

# SAMUEL WALPOLE

## Barrister-at-Law

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## PRACTICE

Samuel Walpole was called to the Bar in 2021. He practises in all areas of commercial, regulatory and public law, with a particular focus on administrative, Admiralty and maritime, corporate and civil regulation, corporate, regulatory and white collar crime, equity and trusts, financial services, insolvency, insurance and information law matters.

Matters in which Samuel has been briefed include:

- **Administrative Law/Maritime Regulation** – *Brisbane Marine Pilots Pty Ltd v General Manager of Maritime Safety Queensland and Ors* [2021] QCAT 436 (led by JD McKenna KC)
- **Admiralty** – *Costamar Maritime Inc v The Ship "SEAPRINCESS"* (FCA Proceeding) (unled)
- **Charitable Trusts** – *The Presbyterian Church of Queensland Incorporated by Letters Patent v Attorney-General for the State of Queensland* (QSC Proceeding) (led by AM Pomerence KC)
- **Contract/Arbitration** – *Santos TOGA Pty Ltd & Ors v KGLNG E&P Pty Ltd & Ors* (QSC Proceeding) (led by SL Doyle KC)
- **Corporate Crime** – *Hutson v ASIC* [2023] QCA 167 (led by MT Brady KC)
- **Corporate Crime/Federal Jurisdiction** – *Palmer & Anor v Magistrate Pinder, CDDP and ASIC* (QSC Proceedings BS8553/23 and 9402/23) (unled)
- **Criminal Appeals** – *R v HCO* [2023] QCA 103 (unled)
- **Equity and Trusts** – *McMahon & Ors v Aynsley & Ors* [2022] QSC 140 (led by JD McKenna QC)
- **Equity and Trusts/Insolvency** – *Park, in the matter of Queensland Nickel Pty Ltd (in liq) (No 3)* [2022] FCA 1301 (led by AM Pomerence KC)
- **Freedom of Information** – *Australian Broadcasting Corporation v Prime Minister of Australia* (AAT Proceeding) (led by JD McKenna KC)
- **Freedom of Information/Privacy** – *Re Wilson and Australian Information Commissioner* [2023] AATA 458 (unled)
- **Yachtbroking/Preliminary Discovery** – *Marine Imports Australia Pty Ltd & Anor v Taddei & Ors* (FCA Proceeding QUD268/2022) (unled)

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## PRIOR EMPLOYMENT

- Legal Officer, Australian Law Reform Commission (2019 – 2021)
- Associate to the Honourable Chief Justice JLB Allsop AC, Federal Court of Australia (2017 – 2018)
- Associate to the Honourable Justice Al Philippides, Supreme Court of Queensland (2016)

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## OTHER APPOINTMENTS

- Adjunct Fellow, TC Beirne School of Law, University of Queensland (2020 – current)

- Fellow, Australian Centre for Private Law (2021 – current)
- Committee Member, Maritime Law Association of Australia & New Zealand (Qld Branch) (2021 – current)
- Committee Member, Aviation Law Association of Australia & New Zealand (Qld Branch) (2021 – current)
- Committee Member, Bar Association of Queensland Administrative Law Committee (from 2023)
- Committee Member, Bar Association of Queensland Commercial Arbitration Committee (from 2023)
- Consultant, Australian Law Reform Commission (2021)
- Director, UQ Law Alumni Association (2019 – current)
- Member, Brisbane UQ Faculty of Business, Economics and Law Ambassador Council (2021 – current)

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## RECOMMENDATIONS

- Doyle's Guide Leading Transport Junior Counsel – Australia: Recommended (2024)
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## EDUCATION

### **Bachelor of Civil Law (Distinction), Wadham College, Oxford (2018 - 2019)**

- Distinctions in all options and awarded the Law Faculty Prize for International Law of the Sea
- Oxford-Hackney BCL Scholar
- Options: Commercial Remedies, Restitution of Unjust Enrichment, International Law of the Sea, Law and Society in Medieval England

### **Graduate Diploma of Legal Practice, Australian National University (2017)**

### **Bachelor of Arts (Psychology)/Bachelor of Laws (Hons I), The University of Queensland, QLD (2011 - 2016)**

- GPA 6.950 (Law: 6.929, Arts: 7.000)
  - University Medal in Law for 2016
  - Semester 2, 2016 Law Valedictorian and First in Year
  - UQ Vice-Chancellor's Scholar
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## PROFESSIONAL QUALIFICATIONS

- Called to the Bar in 2021
  - Admitted as a Legal Practitioner of the Supreme Court of Queensland in 2017
  - Entered on the High Court Roll of Practitioners in 2021
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## AWARDS AND PRIZES

- Oxford Law Faculty Prize for International Law of the Sea (2019)
- Oxford-Hackney BCL Scholarship (2018)
- John Hughes Wilkinson Memorial Prize in Law (Highest Results in Law Courses) (2017)
- Minter Ellison Prize in Law (Highest Overall Marks in LLB) (2017)
- Allens Prize in Company Law (Highest Overall Result in Corporate Law) (2017)
- University Medal in Law (2016)
- Law Valedictorian and First in Year (2016)
- Ron Salter Award for Best Speaker in the Final Rounds at the 15th International Maritime Law Arbitration Moot (2014)

- Highest Overall Result in Unjust Enrichment (2016) and Maritime Law (2014)
- Highest Overall Result in Psychopathology (2013), Psychotherapies & Counselling (2013), Psychological Research Methodology III (2013) and Social & Organisational Psychology (2012)
- Herbert Smith Freehills Prize in Law (Highest Overall Result in Contract Law) (2013)
- George Naylor Prize for First Year Psychology (Greatest Proficiency in Core First Year Psychology Courses) (2011)
- UQ Vice-Chancellor's Scholarship (2011-2015)

## SELECTED CASES

- **Administrative Law/Maritime Regulation** – *Brisbane Marine Pilots Pty Ltd v General Manager of Maritime Safety Queensland and Ors* [2021] QCAT 436 (led by JD McKenna KC)
- **Administrative Law/Maritime Regulation** – *Sea Swift Pty Ltd v Torres Strait Island Regional Council (No 2)* [2023] QSC 203 (led by AW Duffy KC)
- **Admiralty** – *Costamar Maritime Inc v The Ship "SEAPRINCESS"* (FCA Proceeding QUD196/2021) (unled)
- **Admiralty** – *Phoenix Maritime & Trading Inc v The Ship "Darya Sati"* (FCA Proceeding QUD76/2023) (unled)
- **Bankruptcy** – *Kaminski v Monsour* (FCA Proceeding QUD256/2022) (led by PP McQuade KC)
- **Charitable Trusts** – *The Presbyterian Church of Queensland Incorporated by Letters Patent v Attorney-General for the State of Queensland* (QSC Proceeding BS5437/21) (led by AM Pomerence KC)
- **Charitable Trusts/Unconscionability** – *Catalyst Townsville SPV No 1 Pty Ltd v The Presbyterian Church of Queensland* (QSC Proceedings BS5900/21, 12562/21, 14920/21) (led by AM Pomerence KC, AC Stumer KC and SJ Webster)
- **Class Actions/Shipping** – *Jackson v Carnival Plc (The Pacific Aria)* (FCA Proceeding QUD183/2023) (led by E Goodwin KC)
- **Contract** – *Dyno Nobel Moranbah Pty Ltd v CH4 Pty Ltd & Ors* (QSC Proceeding BS2296/23) (led by AW Duffy KC)
- **Contract/Arbitration** – *Santos TOGA Pty Ltd & Ors v KGLNG E&P Pty Ltd & Ors* (QSC Proceeding BS15114/21) (led by SL Doyle KC)
- **Corporate Crime** – *Hutson v ASIC* [2023] QCA 167 (led by MT Brady KC)
- **Corporate Crime/Federal Jurisdiction** – *Palmer & Anor v Magistrate Pinder, CDPP and ASIC* (QSC Proceedings BS8553/23 and 9402/23) (unled)
- **Criminal Appeals** – *R v HCO* [2023] QCA 103 (unled)
- **Equity and Trusts** – *Bence & Anor v Leggett & Ors* (QSC Proceeding 11828/18) (led by MR Hodge KC)
- **Equity and Trusts** – *McMahon & Ors v Aynsley & Ors* [2022] QSC 140 (led by JD McKenna KC)
- **Equity and Trusts/Insolvency** – *Park, in the matter of Queensland Nickel Pty Ltd (in liq) (No 3)* [2022] FCA 1301 (led by AM Pomerence KC)
- **Freedom of Information** – *Re Australian Broadcasting Corporation v Prime Minister of Australia* (AAT Proceeding) (led by JD McKenna KC)
- **Freedom of Information** – *Re Patrick and Secretary, Department of Prime Minister and Cabinet* (AAT Proceeding) (led by JD McKenna KC)
- **Freedom of Information** – *Re Webster and Commonwealth Superannuation Commission* [2023] AATA 4137 (unled)
- **Freedom of Information/Privacy** – *Re Wilson and Australian Information Commissioner* [2023] AATA 458 (unled)
- **Insolvency** – *Queensland Nickel Sales Pty Ltd v Queensland Nickel Pty Ltd (in liq) (No 3)* [2022] FCA 564 (led by AM Pomerence KC)
- **Joint Ventures/Foreign Law** – *Australia Pacific LNG (CSG) Pty Ltd v Bronco Energy & Ors* (QSC Proceeding BS1333/23) (led by JM Horton KC)
- **Licensing** – *Reef House Property Pty Ltd & Ors v Commissioner for Liquor and Gaming Regulation & Anor* [2023] QCAT 389 (unled)
- **Marine Insurance** – *Keri Lee Charters Pty Ltd v QBE Insurance (Australia) Ltd* (FCA Proceeding QUD469/2022) (led by M Harvey KC)



- **Migration** – *Alconce v Minister for Immigration, Citizenship and Multicultural Affairs* (FedCFamC2G Proceeding SYG759/2019)
- **Practice and Procedure** – *Park, in the matter of Queensland Nickel Pty Ltd (in liq)* [2022] FCA 667 (led by AM Pomerence KC)
- **Privacy/Taxation** – *McEwan v Office of the Australian Information Commissioner & Anor* [2022] FCA 955; [2022] FCA 1452; [2022] FCA 1488 (unled); [2023] FCAFC 137 (led by Dr RC Schulte)
- **Privilege** – *Sea Swift Pty Ltd v Torres Strait Island Regional Council* [2023] QSC 160 (led by AW Duffy KC)
- **Regulatory Crime** – Summary trial for offence under *Bankruptcy Act* (unled)
- **State Taxation** – *Baum v Commissioner of State Revenue* [2024] QCAT 41 (unled)
- **Yachtbroking/Preliminary Discovery** – *Marine Imports Australia Pty Ltd & Anor v Taddei & Ors* (FCA Proceeding QUD268/2022) (unled)

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## SELECTED PUBLICATIONS

- Deniz Kayis, Eloise Gluer and Samuel Walpole (eds), *The Law of Civil Penalties* (Federation Press, 2023).
- Samuel Walpole, 'The Judicial Role as an Expression of the Whole Personality: Supervision of Public and Private Power by the Courts and the Legacy of Chief Justice Allsop' (2023) 97 *Australian Law Journal* 607-614.
- James Allsop and Samuel Walpole, 'International Commercial Dispute Resolution as a System' in Sundaresh Menon and Anselmo Reyes (eds), *Transnational commercial disputes in an age of anti-globalism and pandemic* (Hart Publishing, 2023) 43-87.
- Sarah Derrington and Samuel Walpole, 'Culpable Ships' in Elise Bant (ed), *The Culpable Corporate Mind* (Hart Publishing, 2023) 351-372.
- Sophie Hepburn and Samuel Walpole, 'Salvage of Sunken Treasure and the Law of State Immunity' (2023) 139(Apr) *Law Quarterly Review* 199-204.
- Mal Varitimos and Samuel Walpole, 'Deadly Sins and Handy Hints of Statutory Interpretation' (2023) 53 *Australian Bar Review* 310-326.
- Samuel Walpole and William Isdale, "'Manner and form' requirements and the *Australia Act 1986* (Cth)" [2022] *Public Law* 338-341.
- Samuel Walpole and William Isdale, 'COVID-19, the Principle of Legality and the "Legislative Bulldozer" of the *Biosecurity Act 2015* (Cth)' (2021) 32(4) *Public Law Review* 287-290.
- Samuel Walpole and Matt Corrigan, 'Fighting the System: New Approaches to Addressing Systematic Corporate Misconduct' (2021) 43(4) *Sydney Law Review* 489-517.
- Samuel Walpole, M Scott Donald and Rosemary Teele Langford, 'Regulating for Loyalty in the Financial Services Industry' (2021) 38(5) *Company and Securities Law Journal* 355-373.
- Cindy Davies, Samuel Walpole and Gail Pearson, 'Australia's Licensing Regimes for Financial Services, Credit, and Superannuation: Three Tracks toward the Twin Peaks' (2021) 38(5) *Company and Securities Law Journal* 332-354.
- Samuel Walpole and William Isdale, 'Business Interruption Insurance and the COVID-19 Pandemic' (2021) 49 *Australian Business Law Review* 73-77.
- Samuel Walpole, 'Hotchpot and the insolvent trading trustee' (2021) 27(3) *Trusts & Trustees* 268-275.
- Samuel Walpole (ed), 'Appeal' in Adrian Zuckerman, *Zuckerman on Civil Procedure: Principles of Practice*, gen ed Juliet Wells (Sweet & Maxwell, 4th ed, 2021) 1211-1312.
- Samuel Walpole and Kit Barker, 'Unjust enrichment in Australia 2021' [2021] *Lloyd's Maritime and Commercial Law Quarterly* 179-204.
- Samuel Walpole, Aaron Moss and William Isdale, 'Amenability of the Executive Power to Pardon to Judicial Review' (2020) 27 *Australian Journal of Administrative Law* 193-197.
- Samuel Walpole, 'Criminal responsibility as a distinctive form of corporate regulation' (2020) 35 *Australian Journal of Corporate Law* 235-262.
- Samuel Walpole and Aaron Moss, 'Ownership of a Surrogate Ship and the Use of the Presumption of Similarity of Foreign Law' (2019) 25 *Journal of International Maritime Law* 17-20.
- Samuel Walpole, 'Property in human bodily products' (2019) 135 *Law Quarterly Review* 31-36.

- Samuel Walpole and Aaron Moss, 'Piracy, Negotiation Period Expenses and Allowance in General Average' [2018] *Lloyd's Maritime and Commercial Law Quarterly* 34-40.
- Samuel Walpole, 'Justifying the Woolwich Principle: An Exploration of the Normative Boundaries of Unjust Enrichment and Corrective Justice' (2018) 26 *Restitution Law Review* 42-59.
- Sarah Derrington and Samuel Walpole, 'The International Maritime Law Arbitration Moot' in Anthony Cassimatis and Peter Billings (eds), *Thomson Reuters Guide to Mooting* (Thomson Reuters, 2016) 145-171.

