

PHILIP O'HIGGINS KC

Year of Call - 2009
Year of Silk - 2023

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AREAS OF PRACTICE

Alternative Dispute Resolution
Appellate
Commercial
Common Law/Personal Injury
Equity
Inquests/Inquiries
Public/Administrative

EDUCATION

- LLB (Hons), University of Queensland, 1994
- B.Comm, University of Queensland, 1992

CAREER HISTORY

- Barrister, Queensland Bar, 2009 to date
- Previously, in-house litigation counsel, Barclays Bank PLC (London), senior associate at Clifford Chance LLP (London), Carey Olsen (Guernsey), McCullough Robertson (Brisbane) and Blake Dawson Waldron (Brisbane).
- Associate to the Hon. Justice Cooper, Federal Court of Australia, 1998-99
- Articled clerk and solicitor, Minter Ellison (Brisbane), 1995-98

RECENT CASES

Appellate

- [R v Henningsen](#) [2021] QCA 34 (pro bono)
- [Tutos v Roman Catholic Trust Corporation](#) [2020] QCA 171
- [R v PBC](#) [2019] QCA 28 (pro bono)
- [Schultz v Bank of Queensland Ltd](#) [2016] 2 Qd R 86; [2015] QCA 208
- [Schultz v Bank of Queensland](#) [2015] QCA 19
- [Mio Art Pty Ltd v Macequest Pty Ltd & Ors](#) [2014] QCA 339
- [Graham v Legal Services Commissioner \(No 2\)](#) [2014] QCA 306
- [Graham v Legal Services Commissioner \(No 1\)](#) [2014] QCA 305
- [Meridien Ab Pty Ltd v Jackson](#) [2013] QCA 121
- [BOQ Equipment Finance Pty Ltd v Scott](#) [2015] QCA 135

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CHAMBERS

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Other

- [Paul v Parole Board of Queensland](#) (unreported, 4 November 2021, Supreme Court of Queensland, Wilson J) (judicial review)
- [HDWH v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs](#) [2021] FCA 1659
- [Compass Marinas Australia Pty Ltd v The State of Queensland; The State of Queensland v Compass Marinas Australia Pty Ltd & Anor](#) [2020] QSC 375
- [Scully Investment Holdings Pty Ltd v Solomon](#) (unreported, 28 September 2020, Supreme Court of Queensland, Flanagan J) (interlocutory injunction; confidential information)
- [Capital Options \(Aust\) Pty Ltd v AMP Financial Planning Pty Ltd](#) [2020] QDC 67
- [Faamate v Congregational Christian Church in Samoa-Australia \(Ipswich Congregation\)](#) [2019] QSC 194 and [2020] QSC 12
- [Westley Nominees Pty Ltd v Emerald Tiara Corporation Pty Ltd](#) (unreported, 22 November 2019, Supreme Court of Queensland, Holmes CJ) (interlocutory injunction)
- [Benjamin Hornigold Limited v GM Enterprises Australia Pty Ltd](#) (unreported, Supreme Court of Queensland, Applegarth J, 4 June 2019)
- [Higginbotham v Star Stone Corporate Capital Ltd & Ors](#) [2019] QDC 35
- [Rocky Organic Property Pty Ltd & Anor v Camm Cattle Company Pty Ltd](#) (unreported, Supreme Court of Queensland, Jackson J, 10 April 2018)
- [Balanced Securities Limited v Li & Ors](#) (unreported, Supreme Court of Queensland, Bond J, 13 April 2018)
- [Corbiere v QPCU Ltd](#) [2018] QSC 32
- [Mowatt & Ors v White Horses Pty Ltd](#) [2017] QSC 292
- [Watson v National Australia Bank](#) [2017] FCA 128
- [Cassimatis & Anor v Commonwealth Bank of Australia](#) [2016] QSC 281
- [Titan Enterprises \(Qld\) Pty Ltd v Cross](#) [2016] FCA 1275
- [Watson v National Australia Bank](#) [2016] FCA 1334
- [Ocellip Pty Ltd v Noble Resources Pte Ltd & Ors](#) [2016] QSC 246
- [Titan Enterprises \(Qld\) Pty Ltd v Cross](#) [2016] FCA 1241; (2016) 119 IPR 468
- [Mineral Resources Engineering Services Pty Ltd v Commonwealth Bank of Australia; Hay v Commonwealth Bank of Australia \(No 3\)](#) [2016] QSC 232
- [Graham & Linda Huddy Nominees Pty Ltd v Byrne](#) [2016] QSC 221
- [Owen, in the matter of Far Pavilions Interiors Pty Ltd \(Administrators Appointed\)](#) [2016] FCA 1602
- [PSAL Limited v Galilee Solicitors](#) [2016] QDC 162
- [Medical Board of Australia v Bethania Surgery](#) [2015] QCAT 550
- [Mineral Resources Engineering Services Pty Ltd \(as trustee for Meakin Investment Trust\) v Commonwealth Bank of Australia \(No 2\)](#) [2015] QSC 288
- [Ligon Sixty-Three Pty Ltd v Clarkekan \(No 2\)](#) [2015] QSC 274
- [Ligon Sixty-three Pty Ltd v Clarkekan and Ors](#) [2015] QSC 153
- [Integrated Medical Technology Pty Ltd and Anor v Gilbert and Ors \(No 3\)](#) [2015] QSC 133
- [Integrated Medical Technology Pty Ltd v Gilbert \(No 2\)](#) [2015] QSC 124
- [BOQ Equipment Finance Ltd v Scott](#) [2015] QSC 60
- [Schultz v Bank of Queensland Ltd](#) [2014] QSC 305
- [Commonwealth Bank of Australia v Dalle Cort & Anor](#) [2014] QSC 296
- [Integrated Medical Technology Pty Ltd & Anor v Gilbert](#) [2014] QSC 227
- [Treadstone Developments Pty Ltd Wever Family Trust v The Salisbury Group Pty Ltd and Ors](#) [2014] QSC 109
- [Mio Art Pty Ltd v BMD Holdings Pty Ltd & Ors](#) [2014] QSC 55
- [Wepar Nominees Pty Ltd v Schofield](#) [2013] FCA 920
- [Perpetual Ltd v Registrar of Titles and Ors](#) [2013] QSC 296
- [Hamlin v The University of Queensland](#) [2013] FCCA 406
- [Joanne Baxter Fifties Food Pty Ltd atf The Ninja Bear Trust v Subway Realty Pty Ltd & Anor](#) [2013] QCAT 163
- [Australian Securities and Investments Commission v Managed Investments Ltd and Ors \(No 4\)](#) [2013] QSC 15
- [Marlow v Boyd](#) [2012] QSC 331
- [SDW Projects Pty Ltd v Modi and Ors \(No 2\)](#) [2012] QSC 426
- [Edgarange Pty Ltd v Pretirement Villages Pty Ltd](#) [2012] QDC 326

- [Hamcor Pty Ltd v Vaughan & Ors](#) [2012] QDC 299
- [National Mutual Life Assn of Australasia Ltd v Tolfield Pty Ltd \(No 4\)](#) [2012] FCA 101
- [National Mutual Life Assn of Australasia Ltd v Tolfield Pty Ltd \(No 3\)](#) [2012] FCA 100; (2012) 201 FCR 261
- [Wellington Capital Ltd \(in the matter of Premium Income Fund\) v Premium Income Fund Action Group \(No 2\)](#) [2012] FCA 1516
- [National Mutual Life Association of Australasia Ltd v Tolfield Pty Ltd \(No 2\)](#) [2011] FCA 1309
- [Wellington Capital Ltd \(in the matter of Premium Income Fund\) v Premium Income Fund Action Group \(No 1\)](#) [2011] FCA 781; (2011) 85 ACSR 51
- [National Mutual Life Association of Australasia Ltd v Tolfield Pty Ltd](#) [2011] FCA 707
- [Henderson and Anor v The Body Corporate for Merrimac Heights](#) [2011] QSC 336