

LIST G BARRISTERS

Gabi Crafti SC



Gabi Crafti SC practises in large-scale complex commercial litigation.

QUALIFICATIONS

Bachelor of Laws (Hons)
Bachelor of Arts

CORRESPONDENCE

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CHAMBERS

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Melbourne VIC 3000

COMMERCIAL LAW

Appellate | Banking & Finance | Building & Construction | Class Actions | Contractual Disputes | Insurance

TORT LAW

Professional Negligence

Gabi Crafti SC is a senior barrister specialising in commercial litigation, with a particular focus on insurance law and various aspects of financial services law, as well as infrastructure/construction law and professional negligence.

She has extensive experience advising and appearing in some of Australia's largest and most complex disputes, spanning:

- Financial lines (including professional liability, warranty and indemnity, and directors' and officers' liability)
- Property damage
- Construction, infrastructure, energy and resources projects
- Product liability
- Corporations and financial services regulation
- Aviation.

Gabi acts for a diverse range of clients, including:

- Insurers and policyholders
- Owners of major infrastructure, energy and resources assets
- Corporate trustees, superannuation funds, banks and other financial institutions
- Professional services providers
- Principals and contractors involved in significant construction and infrastructure projects
- Government departments, agencies and regulators.

She represents these clients at both trial and appellate levels and has appeared in all state and federal courts, including in class actions. She also appears in arbitrations.

Her expertise is consistently recognised in industry guides highlighting leading barristers in insurance law and construction law.

Liability limited by a scheme approved under Professional Standards legislation

Recent Cases

COMMERCIAL

INPEX Operations Australia Pty Ltd & Anor v Akzonobel NV & Ors: acting for applicants in Federal Court proceeding in multi-billion dollar claim for misleading conduct in respect of a protective coating product used at the Ichthys LNG onshore processing plant in the Northern Territory, with Jeffery Gleeson KC, Tim Breakspear SC, Elizabeth Bateman and Harriet Lenigas including in [\[2023\] FCA 1248](#), [\[2023\] FCA 1616](#) and [\[2024\] FCA 1221](#)

Wadren Pty Ltd v AIG Australia Pty Ltd [\[2024\] VSC 807](#): acted for professional indemnity insurer in successfully resisting application for preliminary discovery of confidential insurance documents, leading Alissa Crittenden. See also *Wadren Pty Ltd v Algeri* [\[2024\] QSC 109](#) leading Tom Pincus, *Wadren Pty Ltd & Anor v Probuild Constructions (Aust) Pty Ltd & Ors (No 2)* (unled) and *Wadren Pty Ltd v Probuild Constructions (Aust) Pty Ltd* [\[2023\] VSC 348](#) led by Jeremy Slattery KC

Calder & Ors v Hanson Construction Materials Pty Ltd : acted for plaintiffs in commercial dispute regarding land and aggregate extraction in Supreme Court of Victoria, leading Tom Ellicott, settled

Re Legal Super Pty Ltd [\[2023\] VSC 545](#): appointed as *amicus curiae* by Supreme Court of Victoria in judicial advice

application by trustee of superannuation fund

Riseley v Suncorp Portfolio Services Limited & Anor : acted for Suncorp in Full Court of Federal Court appeal [\[2022\] FCAFC 8](#) against decision in [\[2021\] FCA 472](#), regarding review of decision of Superannuation Complaints Tribunal

Lanhai Pty Ltd v 7-Eleven Stores Pty Ltd : acted for plaintiff franchisees in successful claim that 7-Eleven misled or deceived them, heard in Supreme Court of Victoria, leading Conrad Banasik, including in [\[2021\] VSC 587](#) and [\[2022\] VSC 132](#)

Re CARE Super Pty Ltd [\[2021\] VSC 805](#) and (No 2) [\[2021\] VSC 854](#): acted as junior to court-appointed *amicus curiae*, Wendy Harris KC, in Victorian Supreme Court judicial advice application brought by industry superannuation fund trustee

Re HEST Australia Ltd [\(2021\) 66 VR 338](#): acted as junior to court-appointed contradictor, Wendy Harris KC, in Victorian Supreme Court judicial advice application brought by industry superannuation fund trustee

Ganesh v National Australia Bank Limited [\[2021\] VSCA 45](#): acted for successful appellant in banking dispute in Victorian Court of Appeal, leading Chris Lum

Opal Tower: acted for insurer in Federal Court indemnity dispute, led by Chris Caleo KC, including in *Icon Co (NSW) Pty Ltd v Liberty Mutual Insurance Company Australian Branch* [\[2020\] FCA 1493](#) and on appeal in [\[2021\] FCAFC 126](#) and in (No. 2) [\[2021\] FCAFC 131](#)

Clark v National Australia Bank Limited & Anor : acted for MLC Limited in Federal Court class action regarding credit card insurance and personal loan insurance, led by Chris Caleo KC, including in [\[2020\] FCA 652](#)

ASIC v Dover Financial Advisors Pty Ltd : acted for respondents in application for pecuniary penalties in Federal Court, led by Jeff Gleeson KC with Karan Raghavan, including in [\(2019\) 140 ACSR 561](#), [\(2019\) 140 ACSR 635](#) and [\(2021\) 150 ACSR 185](#)

Andrew Norbury Aircraft Pty Ltd v QBE Insurance (Australia) Limited : acted for insured in Federal Court insurance coverage dispute regarding damage to private aircraft, settled

Wu v Shi [\[2019\] VCC 858](#): acted for successful defendant in sale of business dispute

Connective Services Pty Ltd v Lees : acted for defendant directors in derivative action in the Supreme Court of Victoria, led by Michael Borsky KC (including appearing in *Slea Pty v Connective Services Pty Ltd* [\[2018\] VSC 542](#) and *Slea Pty v Connective Services Pty Ltd* [\[2019\] VSC 201](#))

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry : acted for MLC Limited, led by Chris Caleo KC

Macras v Nulis Nominees (Australia) Limited [\[2018\] FCA 1867](#): acted for MLC Limited in application to Federal Court for review of decision of Superannuation Complaints Tribunal

Maynard v Moneygram Payment Systems Inc [\[2018\] VSC 7](#): acted for successful respondent in Supreme Court appeal from VCAT in contractual and misleading conduct dispute

Metricon Homes Pty Ltd v Great Lakes Australia : acted for commercial house builder in Supreme Court indemnity dispute, led by Jeff Gleeson KC, including in [\[2017\] VSC 749](#)

Miller & Associates Insurance Broking Pty Ltd v BMW Australia Finance Limited [\(2010\) 241 CLR 357](#): acted for successful appellant in High Court appeal in misleading conduct dispute, led by Jeff Gleeson KC (together with application for special leave and appeal to Victorian Court of Appeal in [\(2009\) 27 VR 243](#))

CONSTRUCTION AND INFRASTRUCTURE

Acting for State of Victoria in multiple recovery proceedings for cladding rectification works, with Nick Pane KC and Roshan Chaile, including in *Owners Corporation 1 Plan No PS 707553K v Shangri-La Construction Pty Ltd* (ACN 130 534 244) [\[2023\] VCC 1473](#) and *Owners Corporation No. 1 PS600940E & Ors v L U Simon Builders Pty Ltd & Ors* [\[2023\] VCAT 630](#)

Monash University v Multiplex Constructions Pty Ltd: acting for builder in construction defects claim

Fairbank Haven Pty Ltd v Merkon Constructions Pty Ltd: acted for PI insurer of deregistered project manager in Supreme Court of Victoria construction defects dispute, leading D'Arcy Hope, settled

St Falls Pty Ltd v LU Simon Builders Pty Ltd & Ors: acted for owners of St Falls Resort in Falls Creek in construction defects dispute, leading Joshua Bridgett, including in [\[2024\] VCAT 416](#) and [\[2024\] VCAT 417](#)

LCT-MRE Nominees Pty Ltd & Anor v Thiess Pty Limited & Ors: acted for builder's liability insurer in dispute regarding construction of Lane Cove Tunnel in NSW Supreme Court, led by Chris Caleo KC and Garry Rich SC

Downer EDI Engineering Power Pty Ltd v APA Orbost Gas Plant Pty Ltd: acted for APA in Supreme Court of Victoria construction dispute, leading Roshan Chaile, settled

Catholic Ladies College Limited v S J Higgins Pty Ltd & Ors: acted for architect in construction defects claim in County Court, leading Gisela Nip, settled

Geelong-Bacchus Marsh Road road-widening works: acted for Head, Transport for Victoria in arbitration regarding dispute with contractor, settled

Owners Corporation No. 1 PS602497J v Salta Constructions Pty Ltd: acted for owners in \$12 million defects claim in VCAT against developer in respect of 150 Clarendon St, East Melbourne, settled

West Gate Tunnel Project: acted for State of Victoria, led by Martin Scott KC

Jemena Northern Gas Pipeline Pty Ltd v Cimec Constructions & Engineering Pty Ltd: acted for Jemena in \$30 million dispute regarding construction of Northern Gas Pipeline in Northern Territory, led by Hugh Foxcroft KC, including appearing in [\[2019\] NTSC 52](#) unled and [\[2019\] NTSC 54](#), led by Jason Pizer KC

Multiplex Constructions Pty Ltd v Aegis Correctional Partnership Pty Ltd: acted for Multiplex in Supreme Court proceeding regarding construction of Ararat prison, led by Jeff Gleeson KC with Brian Mason, settled

Adelaide City Tramline Extension: acted for Downer EDI Works Pty Ltd in a dispute with the South Australian Department of Planning, Transport and Infrastructure, led by Jeff Gleeson KC

Outer Suburban Arterial Roads Western Roads Upgrade Project, Victoria: advised Amey Consulting Australia Pty Ltd in dispute with WBHO Infrastructure Pty Ltd regarding design services

Adams v Clark Homes Pty Ltd (Building and Property) [\[2015\] VCAT 1658](#): acted for architect firm which was successful in having case against it summarily dismissed

INSURANCE - COVERAGE

Complex coverage advice to insurers and insureds, including in respect of:

- the AMP superannuation class action, leading Nick Petrie
- the 2022 Queensland floods, with Don Farrands KC
- the 2020 cancellation of the Australian Grand Prix, led by Jeff Gleeson KC
- Nui Phao Mining Project in Vietnam, led by David Collins KC
- Metro Tunnel in Victoria
- Victorian Desalination Plant, Wonthaggi

PROFESSIONAL NEGLIGENCE

Lederberger v Mediterranean Olives Financial Pty Ltd : acted for law firm on question of professional negligence on appeal to the Victorian Court of Appeal, led by Jeff Gleeson KC

Kilmore East bushfire class action : acted for Department of Sustainability and Environment in *Matthews v Ausnet Electricity Services Pty Ltd* in the Supreme Court of Victoria, led by Pat Zappia KC

Acted in various professional negligence proceedings for and against financial services providers, all settled

Memberships

Australian Insurance Law Association

Commercial Bar Association

Women in Insurance

Women Barristers Association