



Penelope Bristow

Barrister

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Admissions

2025	Admitted as a barrister in New South Wales
2020	Admitted as a lawyer of the Supreme Court of Queensland

Education

2022	Bachelor of Civil Law (Distinction) , University of Oxford Subjects: Commercial Remedies, Restitution, Commercial Negotiation and Mediation, Medical Law Oxford-Feltham Graduate Scholarship Subject Prize for Commercial Negotiation and Mediation
2019	Bachelor of Science / Bachelor of Laws (Honours I) , University of Queensland Maria De Donatis Memorial Prize for highest mark in corporate and property law (2018) Kay Young Memorial Prize for highest mark in jurisprudence (2017) Allens Prize for Overall Excellence (2017) International Maritime Law Arbitration Moot Competition (2017) - best speaker in the finals, runner-up in the grand-final, runner-up for best overall written memorandum

Selected experience

Since 2026	Reporter , New South Wales Law Reports
Since 2025	Barrister , New South Wales Bar
2024 – 2025	Counsel Assisting the Commonwealth Solicitor-General , Attorney-General's Department
2023 – 2024	Solicitor , Crown Solicitor's Office NSW (Medical Negligence Team)
2022 – 2023	Associate to the Hon Justice Edelman AC , High Court of Australia
2021	Solicitor , Herbert Smith Freehills (Property and Real Estate Team)
2020 – 2021	Associate to the Hon Justice Derrington , Federal Court of Australia

Select matters

<i>MJZP v Director-General of Security</i> [2025] HCA 26	Constitutional matter concerning the validity of s 46(2) of the AAT Act (led by SP Donaghue KC and M Hosking; instructed by Australian Government Solicitor for the second defendant)
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AA v Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle [2026] HCA 2

Common law matter concerning the scope of non-delegable duties (led by J Gleeson SC, J Sheller SC and C Robertson; instructed by Makinson D'Apice for the respondent)

Merchant v Commissioner of Taxation (High Court | S157/2025 and S158/2025) (reserved)

Tax matter concerned with the operation of ss 177D and 177E of Part IVA of the ITAA36 (led by J Gleeson SC and M May; instructed by HLS Tax Law for the Merchant Parties)

New South Wales v Ashton [2025] NSWCA 199

Employment law matter concerning the jurisdiction of the Industrial Relations Commission under the *Members of Parliament (Staff) Act 2013* (NSW) (led by J Emmett SC; instructed by Crown Solicitor's Office for the applicant)

Thongkhamchanh v Rasier Pacific Pty Ltd [2025] FWCFC 247

Employment law matter concerning the jurisdiction of the Fair Work Commission under Part 3A-5 of the *Fair Work Act 2009* (Cth) (led by D Roche SC and M Seck; instructed by Ashurst for the respondent)

Erector Group Consolidated Pty Ltd v CFMEU and Cbus (Supreme Court of New South Wales | 2025/00104409) (ongoing)

Common law matter (led by F Roughley SC and A Smith; instructed by Arnold Block Leibler for Cbus)

Fluor Australia Pty Ltd v Santos Limited (Queensland Court of Appeal | Case No 3832 of 2025) (ongoing)

Commercial matter concerning a large-scale construction dispute (led by J Sheahan SC, D O'Sullivan SC, L Bastin SC, J O'Regan KC, C Tran, S Eggins, E Robinson, T Pagliano; instructed by Jones Day for the appellant)

White v Woolworths Group Limited (Federal Court of Australia | NSD1995/2025) (ongoing)

Shareholder class action arising out of employee underpayments (led by J Hutton SC, B Mostafa; instructed by Ashurst for the respondent)

Burt v The University of Sydney and Commonwealth of Australia (Federal Court of Australia | NSD1/2026) (ongoing)

Appeal concerning whether recipients of particular scholarships at the University of Sydney were employees (led by E Gisonda SC; instructed by Australian Government Solicitor for the second respondent)

Koh v Danny King Legal Pty Ltd (NCAT | 2025/00138081)

Consumer law matter concerning a dispute between a client and their previous law firm (unled; instructed by Moray & Agnew Lawyers for the respondent)

O'Sullivan v Commissioner of Police (NCAT | 2026/00091907) (ongoing)

Appeal of decision under *Government Information (Public Access) Act 2009* (NSW) (unled; instructed by Lander & Rogers for the respondent)

Le v Saxton [2026] NSWSC 658

Application to appoint a tutor to the plaintiff who was a person under legal incapacity (unled; instructed by the Crown Solicitor's Office for the respondent)

Publications

Barker and Bristow, 'Unjust enrichment in Australia' [2023] *Lloyd's Maritime and Commercial Law Quarterly* 130.

Barker, Bristow and Walpole, 'Unjust enrichment in Australia' [2022] *Lloyd's Maritime and Commercial Law Quarterly* 289.

Bristow, 'The tort of false imprisonment: An unwieldy shield against offshore immigration detention' (2020) 26 *Torts Law Journal* 160.

Bristow, '#Trending: The rise of social media and the challenges for Australia's defamation law' (2018) 37(2) *CAMLA Communications Law Bulletin*.