

## Declan Murphy



Declan Murphy practises primarily in employment and industrial relations law and commercial matters, including class actions.

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### QUALIFICATIONS

Bachelor of Arts (Mon)  
Bachelor of Laws (Hon)(Mon)

### CORRESPONDENCE

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### CHAMBERS

Ah Ket Chambers  
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### COMMERCIAL LAW

Class Actions | Competition | Consumer Law | Contractual Disputes

### EMPLOYMENT & INDUSTRIAL

Appellate | Confidential Information | Discrimination | Employment Contracts | Industrial Disputes | Public Sector Appeals | Restraint of Trade | Statutory Employment Rights | Work Health & Safety | Workers Compensation

### TORT LAW

Class Actions

Declan has a trial and appellate practice and has appeared in the Court of Appeal, Supreme Court, Federal Court, Full Court of the Federal Court and various tribunals.

Before coming to the Bar, Declan was a Senior Associate in Maurice Blackburn's employment and industrial law practice.

Declan read with Siobhan Kelly and his senior mentor was Claire Harris KC (as her Honour then was).

*Liability limited by a scheme approved under the Professional Standards Legislation*

## Recent Cases

### REPRESENTATIVE PROCEEDINGS

*Kajula Pty Ltd v Downer EDI Limited and Justine and Cameron Lidgett* [2024] VSCA 236 (Victoria Court of Appeal) – application for leave to appeal from an interlocutory ruling on a multiplicity dispute – with D Fahey and R Doyle SC

*Elliot-Cardé v McDonald's Australia Limited* [2023] FCAFC 162 (Full Court of the Federal Court) - referral on a question of law to determine whether the Court has power to make a settlement Common Fund Order - with P Turner, S Kelly and L Armstrong KC.

*Elliot-Cardé v McDonald's Australia Limited (Stay Application)* [2023] FCA 1210 (Federal Court) - stay application brought by the Shop, Distributive and Allied Employees' Association in underpayment class action - with S Kelly and L Armstrong KC.

*Lidgett v Downer EDI Ltd* [2023] VSC 574 (Supreme Court of Victoria) - consolidation application and multiplicity dispute in shareholder class action - with L Armstrong KC.

*Singh v Kentucky Fried Chicken Pty Ltd* [2024] FCA 1180 (Federal Court) – underpayment class action interlocutory ruling – with M Guo and L Armstrong KC

*Australian Salaried Medical Officers' Federation & Ors v Eastern Health and Royal Women's Hospital ('Junior Doctors class action')* (Federal Court, ongoing) - underpayment class action - with K Burke SC.

### EMPLOYMENT/INDUSTRIAL MATTERS

*Loram Pty Ltd v Australian Rail, Tram and Bus Industry Union* [2024] FWCFB 44 (FWC Full Bench) – appeal from majority support determination – unled

*Jolly v Sharma & Ors* [2024] FCA 171 (Federal Court) - rules dispute in the Australian Rail, Tram and Bus Union - with E Brumby and C Massy

*Veale v Drewmaster Pty Ltd* [2024] FWC 400 (FWC) - unfair dismissal application - unled

*In v Giri Australia Pty Ltd & Anor (No 2)* [2024] FedCFamC2G 133 (Federal Circuit and Family Court) - default judgment application - unled

*Slattery v Canard Consolidated Pty Ltd* [2023] FedCFamC2G 198 (Federal Circuit and Family Court) - application for body corporate to be represented by a non-lawyer - unled

*Rugg v the Commonwealth & Monique Ryan* (Federal Court, resolved) - general protections and maximum weekly hours proceeding - with A Aleksov.

*Pentridge Village v CFMMEU* (Supreme Court of Victoria, resolved) - economic tort proceeding - with J Gurr and R Doyle SC.

## Memberships

Law Institute of Victoria