

TABITHA VOCKLER

Year of call - 2024

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AREAS OF PRACTICE

Alternative dispute resolution
Appellate
Commercial
Criminal
Inquests/inquiries
Industrial/employment
Professional regulation, discipline and indemnity
Public/administrative

OVERVIEW

Tabitha was called to the Bar in 2024. Her primary area of practice at the Bar is employment, industrial relations and discrimination law.

Before coming to the Bar, she was a Senior Associate at Ashurst, where she practised primarily in employment, discrimination, and work health and safety (WHS) law.

Tabitha was recognised in the 2024 and 2025 editions of *Best Lawyers: Ones to Watch® in Australia* for her work in employment law.

EDUCATION

Bachelor of Laws; Graduate Diploma of Legal Practice – Bond University – 2014 to 2017

Study Abroad Program in Transnational Commercial Law – European Business School, Germany – 2016

CAREER HISTORY

Barrister – 2024 to present

Senior Associate and Associate, Ashurst – 2021 to 2024

Associate, Clayton Utz – 2019 to 2021

Lawyer and Law Clerk, Adams Wilson Lawyers – 2017 to 2019

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Level 31, 239 George Street,
Brisbane QLD 4000

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SELECTED CASES

- QUD543/2025 – Federal Court of Australia – for the appellant in judicial review proceedings, with Bilal Rauf (co-counsel), instructed by Ashurst – proceedings discontinued.
- *Kestrel Coal Pty Limited v Lennox* [2025] FWCFB 114 – Fair Work Commission (Full Bench) – for the appellant in unfair dismissal proceedings, with Bilal Rauf (co-counsel), instructed by Ashurst – permission to appeal granted; appeal dismissed.
- U2024/6711 – Fair Work Commission – for the respondent in stay proceedings, with Bilal Rauf (co-counsel), instructed by Ashurst – proceedings stayed.
- ADL097-24, ADL099-24, ADL101-24, ADL109-24 and ADL036-25 – Queensland Civil and Administrative Tribunal – for the respondent in discrimination proceedings, instructed by Ashurst.
- ADL025-25 – Queensland Civil and Administrative Tribunal – for the respondent in discrimination proceedings, instructed by Ashurst.
- BRG835/2024 – Federal Circuit and Family Court of Australia (Division 2) – for the respondents in employment proceedings, led by Holly Blattman KC, instructed by Herbert Smith Freehills.
- C2025/13535 – Fair Work Commission – for the respondent in jurisdictional objection proceedings (general protections), instructed by Herbert Smith Freehills.
- *Mr Michael Donaldson v The Corporation of the Synod of the Diocese of Brisbane Trading as Anglican Church Southern Queensland* [2025] FWC 3704 – Fair Work Commission – for the respondent in jurisdictional objection proceedings (unfair dismissal), led by Holly Blattman KC, instructed by Colin Biggers & Paisley.
- C2025/6261 – Fair Work Commission – for the respondent in jurisdictional objection proceedings (general protections), instructed by Colin Biggers & Paisley.
- 2025/274 – Industrial Magistrates Court – for the respondent in fair work small claims proceedings, instructed by Colin Biggers & Paisley.
- C2024/6408 – Fair Work Commission – for the respondent in jurisdictional objection proceedings (unfair dismissal), instructed by Colin Biggers & Paisley.
- C2025/2482 – Fair Work Commission – for the respondent in an enterprise agreement dispute, instructed by Mills Oakley – proceedings discontinued.
- B/2025/48; TD/2025/43 – Queensland Industrial Relations Commission – for the applicant in reinstatement and invalidity proceedings, led by Ben McMillan KC, instructed by Wotton Kearney.
- C2025/3925 – Fair Work Commission – for the applicant in jurisdictional objection proceedings (general protections), instructed by Ramsden Lawyers – proceeding discontinued.
- BRG791/2025 – Federal Circuit and Family Court of Australia (Division 2) – for the applicant in employment proceedings, instructed by Legal Aid Queensland.
- AD2024/74 – Queensland Industrial Relations Commission – for the applicant in discrimination proceedings, instructed by Basic Rights Queensland.
- BRG3/2026 – Federal Circuit and Family Court of Australia (Division 2) – for the applicant in employment proceedings, instructed by Rubix Legal.

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- U2024/12911 – Fair Work Commission – for the respondent in unfair dismissal proceedings, instructed by Hitch Advisory – proceeding discontinued.
- BRG110/2024 – Federal Circuit and Family Court of Australia (Division 2) – for the applicant in jurisdictional objection proceedings (general protections), instructed by JPenn Co Lawyers – proceeding discontinued.
- BRG243/2024, BRG244/2024, BRG245/2024, BRG246/2024 and BRG247/2024) – Federal Circuit and Family Court of Australia (Division 2) – for the applicants, instructed by DeMarco Law – proceedings discontinued.
- BRG343/2022 – Federal Circuit and Family Court of Australia (Division 2) – for the applicant in migration proceedings, led by Matthew Jones KC, instructed by DWF.
- *Spini & Spini* [2025] FedCFamC1F 63 – Federal Circuit and Family Court of Australia (Division 1) – for the respondent father resisting international relocation orders – relocation refused; travel restricted to school holidays.
- BRC1241/2023 – Federal Circuit and Family Court of Australia (Division 2) – for and instructed by the Independent Children’s Lawyer (Kathy Berck) in parenting proceedings.
- BRC9494/2023 – Federal Circuit and Family Court of Australia (Division 2) – for and instructed by the Independent Children’s Lawyer (Kathy Berck) in parenting proceedings.
- 16446/24 – Supreme Court of Queensland – for the applicant in bail proceedings, instructed by Walker Pender – bail granted.
- 2405/25 – Supreme Court of Queensland – for and instructed by the Director of Public Prosecutions in bail proceedings – bail granted.
- [Undisclosed] – District Court of Queensland – for the defendant at sentence in criminal proceedings (grooming and child exploitation material), instructed by Walker Pender – sentence imposed in line with submissions.
- [Undisclosed] – Childrens Court of Queensland – for the defendant at sentence in criminal proceedings (assault in company and stealing), instructed by Cridland Hua – sentence imposed in line with submissions.
- AFL Tribunal matters – for and instructed by AFL Queensland in disciplinary hearings under AFL rules and regulations.

As a solicitor:

- *Guilfoyle v Coronado Curragh Pty Ltd and Thiess Pty Ltd* (MAG-00088737/21(1); MAG-00088713/21(1)) – Industrial Magistrates Court of Queensland – for a coal mining operator and site senior executive on charges arising from the death of a coal mine worker – proceedings discontinued.
- *Whelan v Cigarette & Gift Warehouse Pty Ltd* [2017] FCA 1534 – Federal Court of Australia – for the applicant in general protections, statutory entitlements, and breach of contract proceedings – successful; cross-claim dismissed.
- *Cigarette & Gift Warehouse Pty Ltd v Whelan* [2019] FCAFC 16 – Federal Court of Australia (Full Court) – for the respondent concerning *Whelan v Cigarette & Gift Warehouse Pty Ltd* [2017] FCA 1534 – appeal dismissed.
- *Anthony Wiester v Kestrel Coal Pty Ltd* (QUD480/2023) – Federal Court of Australia – for the respondent in discrimination proceedings in the context of underground coal mining – proceedings discontinued.
- *Michael Lawson v Middlemount Coal Pty Ltd* (U2021/9) (PR727687) – Fair Work Commission – for the respondent in a jurisdictional objection (unfair dismissal) – successful; proceedings dismissed.

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- *CEPU v Anglo Coal (Grasstree Management) Pty Ltd* [2021] FWC 4297 – Fair Work Commission – for the respondent in an enterprise agreement dispute concerning disciplinary action taken against employees for failing to identify damage to a safety device in an underground coal mine – defended disciplinary action.
- *Anglo Coal (Capcoal Management) Pty Ltd* [2021] FWC 1623; *Application by Boggabri Coal Operations Pty Ltd* [2022] FWC 1571 – Fair Work Commission – for the applicants in applications for orders regarding transfer of business/transferring instruments – orders made.
- *Application by Anglo Coal (Grasstree Management) Pty Ltd* [2021] FWCA 5909; *Application by Abbot Point Bulkcoal Pty Ltd* [2021] FWCA 5264; *Application by Batchfire Callide Management Pty Ltd* [2021] FWCA 3662; *Application by Kestrel Coal Pty Ltd* [2022] FWCA 2020 – Fair Work Commission – for the applicants in enterprise agreement applications – agreements approved.
- *Application by Association of Professional Engineers, Scientists and Managers Australia (Collieries' Staff Division)* [2023] FWC 217 – Fair Work Commission – for the respondent in a majority support determination application by APESMA and MEU – majority support determination issued.
- *Alex Matschoss v Anglo Coal (Capcoal Management) Pty Ltd* [2023] FWC 596; [2023] FWC 3466 – Fair Work Commission – for the respondent in an enterprise agreement dispute – recommendation issued that long service leave entitlements not be deducted when public holidays fall within approved periods of long service leave.
- *SZWV and National Disability Insurance Agency* [2022] AATA 2973 – for the respondent in a review of a decision to deny funding for a 'Mollii Suit' – funding granted.
- 2021/8018 - RE TWGC; 2021/8113 - RE VKDP; 2021/8487 – RE WCLN; 2021/8260 – RE Freeman; 2022/10326 – RE Maryam; 2021/7320 - RE TMMC; 2021/7802 - RE TDGZ; 2021/8468 – RE XKQH; 2021/7847 - RE MXKB; 2021/7362 – RE XTDQ; 2021/9977 – RE Curtis; 2022/0050 – RE Amro – for the respondent (NDIA) in proceedings regarding NDIS participant funding disputes.
- *Queensland College of Teachers v CMK* [2019] QCAT 271 – for the respondent teacher concerning a disciplinary referral for fitness to teach arising from a personal friendship, later sexual relationship, with a former student.
- *Thompson and Minister for Foreign Affairs* [2019] AATA 2172 – for the applicant in a review of a decision to deny a passport on the basis of convictions for child sex offences committed in Fiji – passport denial upheld.

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