

Leigh Howard



Leigh's practice spans industrial relations, regulatory and public law.

QUALIFICATIONS

Master of Laws
Bachelor of Laws (Hons)
Bachelor of International Relations
Advanced Diploma in Japanese

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Consumer Credit | Consumer Law | Corporations & Securities | Sports Law | Superannuation

EMPLOYMENT & INDUSTRIAL

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

PUBLIC LAW

Administrative Law | Civil & Human Rights | Constitutional Law | Discrimination | Judicial Review

He is briefed nationally for industrial relations work and has experience in all types of applications under the *Fair Work Act 2009* (Cth). His work in this area is routinely recognised by Chambers and Partners, Doyle's Guide, the Legal 500 and the AFR's Best Lawyers.

His public and regulatory practice extends to consumer, financial services, occupational health and safety, environment, discrimination and human rights. He has particular experience in civil penalty proceedings and white collar crime, and has acted for and against Australia's most prominent regulators. He is known for his grasp on statutory construction, constitutional, judicial review and regulatory enforcement principles.

Prior to the bar Leigh was a Senior Associate at Clayton Utz. He has also previously been a judge's associate, a tutor in constitutional law at La Trobe University, and an editor of Halsbury's Laws of Australia. He is a director and company secretary of List G Barristers.

"Leigh is an extremely smart and pragmatic operator. He is involved in the leading cases across Australia working with some of the most experienced senior counsel. You have great trust and confidence putting Leigh before the most sophisticated clients to run their most sensitive and important matters." – The Legal 500 Asia Pacific Guide, 2024.

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Recent Cases

NOTABLE CASES: INDUSTRIAL AND EMPLOYMENT

Vision Australia v Elisha [2024] HCASL; [\[2023\] VSCA 265](#); [\[2022\] VSC 754](#) (psychiatric injury, breach of duty, breach of contract, led by B Myers KC, P O'Grady KC, and G Worth)

CEPU v Austal Ships Pty Ltd [\[2023\] FCAFC 180](#) (right of entry, led by I Neil SC)

Australian Rail Track Corporation v RTBU & Ors [\[2023\] FWC 1636](#) (s 424 termination, led by I Neil SC)

Wipro Limited v State of NSW & Anor [\(2022\) 110 NSWLR 520](#) (long service leave, overseas employment, led by Y Shariff SC)

Regional Express Holdings Ltd v AFAP [\(2021\) 290 FCR 239](#) (adverse action, coercion, threats, led by B Walker SC)

Infosys Limited v State of Victoria [\(2021\) 64 VR 61](#) (long service leave, overseas employment, led by P Hanks KC)

Barber v Goodstart Early Learning [\(2021\) 305 IR 38](#) (vaccination test case)

Glover v Ozcare [\(2021\) 306 IR 349](#) (vaccination test case)

Re Commonwealth of Australia represented by the Department of Home Affairs [\[2019\] FWCFB 143](#) (workplace determination arbitration, led by P O'Grady KC and S Meehan)

Heldberg v Rand Transport (1986) Pty Ltd [\(2018\) 280 IR 93](#) (misleading and deceptive conduct, reasonable notice, incorporation of policy, bonus scheme)

Visy v AMWU & Ors [\[2018\] FCA 1799](#) (unprotected industrial action, coercion, led by J Snaden)

Regional Express Holdings Ltd v AFAP [\(2017\) 262 CLR 456](#) (standing, led by M Follett)

Re Minister for Industrial Relations for the State of Victoria [\[2016\] FWC 8826](#) (s 424 termination, led by F Parry KC)

Esso Australia v AWU [\(2016\) 245 FCR 39](#) (unprotected industrial action, coercion (as instructing solicitor))

NOTABLE CASES: PUBLIC AND REGULATORY

Rehmat & Mehar Pty Ltd & Anor v Hortle [\[2023\] HCA](#) (s 109 inconsistency, led by J Bourke KC)

ASIC v AMP Superannuation Ltd & Ors [\[2023\] FCA 488](#) (unconscionable conduct, fees for no service, led by C Truong KC)

Lendlease v ABCC [\(2022\) 175 ALD 415](#) (implied freedom of political communication, constitutional facts, led by J Bourke KC and M Follett)

Ashby v Commonwealth [\(2022\) 402 ALR 208](#); [\(2021\) 386 ALR 23](#); [\[2021\] FCA 830](#) (PGPA Act, act of grace payment, jurisdictional error, delegation, led by J Davidson)

ASIC v AMP Financial Planning & Ors [\(2022\) 164 ACSR 64](#) (fees for no service, led by C Truong KC)

Geappen v ASIC [\[2020\] AAT](#) (FoFA adviser duties, led by B McTaggart SC)

Goodstart Early Learning Ltd v VWA [\[2019\] SCV](#) (judicial review of a refusal to enter into an enforceable undertaking)

FWO v Pioneer Contracting Services Pty Ltd [\[2019\] FCAFC](#) (accessorial liability, s 550 FW Act, led by R Doyle SC)

Winters v Fogarty [\[2018\] FCA 1669](#); [\[2020\] FCA 220](#); [\[2020\] FCA 315](#) (discrimination, abuse of process, estoppel, unconscionability, deeds, accord and satisfaction, led by P O'Grady KC)

Burgess v Director of Housing & Anor [\[2014\] VSC 648](#) (Charter of Human Rights and Responsibilities, public housing (as instructing solicitor))

Australian Labour Lawyers Association

Australian Association of Constitutional Law

Australian Institute of Administrative Law