 2022/106913)** – instructed to appear for the Attorney General for NSW, intervening, in respect of a challenge to the constitutional validity s 144G of the *Roads Act 1993* (NSW), s 93FB of the *Crimes Act 1900* (NSW) and s 1999 of the *Law Enforcement (Powers and Responsibilities) Act 2002* (NSW) on implied freedom of political communication grounds (led by M Sexton SC, instructed by the CSO).

***Health Care Complaints Commission v Hill* [2023] NSWCATOD 101** – appeared for the HCCC in disciplinary proceedings in the Civil and Administrative Tribunal (led by K Richardson SC, instructed by the HCCC).

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***Brindabella Christian Education Limited and Minster for Education and Youth (2021/3753)*** – appeared for the Minister for Education and Youth in merits review proceedings in the Administrative Appeals Tribunal in relation to a decision under the *Australian Education Act 2013* (Cth) (led by J Emmett SC, instructed by Sparke Helmore).

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#### SELECTED UNLED APPEARANCES

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***HCB v Commissioner of Police, NSW Police Force [2025] NSWCATAD 179*** – appeared for the Commissioner of Police in a review of the Commissioner’s decision to refuse a licence under the *Firearms Act 1996* (NSW) (instructed by Norton Rose Fulbright).

***Rafiqul Islam v Transport Accident Commission of Victoria and Heather Worldon v Transport Accident Commission of Victoria [2022] NSWDC 582*** – appeared for the Attorney General for NSW, intervening, in proceedings concerning the Personal Injury Commission’s jurisdiction (instructed by the CSO).

***Hornsby Shire Council v Commonwealth of Australia & Anor [2022] HCATrans 105*** – appeared for the State of NSW at a directions hearing of a matter in the original jurisdiction of the High Court (instructed by the CSO).

***Wipro Limited v The State of New South Wales [2022] NSWSC 907*** – appeared for the State of NSW, intervening, in respect of an application for questions to be heard and determined separately and for removal of the proceedings to the Court of Appeal (instructed by the CSO).

***Carr v Carr [2022] NSWSC 166; 21 ASTLR 511*** – appeared for the Secretary, Ministry of Health, in judicial review proceedings challenging the decision of the Secretary to refuse applications to exhume the remains of two persons (instructed by the CSO).

***Police v Langford (Unreported, NSWLC (Swain LCM), 4 July 2022)*** – appeared for the Attorney General for NSW, intervening, in respect of a challenge to the constitutional validity of s 195(1)(a) of the *Crimes Act 1900* (NSW) and s 8(2) of the *Summary Offences Act 1988* (NSW) on implied freedom of political communication grounds (instructed by the CSO).

***Carr v The Secretary of the NSW Ministry of Health [2021] NSWSC 1467*** – appeared for the Secretary, Ministry of Health, in respect of a third party’s application to be joined to judicial review proceedings (instructed by the CSO).

***Police v Langford (Unreported, NSWLC (Huntsman LCM), 14 May 2021)*** – appeared for the Attorney General for NSW, intervening, in respect of a challenge to the constitutional validity of the *Graffiti Control Act 2008* (NSW) on implied freedom of political communication grounds (instructed by the CSO).

***Montessori Stars Pty Ltd v Secretary, Department of Education [2021] NSWCATAD 295*** – appeared for the Secretary in merits review proceedings in relation to a decision under the *Children (Education and Care Services) National Law 2010* (instructed by the CSO).