



Kate Eastman SC

NEW/CHAMBERS

BA/LLB (UNSW) (1990)
LLM with distinction (UCL, London) (1991)
LLM (UTS) (1997)
Diploma of International Human Rights Law (EUI Florence Italy) (1999)

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Admitted to the legal profession 1991
Admitted as a barrister in NSW 1998
Appointment as Senior Counsel 2012
Also entitled to practise in All Australian jurisdictions
(Commonwealth, State and Territory)

Principal areas of practice

Human Rights Law
Equality, Discrimination and Harassment Law
Employment and Industrial Law
Health and Professional Conduct
Public and Constitutional Law
Vilification and Hate Speech

Previous professional experience

- 1991 to 1995. Solicitor, Allens
- 1995 to 1998. Senior Legal Officer, Australia Human Rights Commission.
- 2006 – continuing Senior Fellow, Monash University Law Faculty

Awards or professional recognition

2018 *Doyles Guide* ranking as Preeminent Senior Counsel in Employment and Industrial Law
2017 *Change Champion Award*, Women Lawyers Association (NSW)
2003 *Justice Award* for the Combined Community Legal Centres for Services to the pro-bono legal work (Law and Justice Foundation)

Professional memberships

Fellow of the Australian Academy of Law
Chair of the Law Council of Australia's Equalising Opportunities Committee
Chair of the NSW Bar Association's Diversity and Equality Committee
Chair of the Australian Bar Association's Diversity and Inclusion Committee
Member of the Law Council of Australia's Business and Human Rights Working Group
Member of the Law Council of Australia's National Human Rights Committee
Member of Advisory Committee Andrew & Renata Kaldor Centre for International Refugee Law, UNSW

Publications

Provided on request

Professional profiles

www.kateeastman.com
<https://twitter.com/katehumanrights>
<https://www.linkedin.com/in/kate-eastman-sc-2913a749/>

Selected cases

Royal Commission into Institutional Responses to Child Sexual Abuse 2013 - 2017, appearing for:

- The Salvation Army (Eastern Territory) (Case Study 5 and Case Study 10)
- The Uniting Church in Australia (NSW Synod) (Case Study 23 concerning Knox Grammar)
- Wesley Mission (Case Study 24 concerning Out of Home Care)
- Anglican Diocese for Sydney (Case Study 42 concerning child and the Anglican Diocese for Newcastle)
- The Kings School (Case Study 45 concerning harmful and problematic behaviour of children)
- The Shalom Christian College and Uniting Church in Australia (Case Study 45)
- The Salvation Army in Australia (Case Study 49 current practices)
- The Uniting Church in Australia (Case Study 56 current practices)

High Court and appellate appearances

- *Woodforth v State of Queensland* [2017] QCA 100 (appearing for appellant; disability discrimination in the provision of services and the police, March 2017)
- *Celand v Skycity Casino Pty Limited* [2017] FCAFC 222 (appearing for the Respondent; Fair Work Act and general protections)
- *Sklavos v The Australasian College of Dermatologists* [2017] FCAFC 128 (appearing for the Respondent; disability discrimination in education and qualifying bodies)
- *Privacy Commissioner v Telstra Corporation Limited* [2017] FCAFC (appearing for the Appellant, personal information and meta data)
- *Mulligan v Virgin Australia Airlines Pty Ltd* [2015] FCAFC 130 (appearing for the AHRC intervening; disability discrimination and civil aviation)
- *Ashby v Slipper* (No 3) [2015] FCAFC 9 (appearing for the Commonwealth of Australia)
- *Christian Youth Camps Ltd and Rowe v Cobaw Community Health Services Limited & Anor* [2014] HCATrans 289 (Special Leave Application from Vic CoA) (appearing for a respondent, Victorian Human Rights Commission)
- *Christian Youth Camps Ltd and Rowe v Cobaw Community Health Services Limited* [2014] VSCA 75 (appearing for the Victorian Human Rights Commission; discrimination and religious exemptions)
- *Commonwealth v Australian Capital Territory* [2013] HCA 55 appeared for the ACT in the matter of the validity of same sex marriage laws
- *Magaming v The Queen* [2013] HCA 40 appeared for the Australian Human Rights Commission in a matter mandatory minimum sentencing
- *Maloney v Queensland* [2013] HCA 28 appeared for the Australian Human Rights Commission in a matter concerning the operation of the *Racial Discrimination Act 1975* (Cth) and special measures
- *Jones & Harbour Radio v Trad* [2013] NSWCA 389 (with Mr Glover) – racial vilification (appearing for the Mr Alan Jones AO and Harbour Radio)
- *Robinson v Commissioner of Police, New South Wales Police Force* [2013] FCAFC 64 (appearing for the Respondent; disability discrimination and policing)
- *Ekerawawi v Harbour Radio Pty Ltd* [2013] NSWCA 54 (appearing for the Mr Alan Jones AO and Harbour Radio; racial vilification)
- *King v Jetstar Airways Pty Limited* [2012] FCAFC 115 (with Ms Mortimer SC) - Disability discrimination law (appearing for Jetstar)
- *King v Health Care Complaints Commission* [2011] NSWCA 353 (with Mr Strickland SC) - disciplinary appeal from Medical Tribunal and administrative law (appearing for HCCC)
- *Kaluza v Repatriation Commission* [2011] FCAFC 97 - administrative law and veterans entitlements (appearing for the Respondent)
- *Dye v Commonwealth Securities Limited* [2010] FCAFC 115 - sex discrimination and employment (appearing for Commonwealth Securities)
- *OV & OW v Members of the Board of the Wesley Mission Council* [2010] NSWCA 155 - appeal from NSW ADT - administrative law, discrimination and religious exemptions (appearing for Wesley Mission Council)
- *Aurukun Shire Council & Anor v CEO Office of Liquor Gaming and Racing in the Department of Treasury* [2010] QCA 37 - race discrimination, special measures and international law (appearing for the Australian Human Rights Commission)
- *Dowling v Fairfax Media Publications Pty Ltd* [2009] FCAFC 162 (appearing for the Respondent)
- *Bropho v State of Western Australia* [2008] FCAFC 100 - race discrimination, special measures and international law (appearing for the Australian Human Rights Commission)

- *Qantas Airways Limited v Gama* [2008] FCAFC 69 - race discrimination, remedies and employment (appearing for Qantas)
- *Anvil Hill Project Watch Association Inc v Minister for the Environment and Water Resources* [2008] FCAFC 3 (with Mr Gageler SC) - administrative law and environment (appearing for the Commonwealth)
- *Albarran v Members of the Companies Auditors and Liquidators Disciplinary Board* (2007) 231 CLR 350 (with Mr Burmester QC) - Constitutional law issues concerning Chapter III and administrative bodies (appearing for the Commonwealth)
- *Bennett v Commonwealth* (2007) 231 CLR 91 (with Mr Bennett QC SG) - Constitutional issues concerning the territory power and voting rights (appearing for the Commonwealth)
- *Albarran v The Members of the Companies Auditors & Liquidators Disciplinary Board* [2006] FCAFC 69 (with Dr Bennett QC) – for the Commonwealth
- *Kamha v Australian Prudential Regulation Authority* [2005] FCAFC 248 (with Dr Bennett QC) – for the Commonwealth
- *Catholic Education Office v Clarke* [2004] FCAFC 197 (intervening for the Human Rights and Equal Opportunity Commission)
- *Minister for Immigration and Multicultural and Indigenous Affairs v B* (2004) 219 CLR 365 (with Ms Hampel QC) - Constitutional issues re detention of children (appearing for Amnesty International)
- *Purvis v New South Wales* (2003) 217 CLR 92 (with Mr Gageler SC) - Disability Discrimination in education (appeared for Mr and Mrs Purvis and their son Daniel)
- *Mobil Oil Australia Pty Ltd v Victoria* (2002) 211 CLR 1 (with Mr Bennett QC SG) - Constitutional law issues concerning Chapter III and class actions (appearing for the Commonwealth)
- *Re McBain* (2002) 209 CLR 372 (with Mr Walker SC) - Constitutional issues concerning the *Sex Discrimination Act* (appearing for Australian Human Rights Commission)
- *DJL v Central Authority* (2000) 201 CLR 226 (with Dr Griffith QC) - Constitutional issues and the international child abduction (appearing for DJL)
- *Yanner v Eaton* (1999) 201 CLR 351 (with Mr Burmester QC) - Constitutional law issues concerning native title law (appearing for the Commonwealth)
- *Attorney-General for the Commonwealth & "Kevin and Jennifer" & Human Rights and Equal Opportunity Commission* [2003] FamCA 94 (with Mr Burmester QC) - Constitutional law issues, recognition of transgender persons right to marry (appearing for the Commonwealth)
- The Tampa Case *Ruddock v Vadarlis* [2001] FCA 1329 (intervening for the Human Rights and Equal Opportunity Commission)
- *Purvis v State of New South Wales (Department of Education & Training)* [2002] FCAFC 106 (appearing for the Appellant)