



CHRISTOPHER MITCHELL

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ADMISSIONS

Call: 2016

Admitted as a lawyer of the Supreme Court of New South Wales (2007) and the High Court of Australia (2012)

PRACTICE AREAS

Commercial
Corporations & insolvency
Competition, consumer & regulatory
Equity and equity

Criminal law
Inquiries and inquests
Professional discipline
Insurance

QUALIFICATIONS

Macquarie University, LL.B. (First Class Honours) (Dean of Law School's Award for Excellence in Law)

University of Sydney, B.A. (History and Modern History)

EXPERIENCE

2016 – Present

Barrister, NSW Bar
Banco Chambers; 7 Wentworth Selborne (2018–2019)

2012 – 2016

Herbert Smith Freehills, Sydney
Senior Associate, Dispute Resolution

2007 – 2012

United Nations ICTY, The Hague
Associate Legal Officer, Office of the Prosecutor

2003 – 2007

Herbert Smith Freehills, Sydney
Graduate Solicitor (Corporate); Paralegal (Employee Relations)

AWARDS / RECOGNITION

- Doyle's Guide Commercial Litigation & Dispute Resolution, Junior Counsel, NSW, 2025 (Recommended)
- Doyle's Guide White Collar Crime & Regulatory Investigations, Junior Counsel, Australia, 2026 (Recommended)

PANELS

- Office of the Director of Public Prosecutions NSW – Crown Prosecutor (non-salaried)
 - Legal Aid NSW – Indictable crime
 - Commonwealth Director of Public Prosecutions
 - Health Care Complaints Commission (NSW)
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SELECT RECENT CASES

APPELLATE

- *Commonwealth v Kupang Resources Pty Ltd* [2026] NSWCA 161 (knowing receipt claim, led by C Withers SC)
- *Marsh Ltd v Greensill Bank AG* (2025) 313 FCR 463 (breach of implied undertaking, led by V Whittaker SC)
- *Roberts-Smith v Fairfax Media Publications Pty Ltd (Appeal)* (2025) 310 FCR 170 (led by N Owens SC)
- *Roberts-Smith v Fairfax Publications Pty Ltd (Reopening Application)* (2025) 310 FCR 141 (led by J Sheahan KC)
- *Roberts-Smith v Fairfax Media Publications Pty Ltd (Admission of Recording)* (2025) 310 FCR 135 (led by J Sheahan KC)
- *Seven Network (Operations) Ltd v Fairfax Media Publications Pty Ltd* (2023) 418 ALR 284 (subpoena, led by N Owens SC)
- *Rinehart v Rinehart* [2021] NSWCA 233; [2021] NSWCA 228; [2020] NSWCA 221; [2019] NSWCA 54 (led by J Giles SC)
- *Hancock Prospecting Pty Ltd v Rinehart [No 3]* (2021) 284 FCR 663 (costs, led by J Giles SC)
- *Hancock Prospecting Pty Ltd v DFD Rhodes Pty Ltd* (2020) 386 ALR 632 (stay pending arbitration, led by N Hutley SC)
- *DEJ v Council of the New South Wales Bar Association* [2021] NSWCA 72 (professional discipline, led by K Richardson SC)
- *R v Riley* [2020] NSWCCA 283 (admissibility of evidence, led by B Rigg SC)
- *Jackmain (a pseudonym) v R* (2020) 102 NSWLR 847 (admissibility of evidence, led by K Richardson SC)
- *Jain v Amit Laundry Pty Ltd* (2019) 19 BPR 39127 (resulting trust, led by S Dawson SC)
- *RBS v DIF III Global Co-Investment Fund LP* [2017] VSCA 138 (enforcement of jurisdiction clause, led by P Brereton SC)

COMMERCIAL, TRUSTS AND EQUITY

- *Wright Prospecting Pty Ltd v Hancock Prospecting Pty Ltd [No 26]* [2026] WASC 101 (asset claim, led by N Hutley SC)
 - *Alexiou v Australia and New Zealand Banking Group Ltd* [2026] FCA 1373 (whistleblower claim, led by C Withers SC)
 - *Kupang Resources Pty Ltd v Commonwealth [No 4]* [2025] NSWSC 1477 (knowing receipt claim, led by C Withers SC)
 - *B and G Properties Pty Ltd v Fayad* [2021] NSWSC 1382 (enforcement of guarantee, unled)
 - *Hancock v Rinehart* [2020] NSWSC 1853 (delivery-up of documents, led by J Giles SC)
 - *Rinehart v Rinehart* [2020] NSWSC 68 (stay pending arbitration, led by J Giles SC)
 - *Hancock v Rinehart* [2019] NSWSC 1451 (set aside subpoena, led by J Giles SC)
 - *DIF III v Babcock & Brown International Pty Ltd* [2019] NSWSC 527 (misleading conduct, led by P Brereton SC)
 - *FremantleMedia Australia v Le* [2016] NSWSC 983 and [2016] NSWSC 1167 (freezing order, led by D Sulan)
 - *Amit Laundry Pty Ltd v Jain* [2017] NSWSC 1495; [No 2] [2017] NSWSC 1603 (resulting trust, led by S Dawson SC)
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COMPETITION, CONSUMER AND REGULATORY

- *ACCC v Amazon Australia* (alleged unfair contract terms, led by R Yezerski, ongoing)
- *ACCC v Ventia Australia & Ors* (alleged cartel, led by D Roche SC, ongoing)
- *ASIC v TerraCom Ltd* [2025] FCA 726; [No 2] [2025] FCA 959 (alleged breach of whistleblower laws, led by J Giles SC)
- *ACCC v Ozsale Pty Ltd* [2016] FCA 1049 (consumer law, led by Dr R Higgins SC)
- *ACCC v Colgate-Palmolive Pty Ltd [No 3]* [2016] FCA 676 (cartel conduct, led by Dr R Higgins SC)
- *Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry* (led by N Young QC)

CORPORATIONS AND INSOLVENCY

- *In the matter of Tahmoor Coal Pty Ltd*, Supreme Court of NSW (liquidator proceedings, led by V Whittaker SC, ongoing)
- *Boshier v Ludo Studio Pty Ltd*, Supreme Court of NSW (oppression, led by C Withers SC, ongoing)
- *Barber v Blackmagic Design Pty Ltd*, Federal Court of Australia (oppression, led by C Withers SC, ongoing), including *Barber v Blackmagic Design Pty Ltd (Security for Costs)* [2026] FCA 1378
- *Veolia Environnement SA v Suez Australia Holding Pty Ltd* (2021) 150 ACSR 114 (injunction, led by N Hutley SC)
- *Re Halifax (in liq) [No 7]* [2020] FCA 248; [No 8] (2020) 144 ACSR 292 (insolvency, led by V Whittaker SC)
- *Abate, in the matter of Chang Rajii [No 2]* [2018] FCA 241; [No 3] (2019) 135 ACSR 643 (insolvency, led by D Sulan)
- *Re Northern Energy Corp Ltd* (2020) 147 ACSR 572 (privilege, led by J Giles SC)
- *Re Northern Energy Corp Ltd (admin apptd) [No 3]* [2019] FCA 1198 (liquidator directions, unled)

INSURANCE

- *Greensill Bank AG v Insurance Australia Ltd*, Federal Court of Australia (led by J Sheahan KC, settled)
- *Greensill Bank AG v Insurance Australia Ltd* [2025] FCA 95 (disqualification, led by V Whittaker SC)
- *Credit Suisse Virtuoso SICAV-SIF v Insurance Australia Ltd* [2024] FCA 1193 (anti-suit injunction, led by V Whittaker SC)
- *Credit Suisse Virtuoso SICAV-SIF v Insurance Australia Ltd* [2024] FCA 1308 (breach undertaking, led by V Whittaker SC)
- *In the matter of ACE Insurance Ltd* [2016] FCA 997 (transfer of general insurance business, led by N Owens SC)

CONSTRUCTION

- Confidential advice in relation to a road construction dispute, led by T Breakspear SC
- Confidential advice regarding degradation and failure of building material, led by J Sheahan KC
- Confidential advice regarding construction of a ship lift facility, led by T Breakspear SC
- Confidential advice regarding defects in commercial apartment block, led by T Breakspear SC

DEFAMATION

- *Roberts-Smith v Fairfax Media Publications Pty Ltd [No 41]* (2023) 417 ALR 267 (trial judgment, led by N Owens SC)
- *Roberts-Smith v Fairfax Media Publications Pty Ltd [No 25]* (2021) 417 ALR 248 (privilege, led by N Owens SC)
- *Roberts-Smith v Fairfax Media Publications Pty Ltd [No 23]* (2021) 417 ALR 221 (privilege, led by N Owens SC)
- *Roberts-Smith v Fairfax Media Publications Pty Ltd [No 7]* (2020) 147 ACSR 453 (procedure, led by S Dawson SC)
- *Roberts-Smith v Fairfax Media Publications Pty Ltd [No 4]* (2020) 277 FCR 337 (procedure, led by S Dawson SC)
- Other interlocutory judgments in *Roberts-Smith v Fairfax*: [No 3] [2020] FCA 2; [No 5] [2020] FCA 1067; [No 6] [2020] FCA 1285; [No 8] [2020] FCA 1630; [No 9] [2020] FCA 1850; [No 12] [2021] FCA 465; [No 13] [2021] FCA 549; [No 14] [2021] FCA 552; [No 15] [2021] FCA 582; [No 17] [2021] FCA 764; [No 18] [2021] FCA 793; [No 20] [2021] FCA 824; [No 21] [2021] FCA 893; [No 22] [2021] FCA 1323; [No 26] [2022] FCA 46; [No 27] [2022] FCA 79; [No 28] [2022] FCA 115; [No 30] [2022] FCA 266; [No 31] [2022] FCA 271; [No 32] [2022] FCA 419; [No 33] [2022] FCA 420; [No 34] [2022] FCA 532; [No 35] [2022] FCA 560; [No 36] [2022] FCA 578; [No 38] [2022] FCA 597; [No 40] [2022] FCA 1614; [No 43] [2023] FCA 886; [No 44] [2023] FCA 1013; [No 46] [2023] FCA 1630; (Interlocutory Rulings) [2025] FCA 504 (all led by N Owens SC)
- *Porter v Australian Broadcasting Corporation*, Federal Court of Australia, NSD 206 of 2021 (led by J Gleeson SC, settled)

ADMINISTRATIVE LAW

- *GWD v Children's Guardian* [2026] NSWCATAD 97 (cancellation of working with children check, unled)
- *Tighe v Commissioner of Police, NSW Police Force* [2025] NSWCATAD 145 (refusal of firearms licence, unled)
- *Behjan v Commissioner of Police, NSW Police Force* [2024] NSWCATAD 297 (refusal of firearms licence, unled)

CRIME

- Acted as Crown Prosecutor and for legally aided defendants in numerous jury and judge-alone trials between 2016 and 2016
- *Director of Public Prosecutions (NSW) v Jenson* [2026] NSWSC 1132 (unled)
- *Department of Primary Industries v Ward* (fishing offences, unled)
- *ACCC v ANZ, Deutsche Bank, Citigroup & Ors* (criminal cartel proceedings, led by Dr R Higgins SC and S Free SC)
- *Commissioner of the Australian Federal Police v Cui and Li* (2017) 353 ALR 162 (proceeds of crime, led by S Dawson SC)

INQUIRIES AND INQUESTS

- Acted for Anthropic Australia in the Royal Commission on Antisemitism and Social Cohesion (2026)
- Acted pro bono for the family of Dannielle Finlay-Jones in a coronial inquest into her death (2026)
- Acted for witnesses in ICAC Operation Navarra (2026) and Operation Scandi (2026)
- Acted for Department of Defence in investigations into the death of Corporal Jack Fitzgibbon (2024)
- Counsel Assisting the Coroner in an inquest into the death of Harper Gaynor Morris (2023)
- Acted for the Australian Federal Police in the ACT Board of Inquiry into the prosecution of Bruce Lehrmann (2023)
- Counsel Assisting the Coroner in the inquest into the deaths of John, Jack and Jennifer Edwards (2021)

PROFESSIONAL DISCIPLINE

- *Chahoud v HCCC* [2026] NSWCATOD 123 (reinstatement application, unled)
- *Tadros v Physiotherapy Council of New South Wales* [2024] NSWCATOD 64 (appeal, unled)
- *HCCC v Somaey* [2021] NSWCATOD 91; [No 2] [2021] NSWCATOD 190 (professional discipline, unled)
- *Cakan v HCCC* [2020] NSWCATOD 116 (non-publication orders, unled)
- *HCCC v Tam* [2020] NSWCATOD 30; *HCCC v Nguyen* [2020] NSWCATOD 31; *HCCC v Tran* [2020] NSWCATOD 32 (professional discipline, unled)
- *HCCC v Bright* [2019] NSWCATOD 169 (professional discipline, unled)
- *HCCC v Petros* [2019] NSWCATOD 83 (professional discipline, led by K Richardson SC)
- *HCCC v Reid* [2018] NSWCATOD 162 (professional discipline, led by K Richardson SC)
- *HCCC v Aref* [2018] NSWCATOD 133 (professional discipline, unled)

TEACHING

Macquarie University:

- International Criminal Law (convener and lecturer 2013–2020)
- International Dispute Settlement (co-convener and lecturer 2014–2015%)

PUBLICATIONS

C Mitchell & K Vanderpuye, “Lessons learned from the use of DNA evidence in Srebrenica-related trials at the United Nations International Criminal Tribunal for the Former Yugoslavia” in *ICTY Legacies* (Oxford University Press, 2018) (pending)

C Mitchell, “Case note: *Prosecutor v Vujadin Popović et al* [IT-05-88-T] (ICTY Trial Chamber) (2010)” (2010) 17 *Australian International Law Journal*

C Mitchell, “Case note: *Prosecutor v Milomir Stakić* [IT-97-24-A] (ICTY Appeals Chamber) (2006)” (2006) 13 *Australian International Law Journal* (published 2008)

C Mitchell & J H C Colvin, “Understanding the proposed small business exemption from Federal unfair dismissal laws”, *Australian Financial Review Industrial Relations Conference* (March 2005)

C Mitchell & A Longland, “Union rights of entry”, *College of Law Practice Papers* (2004)