

# Matthew Varley

Barrister

Nine Wentworth Chambers  
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## Experience

**Nine Wentworth Chambers**, 2019-present

**Australian Government Solicitor**, 2013-2019, including:

- secondment as Legal Officer, Australian Crime Commission, 2013
- secondment as Corporate Counsel, Royal Commission into Institutional Responses to Child Sexual Abuse, 2014-2015
- appointment as Executive Secretary, Australian Dispute Resolution Advisory Council, 2016-2017

**Tipstaff to the Honourable Justice John Basten**, NSW Court of Appeal, 2012

**Investigations Officer**, Energy and Water Ombudsman NSW, 2010-2011

**Tenant Advocate**, Western Sydney Tenants' Service Chatswood and Northern Area Tenants' Service, 2009-2010

Volunteer roles including Hawkesbury Nepean Community Legal Centre (2005-2007), Refugee Advice and Casework Service (2010) and Aboriginal Legal Service NSW/ACT (2011)

## Expertise

**Administrative and constitutional law** – judicial review; merits review; tort claims involving public authorities

**Law enforcement and security** – applications for non-publication and suppression orders; claims of public interest immunity; applications for control and supervision orders

**Commissions and inquiries** – Commonwealth team responding to the Lindt Siege Inquest; Corporate Counsel for the Royal Commission into Institutional Responses to Child Sexual Abuse (2014-2015)

**Alternative dispute resolution** – including experience as conciliator and advocate

**Privileges and immunities** – claims of public interest immunity and legal professional privilege; subpoenas and notices to produce

**Extradition and international child abduction**

## Education

Bachelor of Laws (Honours Class I), University of Sydney, 2011

Bachelor of Arts (Honours Class I), University of Sydney, 2009

## Selected cases

*Egan v Minister for Home Affairs* [2021] FCAFC 85 (led by Kaplan) – citizenship; jurisdictional error; jurisdictional facts; foreign law

*State of New South Wales v Church (Preliminary)* [2021] NSWSC 246 (led by Richardson SC) – interim supervision order

*Booth v Dakkak* [2020] FCA 1882 (led by Berger QC) – interim control order

*Director of Public Prosecutions (Cth) v Kinghorn* [2020] NSWCCA 48; 102 NSWLR 72 (led by Lenehan SC) – prosecutorial duty of disclosure; waiver of legal professional privilege

*Kishore v Tax Practitioners Board* [2016] FCA 1328; 244 FCR 320 (as solicitor advocate) – appeals from the Administrative Appeals Tribunal

## Publications and presentations

M Varley and T Lockwood, 'Judicial review and public interest immunity' (2020) 99 *Australian Institute of Administrative Law Forum* 34

M Varley, Presentation to Members of the NSW Civil and Administrative Tribunal, 2019

M Varley, Training to Australian Criminal Intelligence Commission, 2018

P Melican and M Varley, 'Public interest immunity and protective orders', 2017 (Presentation to Australian Government Solicitor Government Law Group, Sydney)