



Thomas Liu

ADMISSIONS

2017	Barrister Admitted to practice by the New South Wales Bar Association
2013	Lawyer Admitted by the Supreme Court of New South Wales and the High Court of Australia

EDUCATION

2015 – 2016	University of Cambridge Master of Law – Subjects: law of armed conflict, public law, legislation, international tax. <ul style="list-style-type: none">• First in Public Law Seminar for thesis.
2006 – 2011	University of New South Wales Bachelor of International Studies (Distinction) Bachelor of Law (Honours Class 1) <ul style="list-style-type: none">• University Prize for best academic performance in the combined Bachelor of International Studies and Bachelor of Law degree.
2008 – 2009	Georgetown University Bachelor of International Studies (overseas study program)

EXPERIENCE

2017 – present	7 Wentworth Selborne Barrister
2016 – 2017	Clayton Utz Solicitor – Insolvency and Public Law Litigation
2013 – 2014	Herbert Smith Freehills Solicitor – Commercial and Tax Litigation
2012	Legal Aid Commission of New South Wales Legal Officer – Human Rights Fellow, Civil Law Division

ASSOCIATESHIP AND ACADEMIC EXPERIENCE

2014 – 2015	Federal Court of Australia Associate to Justice R J Buchanan
2012 – 2015	University of New South Wales University of Newcastle Sessional Academic; Examiner – International Law, Constitutional Law



RECENT CASES

2026 – current cases

- *Farrugia v The King* [2026] HCATrans 6 (High Court of Australia, judgment reserved) – Appeal concerning whether a conflict of duty and duty arose in acting for multiple clients which resulted in a material irregularity in sentencing. Led by Bret Walker SC, with TF Woods.
- *Chief Executive Officer of the National Disability Insurance Agency v Eastham* [2026] FCA 147 – Appeal on a question of law involving construction of significant amendments to the NDIS Act and NDIS Transitional Rules. Unled against King’s Counsel, leading A Chowdhury.
- *Davis v Wilson and Ernst & Young* (Full Court of the Federal Court, ongoing) – Appeal in a shareholder class action raising issues of causation and quantum. Led by Noel Hutley SC and Chris McMeniman.
- *AMU19 v Minister for Immigration and Citizenship* (Full Court of the Federal Court, ongoing) – Appeal concerning the Administrative Review Tribunal’s obligation to give reasons for a procedural decision. Led by Geoffrey Johnson SC.
- *HVLC v Commonwealth of Australia* (Federal Court of Australia, ongoing) – Claims in tort against the Commonwealth relating to immigration detention and imposition of curfew and electronic monitoring visa conditions. Led by Stephen Lloyd SC, with Anthony Hall.
- *Circular Head Coastal Awareness Network Inc v Minister for the Environment and Water* (Federal Court of Australia, ongoing) – Judicial review of the Environment Minister’s decision to approve a 100-turbine wind farm in Tasmania. Led by Bora Kaplan SC.
- *BCY25 v Commonwealth of Australia* (Federal Court of Australia, ongoing) – False imprisonment claims raising issues concerning the application of *CZA19 v Commonwealth of Australia* [2025] HCA 8; 99 ALJR 650. Led by Patrick Knowles SC, with Joe Petry.
- *LQZW v Commonwealth of Australia* (Federal Court of Australia, ongoing) – False imprisonment claims raising issues concerning novel common law defences. Led by Patrick Knowles, with Olivia Ronan.
- *Casella v Commissioner of Police, NSW Police Force* (Supreme Court of NSW, ongoing) – Appeal on a question of law concerning whether an offence against s 316 of the *Crimes Act 1900* (NSW) involves dishonesty for the purposes of the disqualifying provisions in the *Firearms Act 1996* (NSW). Unled.
- *Pridgeon v Commonwealth* (Supreme Court of NSW, ongoing) – Claims for malicious prosecution against the Australian Federal Police and other public authorities. Unled.

2025

- *National Disability Insurance Agency v Warwick* [2025] FCAFC 100; 311 FCR 18 – Appeal on a question of law concerning the nature of appellate jurisdiction, principles of statutory construction, and the application of the NDIS Transitional Rules. Unled against senior counsel, leading Joe Petry.
- *Precious Family Day Care Pty Ltd v Secretary, Department of Education* [2025] FCAFC 148 – Appeal on a question of law raising issues of procedural fairness and materiality. Unled against senior counsel.
- *Farrugia v The King* [2025] HCATrans 64. Led by Phillip Boulten SC, with TF Woods.
- *Sultan & Ors v Minister for Immigration, Citizenship and Multicultural Affairs* [2025] HCASJ 17 – Judicial review raising issues of legal unreasonableness, duty to inquire, and materiality. Led by H P T Bevan SC.
- *Rainforest Reserves Australia Inc v Minister for the Environment and Water* [2025] FCA 532; 311 FCR 98 – Judicial review of a decision under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) to approve a wind farm concerning issues of Australia’s international obligations. Led by Nick Wood SC.
- *Imad v Director-General of Security* [2025] HCADisp 46; [2024] FCAFC 138; 305 FCR 523 – Public interest immunity and judicial review of adverse security assessment concerning issues of procedural fairness. Led by Perry Herzfeld SC, with Olivia Ronan.
- *Mullaley Gas & Pipeline Accord (MGPA) Inc v Minister for Environment and Water* [2025] FCA 1526 – Judicial review of an environmental assessment decision for a coal seam gas development. Led by Nick Wood SC.



- *Mullaley Gas & Pipeline Accord (MGPA) Inc v Minister for Environment and Water (Costs)* [2025] FCA 1640 – Costs dispute following judgment in judicial review proceeding. Unled against senior counsel.
- *Davis v Wilson and Ernst & Young* [2025] FCA 108 – Quintis shareholder class action involving claims under the Corporations Act 2001. Led by Noel Hutley SC and Chris McMeniman.
- *Weekes v Australian Competition and Consumer Commission* [2025] FCA 1549 – Application for an order that the ACCC failed to make a decision concerning a consumer complaint. Unled.
- *DVRL v Minister for Immigration and Citizenship* [2025] FCA 876 – Visa refusal on character grounds and application of Ministerial Direction 110 to decisions regarding non-citizens affected by NZYQ. Unled.
- *Oosthuizen v Minister for Immigration* (2025) 393 FLR 318 – Judicial review regarding the proper construction of Migration Regulations concerning “beneficial ownership of an asset”. Unled.
- *International Animal Health Products Pty Ltd and Australian Pesticides & Veterinary Medicines Authority* [2025] ARTA 2721 – Merits review of a decision to refuse approval for a veterinary chemical product under the *Agricultural and Veterinary Chemicals Code Act 1994* (Cth). Unled.
- *Forte Sydney Construction Pty Ltd v Department of Customer Service* [2025] NSWSC 583 – Costs dispute following challenge to a Building Work Rectification Order made by the NSW Building Commissioner. Unled.
- *Shirota v AP Financial Pty Ltd* (Federal Court of Australia, 2025) – Misleading and deceptive conduct claims. Unled against senior counsel, leading Stephen Thomson.
- *Casella v Commissioner of Police, NSW Police Force* [2025] NSWCATAP 191 – Appeal concerning a disqualified person under the *Firearms Act 1996* (NSW). Unled.
- *Agrinova Pty Ltd v Chief Commissioner of State Revenue* [2025] NSWCATAP 86 (appeal); (2024) 120 ATR 26 – Constitutional law and exemptions from dutiable transactions under Commonwealth legislation. Unled.
- *FXS v Secretary, Department of Education* [2025] NSWCATAD 94 – Merits review of a prohibition notice given under the *Children (Education and Care Services) National Law*. Unled.
- *Sydney Trains Industrial Dispute* (Fair Work Commission, 2025) – Application by Sydney Trains and Minister for Industrial Relations under s 424 of the *Fair Work Act* to terminate protected industrial action notified by Combined Rail Unions. Led by James Emmett SC (for the Industrial Relations Minister).

2024

- *Re matters of Transitory Persons under the Migration Act concerning claims in tort against the Commonwealth relating to regional processing arrangements in Nauru and Papua New Guinea* (High Court of Australia, Federal Court of Australia, ongoing) – including:
 - *AYX18 v Minister for Home Affairs* [2024] FCA 974; *FBV18 v Commonwealth of Australia* [2024] FCA 947 – Settlement approvals under rule 9.70 of the Federal Court Rules and application for confidentiality orders over settlement terms. Led by Geoffrey Johnson SC and Patrick Knowles SC.
 - *Plaintiff S164/2020 v Commonwealth of Australia* [2021] HCATrans 32 – Contested remitter of proceedings from the High Court. Led by Geoffrey Johnson SC and Patrick Knowles.
 - *EBA v Commonwealth of Australia* [2021] ACTSC 186 – Cross-vesting application for cohort of tort claims against the Commonwealth. Led by Patrick Knowles.
- *Jainzii Pty Ltd v State of NSW* [2024] NSWSC 1303 – Judicial review of non-statutory executive power and claims of estoppel against public authority. Unled.
- *Commissioner of the Australian Federal Police v HWCJ GLB Pty Ltd (No 2)* [2024] NSWSC 482 – Exclusion orders under the *Proceeds of Crime Act 2002* (Cth). Unled against senior counsel, leading Stephen Thomson.
- *Sultan & Ors v Minister for Immigration, Citizenship and Multicultural Affairs* [2024] HCATrans 89. Unled.
- *Compumod Investments Pty Limited v Universal Equivalent Technology Limited (Settlement Approval)* [2024] FCA 571 – Class action concerning alleged misleading and deceptive statements in bond prospectus. Led by Michael Jones SC.
- *Honeysett v Commonwealth & State of NSW* (Supreme Court of NSW, 2024) – Claims in tort against the Australian Federal Police and the NSW Police. Led by Andrew Berger KC and Peter Melican.



- *National Anti-Corruption Commission re R v Zeitoune* (District Court of NSW, 2024) – Unled for the National Anti-Corruption Commission on an application to set aside subpoena.
- *DEO18 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2024] FCA 145 – Appeal concerning discretion of Immigration Assessment Authority to request new information. Unled.
- *Health Services Union v Paul Leroy in his own right and as trustee of the bankrupt estates of Katherine Jackson* (Federal Court of Australia, 2024) – Appearing for the Inspector-General in Bankruptcy as *amicus curiae* on the application for a freezing order. Unled.
- *Precious Family Day Care Pty Ltd v Secretary, Department of Education* [2024] FCA 20 – Judicial review concerning issues of procedural fairness and materiality. Unled.
- *Secretary, Department of Education v Yaacoubian and Ella Group* (Local Court of NSW, 2024) – Prosecution for offences under the *Children (Education and Care Services) National Law* (NSW). Unled.
- *International Animal Health Products Pty Ltd and Australian Pesticides and Veterinary Medicines Authority* [2024] AATA 1038 – Dispute concerning Tribunal’s power to direct production of documents. Unled.
- *Peroy and Tax Practitioners Board* [2024] AATA 12 – Review of a decision concerning fitness and propriety of a registered tax agent. Unled.
- *Fire Brigade Employees Union v Fire and Rescue New South Wales* [2024] NSWCATAD 30 – Review of decision under *Government Information (Public Access) Act 2009* (NSW). Unled.
- *Australian Securities and Investments Commission v Westpac Banking Corporation* (Federal Court, 2024) – Briefed for non-party HSBC to appear on suppression order application. Unled.
- *Armstrong v State of New South Wales* (Supreme Court of NSW, 2024) – Claim for breach of contract against the State seeking specific performance. Unled.

2023

- *Re applications for post-sentence orders under Div 105A of the Criminal Code in respect of terrorism offenders* (Supreme Court of NSW):
 - *Attorney-General (Cth) v Amin (Final)* [2023] NSWSC 1586 – Application for an extended supervision order under Division 105A of the *Criminal Code* (Cth). Led by James Emmett SC, with K Pham.
 - *Attorney-General (Cth) v Amin (Preliminary)* [2023] NSWSC 1280 – Application for an interim supervision order under Division 105A. Led by Craig Lenehan SC, with K Pham.
 - *Attorney-General (Cth) v Amin* [2023] NSWSC 1210 – Application for urgent hearing to make an interim supervision order. Unled against senior counsel.
- *Merhi v State of NSW & Commonwealth* (Supreme Court of NSW, 2023) Claims in tort against the NSW Police Force and the Australian Federal Police. Led by Perry Herzfeld SC.
- *University of Sydney & Garton v National Tertiary Education Industry Union* (Full Court of the Federal Court, 2023) – Appeal concerning an enterprise agreement providing a right to intellectual freedom, and related issues of accessorial liability. Led by Jeremy Giles SC.
- *Vakhabov v Commonwealth of Australia* (Federal Court of Australia, 2023, including *Vakhabov v Commonwealth of Australia* [2020] HCATrans 150) – Constitutional law and unlawful detention relating to the operation of criminal justice stay certificates. Led by Nicholas Owens SC and David Hughes.
- *Klewer v National Disability Insurance Agency* [2023] FCA 630 – Appeal on a question of law under s 44 of the *Administrative Appeals Tribunal Act 1975* (Cth). Led by Patrick Knowles SC.
- *AHL19 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2023] FCA 122 – Judicial review raising grounds of legal unreasonableness and duty to inquire. Unled.
- *BQG21 v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCA 865 – Judicial review of refusal of application for citizenship on the basis of non-satisfaction as to applicant’s identity. Unled.
- *CHV20 v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCA 1206 – Injunction proceeding to prevent removal from Australia. Unled.
- *Bruce Lehrmann v Network Ten Pty Limited ACN 052 515 250 & Anor* (Federal Court of Australia, 2023) – Appearing for the Commonwealth on an application for a suppression order. Unled.



- *Dover and Commissioner of the NDIS Quality and Safeguards Commission* (Administrative Appeals Tribunal, ongoing) – Briefed for the NDIS Commission in a challenge to a banning order. Unled.
- *Infinity Security Group Pty Limited v Commissioner of Police, NSW Police Force* [2023] NSWCATAP 173 – Challenge to license revocation decision under the Security Industry Act. Unled.
- *Commissioner of the AFP re R v Davis* (District Court of NSW, 2023) – Application to resist production under subpoena based on a claim for public interest immunity. Unled for the AFP.

2022

- *TL v The King* [2022] HCA 35; 275 CLR 83 – admissibility of tendency evidence under s 97(1)(b) of the *Evidence Act 1995* (NSW). Led by James Glissan QC.
- *Springs v Minister for Immigration* [2022] HCATrans 17 – Special leave to appeal on procedural fairness and legal unreasonableness grounds. Led by Perry Herzfeld SC.
- *National Disability Insurance Agency v KKTB* (2022) 295 FCR 379; [2022] FCAFC 181 – Appeal on a question of law concerning the meaning of a ‘support’ and procedural fairness. Led by EC Muston SC.
- *FFR19 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2022] FCA 894 – Judicial review concerning compliance with a Ministerial Direction. Unled.
- *Worsley and Tax Practitioners Board* [2022] AATA 3742 – Termination of a tax agent’s registration on fitness and propriety grounds, including for breaching the conditions of a stay order. Unled.
- *Helping Hugs FDC Pty Ltd and Secretary, Department of Education* (2022) 176 ALD 563. Decision concerning appropriate sanction for breaching conditions of provider approval. Unled.
- *Grech and Tax Practitioners Board* [2022] AATA 3401 – Decision to terminate the registration of a tax agent on fitness and propriety grounds under the *Tax Agent Services Act 2009* (Cth). Unled.
- *Forever FDC Pty Ltd and Secretary, Department of Education* [2022] AATA 2755 – Review of a decision to decline approval to administer a Commonwealth subsidy under the *A New Tax System (Family Assistance) (Administration) Act 1999* (Cth). Unled.
- *Forever FDC Pty Ltd v Secretary, Department of Education* [2022] NSWCATAD 185 – Merits review of a decision to cancel provider approval under the Education and Care Services National Law. Unled.
- *TMGL and Minister for Immigration* [2022] AATA 1335 – Review of a decision made personally by the Minister for Home Affairs to revoke applicant’s Australian citizenship on public interest grounds. Unled.

2021

- *Australia YMCI Ltd v Secretary of the Department of Customer Service* [2021] NSWSC 1114 – Transfer application of a judicial review challenge to a building work rectification order. Led by EC Muston SC.
- *FFM20 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCAFC 156; 286 FCR 405 – Principles concerning leave to raise a new ground on appeal. Led by Perry Herzfeld SC.
- *Arhbal v Minister for Home Affairs* [2021] FCAFC 220 – Disclosure of information covered by a s 376 certificate under the *Migration Act 1958* (Cth). Unled against Senior Counsel.
- *Fair Work Ombudsman v Lam* (2021) 390 ALR 39; [2021] FCA 205 – Coverage of Miscellaneous Award, civil penalties. Led by David Chin SC.
- *Springs v Minister for Immigration* (2021) 389 ALR 431; [2021] FCA 197 – Compellability of a Tribunal member to give evidence under s 16(2) of the *Evidence Act 1995* (Cth). Unled.
- *Eunomia Developments Pty Ltd v Secretary of the Department of Customer Service* [2021] NSWLEC 1279 – Merits appeal challenging decision of the Building Commissioner to issue a rectification order. Unled.
- *KKTB and National Disability Insurance Agency* [2021] AATA 5457 – Merits review of a decision concerning reasonable and necessary supports to be provided by registered nurses. Unled.
- *CXZS and National Disability Insurance Agency* [2021] AATA 511 – Reasonable and necessary supports for older children with ASD. Unled.



- *Merrall v Warrah Society* (District Court of NSW, 2021) – Claims under s 18 and s 31 of the Australian Consumer Law. Unled.

2020 and earlier

- *Report of the Independent Review provided to the NDIS Commissioner on 31 August 2020* – Engaged by the NDIS Commission to assist the Hon. Alan Robertson SC in the Independent Review into the death of Ann-Marie Smith and the adequacy of the regulation of the supports and services provided to her.
- *TL v The Queen* [2020] NSWCCA 265 – Admissibility of tendency evidence. Led by Malcolm Ramage QC.
- *Kalayzich v Santa Sabina College* [2020] FCCA 11 – General protections, alleged adverse action and breach of contract. Unled.
- *Caine and Secretary, Department of Social Services* [2020] AATA 2089 – Decision concerning assessment of impairment under the Social Security Act 1991 (Cth). Unled.
- *Wolseley Grove Pty Ltd v The Owners - Strata Plan No 82353* (Supreme Court of NSW, 2020) – Claims in contract, nuisance and negligence. Led by Nick Kidd SC.
- *Hamzy v R* [2019] NSWDC 7 – Application for a permanent stay. Led by Phillip Boulten SC.
- *Premium Building Management Pty Ltd v The Owners - Strata Plan No 69204* [2019] NSWDC 312 – Contract dispute involving issues of certainty of terms and legality. Led by Jason Lazarus.
- *Fattah v Minister for Home Affairs* (2019) 268 FCR 33; [2019] HCASL 241 – Judicial review of decision to cancel bridging visa leading to immigration detention. Led by Geoffrey Johnson SC.
- *SZQLS v Minister for Immigration and Border Protection* (2019) 164 ALD 125. Unled.
- *CTG18 v Minister for Home Affairs* [2019] FCA 1470 – Judicial review, legal unreasonableness. Unled.
- *Shortland and Minister for Immigration* [2019] AATA 5604 – Revocation of visa cancellation. Unled.
- *FRCT and National Disability Insurance Agency* [2019] AATA 1478 – Decision concerning NDIS funding of behavioural therapy for children with autism spectrum disorder. Unled against silk.
- *Burchell and National Disability Insurance Agency* [2019] AATA 1256 – Decision concerning NDIS responsibility for funding of health-related supports. Unled.
- *Shih v The Owners - Strata Plan No 87879* [2019] NSWCATAP 263 – Jurisdiction of NCAT to make orders for payment of compensation. Unled against silk.
- *Larney v Minister for Home Affairs* [2019] FCA 700 – Judicial review proceedings concerning application of Public Interest Criterion 4020. Unled.
- *Scenic Tours Pty Ltd v Moore* [2018] NSWCA 238; 361 ALR 456; 339 FLR 244 – Class action involving various claims under the Australian Consumer Law. Led by Alister Abadee.
- *Kranias v Chief Commissioner of State Revenue* [2019] NSWCATAD 130 – Appearing for Chief Commissioner of State Revenue in case involving construction of the *Duties Act 1997* (NSW). Unled.
- *Monash University re Police v Lee* (Local Court of NSW, 2019) – Application to set aside a subpoena issued in a criminal proceeding. Unled for Monash University.
- *Miringaorangi v Commonwealth of Australia* [2018] FCA 392 – Constitutional law, habeus corpus, false imprisonment – whether immigration detention inconsistent with Ch III of the Constitution. Led by Justin Gleeson SC & David Hughes in habeus corpus proceedings.
- *Sakellis v Vourlos* [2019] NSWSC 1063; [2018] NSWSC 1928 – Proprietary estoppel. Unled.
- *SZROZ v Minister for Immigration and Border Protection (No 2)* (2018) 332 FLR 403 – Interlocutory proceeding challenging constitutionality of mandatory immigration detention. Unled.
- *SZROZ v Minister for Immigration and Border Protection* (2018) 330 FLR 439 – Judicial review proceedings involving exclusion of evidence under s 138 of the Evidence Act 1995. Unled.
- *AHN17 v Minister for Immigration and Border Protection* [2018] FCA 1598. Led by Ian Neil SC.
- *Abboud v Minister for Immigration and Border Protection* (2018) 74 AAR 214; [2018] FCA 185. Unled.



- *NSW Housing and Land Corporation v Capital & Ors* (Supreme Court of NSW, 2018) – Building and construction dispute involving Aboriginal social housing in Moree, NSW. Led by David Hughes.
- *Dabson v Australasian Conference Association Ltd* (Supreme Court of NSW, 2018) – Determination of the existence of a public road and easement. Led by Jason Lazarus.
- *AVJennings Ltd v Endeavour Energy* (Supreme Court of NSW, 2018) – Contract, estoppel and extinguishment of an easement for electricity infrastructure. Led by Jason Lazarus.
- *Deputy Commissioner of Taxation v Thaker* (District Court of NSW, 2018) – Appeared for Deputy Commissioner of Taxation in proceedings to recover director penalties. Unled.
- *Police v Pholi* (Local Court of NSW, 2018) – Application under s 32 of the *Mental Health (Forensic Provisions) Act 1990* (NSW). Unled.
- *Barrak v City of Parramatta Council* [2018] NSWLEC 67 – Appeal on a question of law from a Commissioner’s decision relating to planning instruments. Led by Scott Nash. *Fletcher v Roads and Maritime Services* (Land and Environment Court, 2018) – Class 3 compulsory acquisition proceedings. Led by Jason Lazarus.
- *Singh v Minister for Immigration and Border Protection* [2017] FCAFC 195 – Appeal against a decision of the Federal Circuit Court for inadequate reasons. Led by David Hughes.

PRO BONO

Advising and appearing in various pro bono matters for clients with the Justice and Equity Centre, PIAC, Marrickville Legal Centre, Women’s Legal Service, Salvos Legal and the Federal Court pro bono referral scheme.

PROFESSIONAL ASSOCIATIONS

NSW Bar Association

- Member of the Legal Aid Committee (2019-2024).
- Member of Professional Conduct Committee #1 (2023-present).

Australian Association of Constitutional Law.

Australian Institute of Administrative Law.

LANGUAGE SKILLS

Fluent in Chinese (Mandarin).