

## DR RYAN HADDRICK

BARRISTER-AT-LAW

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Ryan Haddrick was called to the Queensland Bar in 2010. Combining a traditional Chancery practice with administrative and employment law, Dr Haddrick undertakes advisory, mediation, trial and appellate work in the following specific areas:

- Succession, Equity, and Trusts;
- Judicial Reviews and Merits Reviews;
- Commercial Law;
- Corporations Law;
- Employment Law (including all Fair Work Commission and Queensland Industrial Relations Commission matters);
- Professional and Occupational Disciplinary Matters; and
- Property proceedings under the *Family Law Act 1975* involving equitable principles.

### ADMISSIONS AND QUALIFICATIONS

Dr Haddrick holds the following admissions and qualifications:

- Admitted (ACT, NSW, Qld), 2008.
- Called to the Queensland Bar, 2010.
- Doctor of Juridical Science Candidate, The University of Western Australia, since 2020.
- Graduate Diploma in Law, The University of Sydney, 2022.
- Doctor of Philosophy (in Law), The University of Queensland, 2017.
- Graduate Diploma in Legal Practice, The Australian National University, 2010.
- Master of Laws, Queensland University of Technology, 2006.
- Bachelor of Laws, James Cook University, 2001.

### ACADEMIC AND LEGAL APPOINTMENTS

Dr Haddrick currently holds the following appointments or roles:

- Adjunct Associate Professor, James Cook University, since 2017.
- Member of the Editorial Board, *Workplace Review* (a Thomson Reuters periodical), since 2021.
- Committee Member, Queensland Chapter, Australian Institute of Administrative Law, since 2022.
- Committee Member, Queensland Chapter, Australian Association of Constitutional Law, since 2019.
- Member, Administrative Law Committee, Bar Association of Queensland, since 2017.

Dr Haddrick previously held the following appointments or roles:

- Counsel Assisting, Queensland Child Protection Commission of Inquiry, 2012-13.
- Acting Co-Convenor, Queensland Chapter, Australian Association of Constitutional Law, 2017.
- Member, Human Rights Committee, Bar Association of Queensland, 2017-20.
- Lecturer in Employment & Industrial Law, Charles Darwin University, 2023.
- Lecturer and Tutor in Criminal Law, Griffith Law School, Griffith University, 2012.
- Tutor in Constitutional Law, T C Beirne School of Law, The University of Queensland, 2012.
- Research Scholar, The Centre for Public, International and Comparative Law, The University of Queensland, 2010-18.
- Member (Attorney-General's representative), The Legal Practitioners Admissions Board, 2012.
- Member, The Council of James Cook University (and member of various committees), 2000, 2005-06; 2009-20.
- Guest Instructor, The Legal Practice Course, The Faculty of Law and Justice, Queensland University of Technology, 2010-18.
- Guest Instructor, Bar Practice Course, Bar Association of Queensland, 2012-14.

- Interim Chief of Staff and Principal Advisor, Office of the State Attorney-General and Minister for Justice, 2012.

#### SELECTED CASES

##### High Court of Australia:

- *Namoa v The Queen* [2021] HCA 13; (2021) 271 CLR 442; (2021) 95 ALJR 396; (2021) 291 A Crim R 450 (led by G O'L Reynolds SC).
- *Namoa v The Queen* [2020] HCATrans 163 (led by G O'L Reynolds SC).
- *Travel Essence Pty Ltd & Ors v Jeannette Young, The Chief Health Officer for the State of Queensland* [2020] HCATrans 72 (led by G O'L Reynolds SC).
- *Kadir v The Queen* [2020] HCA 1; (2020) 267 CLR 109; (2020) 375 ALR 80; (2020) 94 ALJR 168; (2020) 279 A Crim R 251 (led by G O'L Reynolds SC).
- *Wood v State of New South Wales* [2020] HCATrans 114 (led by G O'L Reynolds SC).
- *Pollentine & Anor v Blejje & Ors* [2014] HCA 30; (2014) 253 CLR 629; (2014) 311 ALR 332; (2014) 88 ALJR 796; (2014) 238 A Crim R 428 (led by S P Donoghue QC).
- *BZAAH v Minister for Immigration and Citizenship* [2014] HCASL 38.
- *Owen v Menzies & Anor* [2013] HCATrans 18.

##### Other selected appellate cases:

- *R v Vadel* [2023] QCA 184 (led by K Hillard).
- *R v FBC* [2023] QCA 74.
- *R v White* [2023] QCA 66 (led by M J Copley KC).
- *King Tide Company Pty Ltd v Arawak Holdings Pty Ltd* [2021] QCA 91 (led by B W J Kidston).
- *Gjinro Investments Pty Ltd & Ors v Educare Training Institute Australasia Pty Ltd & Ors* [2019] QCA 140 (led by B W J Kidston).
- *Butler v Attorney-General (Qld)* [2018] QCA 243; [2019] 2 Qd R 358 (led by S Keim SC).
- *WorkPac Pty Ltd v Skene* [2018] FCAFC 131; (2018) 264 FCR 536; (2018) 280 IR 191 (led by S J Wood QC).
- *Shahinper v Psychology Board of Australia* [2017] QCA 96.
- *R v Stevenson* [2016] QCA 162; (2016) 259 A Crim R 396; (2016) 76 MVR 39.
- *COFP Pty Ltd v Dhanush Infotech Pty Ltd* [2015] QCA 1 (led by B W J Kidston).
- *Amos v Wiltshire* [2015] QCA 44 (led by B W J Kidston).
- *Thiess v Collector of Customs* [2013] QCA 54; [2014] 1 Qd R 81; (2013) 272 FLR 451 (led by A J H Morris QC).
- *Attorney-General for the State of Queensland v Fardon* [2013] QCA 365; (2013) 306 ALR 300; [2014] 2 Qd R 532 (led by D P O'Gorman SC).
- *BZAAH v Minister for Immigration and Citizenship* [2013] FCAFC 72; (2013) 213 FCR 261.
- *Owen v Menzies & Anor* [2012] QCA 170; [2013] 2 Qd R 327; (2013) 293 ALR 571; (2012) 265 FLR 392.

##### Selected first instance cases:

- *Roberts v Drewmaster Pty Ltd* [2023] FWC (Reserved).
- *Veale v Drewmaster Pty Ltd* [2023] FWC (Reserved).
- *Williams v Insituform Pacific Pty Ltd & Anor* [2023] FedCFamC2G (Reserved).

- *Newton v LiveBetter Services Limited* [2023] FWC (Reserved).
- *Application by Jephcott* [2023] FWC 843.
- *Drinkwater v LiveBetter Services Ltd* [2022] FWC 2809.
- *Wilson v St George Aboriginal Housing Company Ltd & Anor* [2021] FWC 6080.
- *SBP Employment Solutions Pty Ltd & Ors v Smith* [2021] FCA 601; (2021) 73 AILR ¶103-326.
- *ABC Telecom Pty Ltd v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* [2021] FCCA 1306.
- *King Tide Company Pty Ltd v Arawak Holdings Pty Ltd* [2021] QCA 91 (led by B W J Kidston).
- *Smith v SBP Employment Solutions Pty Ltd & Ors* [2019] FCCA 3104.
- *Smith v SBP Employment Solutions Pty Ltd & Ors (No.3)* [2019] FCCA 3516.
- *Lysons v Lysons & Anor* [2019] FamCAFC 29.
- *Hytch v O'Connell & Anor* [2018] QSC 75 (led by G R Rice QC).
- *Bolden & Woodruff* [2018] FCCA 1439.
- *Inkerman Station Pty Ltd as Trustee for the Inkerman Trust v Allan & Ors (No 1)* [2017] QSC 147.
- *Inkerman Station Pty Ltd as Trustee for the Inkerman Station Trust v Allan & Ors (No 2)* [2017] QSC 243.
- *Darley & Darley* [2016] FamCAFC 10.
- *Stack v Chief of Army* [2016] FCCA 1809.
- *Berenyi v Maynard & Anor* [2015] QSC 370.
- *Ooralee Developments Pty Ltd v Civil Contractors (Australia) Pty Ltd* [2015] 1 Qd R 311 (led by P J Dunning QC).
- *Teys Australia Beenleigh Pty Ltd v Australasian Meat Industry Employees Union (No 2)* [2016] FCA 2 (led by S J Wood QC).
- *Teys Australia Beenleigh Pty Ltd v Australasian Meat Industry Employees Union* [2015] FCA 1033 (led by S J Wood QC).
- *Skene v Workpac Pty Ltd* [2016] FCCA 3035.
- *Psychology Board of Australia v Shabinper* [2016] QCAT 259.
- *BZAHU v Minister for Immigration & Anor* [2014] FCCA 2500.
- *Moore v Devanjul Pty Ltd & Ors (No 3)* [2012] QSC 355.

#### DESCRIPTION OF SIGNIFICANT ADVISORY OR APPEARANCE WORK

- Advised a sibling of a deceased in regard to the viability of challenging the appointment of an administrator of the deceased's estate, 2023.
- Advised two beneficiaries of an estate in relation to bringing an application to remove the executor of the estate, 2023.
- Advising and appearing for a client in relation to her alleged knowing participation in conduct said to amount to a breach of fiduciary duty, and in a claim for \$6 million in compensation (being led by King's Counsel), 2023.
- Advised and appeared for a national sales manager in a restraint of trade enforcement proceeding in the Supreme Court of Queensland, and a \$2 million counter-claim for unpaid commission, 2023.
- Appeared in an apprehended bias application in the Fair Work Commission, and a subsequent application for injunctive relief in the Federal Court, 2023.
- Advised and appeared for a party in a jurisdictional objection to a property proceeding under the *Family Law Act 1975* (where one party denied there was a *de facto* relationship), in which the property pool was in excess of \$85 million, 2022-23.

- Advised and represented a large community services sector provider on the application of a Copied State Award (being a species of Federal industrial instrument) in the Fair Work Commission, which was being run as a test case by a union, 2021-22.
- Appeared for a large community services sector provider in the Magistrates Court of Queensland in an employment claim (which was on foot for in excess of 3 years); the central issue being the interpretation of the “broken shift” clause of a modern award, 2021.
- Advised and represented a large Queensland government business enterprise in relation to a general protections claim in the Fair Work Commission brought by the organisation’s former head of human resources, 2021.
- Advised a large law firm in relation to the enforceability of restraint of trade obligations attaching to a partner who had recently joined the firm, 2021.
- Advised and represented the parent entity of a veterinarian chain in a dispute with a former senior employee (who had sold his practise into the entity) who had commenced a claim for unpaid employment entitlements under the sale contract in the District Court of Queensland, 2020-21.
- Represented an employer in a judicial review (in the Federal Court) of a decision of the Fair Work Commission to dismiss the employer’s jurisdictional objection to an unfair dismissal application, 2020-21.
- Represented a public servant in an application for judicial review (in the Federal Court) of a finding that that public servant had breached the public service code of conduct, 2020-21.
- Advised an A-League Football Club on a contractual dispute that the Club was having with its highest-profile professional player, 2020.
- Advised a large not-for-profit service provider in the community and disability services sector on the proper interpretation of relevant industrial instruments, 2020.
- Advised a well-resourced client on the viability of judicially reviewing the Commonwealth’s decision under the *Biosecurity Act 2015* to restrict Australians from leaving Australia during the COVID-19 pandemic, 2020.
- Advised a professor at a south-east Queensland university who was the subject of an alleged breach of discipline of the university, 2020.
- Counsel Assisting the Coroner in the early stages of an inquest (which was subsequently not proceeded with) relating to a death at a 2014 motorcycle racing event in Queensland, 2019-20.
- Advised and represented a Commonwealth public servant in relation to challenging disciplinary findings which arose from an allegation of harassment made against him, 2020.
- Advised and represented five plaintiffs who sought to constitutionally challenge the Queensland Government’s decision to close the Queensland border during the COVID-19 pandemic (and discontinued after the border was initially reopened in July), 2020.
- Regularly advised (and appeared in the Fair Work Commission) for a major not-for-profit provider in the community and disability services sector in relation to various unfair dismissal claims commenced by former employees, 2019-2021.
- Advised a senior statutory officeholder of a Commonwealth statutory body in relation to a dispute regarding their statutory entitlements under a Remuneration Tribunal determination, 2019.
- Appeared for a man detained at Her Majesty’s pleasure (since 1970) in the Queensland Court of Appeal, being an appeal of the Court’s Trial Division’s judicial review of the Governor’s decision to decline to release the detainee, 2018.
- Represented a party that sought to join to the proceeding the former solicitor of the opposing party to a family law dispute where the solicitor is alleged to have engaged in misleading and deceptive conduct in preparing a binding financial agreement, 2018.
- Advised a senior Queensland statutory officeholder in relation to a public sector disciplinary proceeding commenced against the officeholder for alleged serious misconduct in office, 2018.
- Represented a Queensland local government in an adverse action claim brought by a former senior employee in the Queensland Industrial Relations Commission, 2017-18.

- Represented a major labour-hire company in landmark litigation over the meaning of “casual employee” in the *Fair Work Act 2009* (Cth) in the Full Court of the Federal Court, 2017-18.
- Represented one of Australia’s largest construction companies in an industrial dispute (relating to a consultation clause in an industrial instrument) with one of Australia’s most militant employee organisations, 2017.
- Advised a senior Queensland government medical officer in relation to potential proceedings against the State of Queensland, and a superior, in relation to bullying and adverse action, 2017.
- Represented a former chief executive officer of a large regional local government in a termination of employment dispute, 2015-16.
- Advised a director-general of a State Government department in relation to the State Government’s decision to spill the positions of directors-general consequent upon a change of government, 2015.
- Appeared for the State of Queensland (led by Senior Counsel) against an employee organisation in an industrial dispute in the Federal Court relating to the standard contract offered to all Queensland government medical officers, 2014.

#### ARTICLES AND PUBLICATIONS

- R W Haddrick, “The Centrality of Contractual Terms in Employment Law: *Construction, Forestry, Maritime, Mining and Energy Union v Personnel Contracting Pty Ltd* and *ZG Operations Australia Pty Ltd v Jamsek*” (2022) 11 *Workplace Review* 79.
- R W Haddrick, “Comment: *WorkPac Pty Ltd v Rossato* and Freedom of Contract” (2021) 11 *Workplace Review* 18.
- R W Haddrick, *The Queen’s Ministers of State for the Commonwealth: The Relationship between the Prerogatives of the Crown and the Executive Power of the Commonwealth*, PhD Dissertation, T C Beirne School of Law, The University of Queensland, 2017.
- J M Lesser & R W Haddrick (eds), *Don’t Leave Us with the Bill: The Case Against an Australian Bill of Rights*, Menzies Research Centre, Canberra, 2009.

#### PROFESSIONAL MEMBERSHIPS

- Member, The Industrial Relations Society of Queensland.
- Member, The Australian Association of Constitutional Law.
- Member, The Australian Institute of Administrative Law.
- Member, The Bar Association of Queensland.

(As at 10 December 2023)

Liability limited by a scheme approved under professional standards legislation