

TABITHA VOCKLER

Year of call - 2024

DIRECT CONTACT DETAILS:

Phone: 07 3232 2135

Mobile: 0401 117 872

Email: tabitha.vockler@qldbar.asn.au

PERSONAL ASSISTANT DETAILS:

Jen Wagner

Phone: 07 3232 2135

Email: jen@carbolic.com.au

OVERVIEW

Tabitha practises principally in employment, industrial relations (**IR**) and work health and safety (**WHS**) law, discrimination law, commercial litigation, and public and administrative law.

She appears both led and unled in hearings and applications in courts, commissions and tribunals across the federal and Queensland jurisdictions.

Before coming to the Bar, Tabitha practised as a solicitor for approximately six years, most recently as a Senior Associate at Ashurst working across the employment, IR and WHS team and the commercial disputes team.

She has significant experience advising large private and public sector clients on the full spectrum of employment, IR and WHS issues, and particular depth of experience and interest in work within the black coal mining industry.

Tabitha has been recognised in *Best Lawyers: Ones to Watch in Australia*® in 2024, 2025 and 2026. She is recognised in the following areas: Labour and Employment Law; Employee Benefits Law; Occupational Health and Safety Law.

AREAS OF PRACTICE

Alternative dispute resolution

Appellate

Commercial

Defamation

Inquests and inquiries

Employment, IR and WHS

Regulatory and disciplinary matters

Public and administrative

EDUCATION

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

Transnational Commercial Law Study Abroad Program – 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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CHAMBERS

Level 31, 239 George Street,
Brisbane QLD 4000

Liability limited by a scheme approved under professional standards legislation.

SELECTED MATTERS

- Acting for the respondent in jurisdictional objection proceedings in the Fair Work Commission, unled, instructed by Herbert Smith Freehills: *Gaurav Mudgal v ING Bank (Australia) Limited* [2026] FWC 1596.
- Acting for the respondents in employment and breach of contract proceedings in the Federal Circuit and Family Court of Australia (Div 2), led by Holly Blattman KC, instructed by Herbert Smith Freehills: *Danaher v Ark Energy Corporation Pty Ltd* [2026] FedCFamC2G 1027.
- Acting for the respondents in costs proceedings in the Federal Circuit and Family Court of Australia (Div 2), led by Holly Blattman KC, instructed by Herbert Smith Freehills: *Danaher v Ark Energy Corporation Pty Ltd (No 2)* [2026] FedCFamC2G 1742.
- Acting for a respondent in jurisdictional objection proceedings in the Fair Work Commission, unled, instructed by Herbert Smith Freehills.
- Acting for the appellant in jurisdictional objection proceedings before a Full Bench of the Fair Work Commission, led by Bilal Rauf, instructed by Ashurst: *Kestrel Coal Pty Limited v Lennox* [2025] FWCFB 114.
- Acting for a respondent in five discrimination, victimisation and human rights proceedings in the Queensland Civil and Administrative Tribunal, unled, instructed by Ashurst.
- Acting for an appellant in judicial review proceedings in the Federal Court of Australia, led by Bilal Rauf, instructed by Ashurst.
- Acting for a respondent in discrimination proceedings in the Queensland Civil and Administrative Tribunal, unled, instructed by Ashurst.
- Acting for a witness in the Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry, unled, instructed by MinterEllison.
- Acting for the respondent in an enterprise agreement dispute in the Fair Work Commission, unled, instructed by Colin Biggers & Paisley: *Iain Benson v The University of Notre Dame Australia* [2026] FWC 3269.
- Acting for the respondent in jurisdictional objection proceedings in the Fair Work Commission, led by Holly Blattman KC, instructed by Colin Biggers & Paisley: *Michael Donaldson v The Corporation of the Synod of the Diocese of Brisbane t/as Anglican Church Southern Queensland* [2025] FWC 3704.
- Acting for respondents in various jurisdictional objection proceedings in the Fair Work Commission, unled, instructed by Colin Biggers & Paisley.
- Acting for a respondent in small claims proceedings in the Industrial Magistrates Court of Queensland, unled, instructed by Colin Biggers & Paisley.
- Acting for the applicant in migration proceedings in the Federal Circuit and Family Court of Australia (Div 2), led by Matthew Jones KC, instructed by DWF: *EDH17 v Minister for Immigration and Multicultural Affairs* [2026] FedCFamC2G 207; *EDH17 v Minister for Immigration and Citizenship* [2026] FedCFamC2G 915.
- Acting for a defendant in negligence and nuisance proceedings in the Supreme Court of Queensland, led by Matthew Jones KC, instructed by Mackey Wales Law.
- Acting for an applicant in reinstatement and invalidity proceedings in the Queensland Industrial Relations Commission, led by Ben McMillan KC, instructed by Wotton Kearney.
- Acting for an applicant in general protections proceedings in the Federal Circuit and Family Court of Australia (Div 2), unled, instructed by Legal Aid Queensland.

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- Acting for an applicant in sexual harassment proceedings in the Queensland Industrial Relations Commission, unled, instructed by Basic Rights Queensland.
- Acting for and instructed by the Director of Public Prosecutions in bail proceedings in the Supreme Court of Queensland, unled.
- Acting for an applicant in bail proceedings in the Supreme Court of Queensland, unled, instructed by Walker Pender Lawyers.
- Acting for a defendant at sentence in criminal proceedings (grooming and child exploitation material) in the District Court of Queensland, unled, instructed by Walker Pender Lawyers.
- Acting for a defendant at sentence in criminal proceedings (assault in company and stealing) in the Childrens Court of Queensland, unled, instructed by Cridland & Hua Lawyers.
- Acting for and instructed by the Director of Public Prosecutions at sentence in criminal proceedings (drug and weapons offences) in the Supreme Court of Queensland, unled.
- Acting for and instructed by the Director of Public Prosecutions at sentence in criminal proceedings (domestic violence offences, weapons offences and drug offences) in the Supreme Court of Queensland, unled.
- Acting for the respondent father in international relocation parenting proceedings in the Federal Circuit and Family Court of Australia (Div 1), unled: *Spini & Spini* [2025] FedCFamC1F 63.
- Acting for and instructed by an Independent Children's Lawyer in various parenting proceedings in the Federal Circuit and Family Court of Australia (Div 2), unled.

As a solicitor:

- Acting for a coal mining operator and site senior executive in the Industrial Magistrates Court of Queensland on charges under the *Coal Mining Safety and Health Act 1999* (Qld) following the death of a coal mine worker.
- Acting for the applicant in general protections, statutory entitlements and breach of contract proceedings in the Federal Court of Australia: *Whelan v Cigarette & Gift Warehouse Pty Ltd* [2017] FCA 1534.
- Acting for the respondent on appeal from that decision in the Full Court of the Federal Court of Australia: *Cigarette & Gift Warehouse Pty Ltd v Whelan* [2019] FCAFC 16.
- Acting for a respondent in discrimination proceedings in the Federal Court of Australia in the context of underground coal mining.
- Acting for the respondent in an enterprise agreement dispute in the Fair Work Commission concerning disciplinary action taken against employees for failing to identify damage to a safety device in an underground coal mine: *CEPU v Anglo Coal (Grasstree Management) Pty Ltd* [2021] FWC 4297.
- Acting for the applicants in applications for orders regarding transfer of business and transferring instruments in the Fair Work Commission: *Application by Anglo Coal (Capcoal Management) Pty Ltd* [2021] FWC 1623; *Application by Boggabri Coal Operations Pty Ltd* [2022] FWC 1571.
- Acting for the applicants in enterprise agreement applications in the Fair Work Commission: *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.

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- Acting for the respondent to a majority support determination application by APESMA and the MEU in the Fair Work Commission: *Application by Association of Professional Engineers, Scientists and Managers Australia (Collieries' Staff Division)* [2023] FWC 217.
- Acting for the respondent in an enterprise agreement dispute in the Fair Work Commission concerning the treatment of public holidays falling within periods of long service leave: *Matschoss v Anglo Coal (Capcoal Management) Pty Ltd* [2023] FWC 596; [2023] FWC 3466.
- Acting for the respondent in the Administrative Appeals Tribunal on a review of a decision to deny funding for a 'Mollie Suit': *SZVV and National Disability Insurance Agency* [2022] AATA 2973.
- Acting for the National Disability Insurance Agency in various proceedings in the Administrative Appeals Tribunal concerning NDIS participant funding disputes.
- Acting for the respondent teacher in the Queensland Civil and Administrative Tribunal on a disciplinary referral for fitness to teach arising from interactions with a former student: *Queensland College of Teachers v CMK* [2019] QCAT 271.
- Acting for the applicant in the Administrative Appeals Tribunal on a review of a decision to deny a passport on the basis of convictions for child sex offences committed in Fiji: *Thompson and Minister for Foreign Affairs* [2019] AATA 2172.