

CURRICULUM VITAE

NAME: PHILIP LAURENCE CARR

NATIONALITY Australian

EDUCATION

TERTIARY The University of Sydney
Degrees Conferred
1980 – Bachelor of Arts
1983 – Bachelor of Laws

QUALIFICATIONS 1983 Certificate in Practical Legal Training

Admitted to Practice as a Solicitor of the Supreme Court of New South Wales on 2 September 1982. Continued to practice as a solicitor until February 2004 (22 years).

February 2004 - Admitted to the NSW Bar

1995 – 1996 Qualified as a mediator with the ACDC and the NSW Law Society.

EMPLOYMENT HISTORY

Jan – July 1980 Associate to the Honourable Mr Justice RJB St John
Federal Court of Australia, Sydney

July 1980 – Jan 1981 Associate to the Honourable Mr Justice JA Kelly
Federal Court of Australia and ACT Supreme Court,
Canberra

Jan 1984 – May 1986 Solicitor
Legal Aid Commission

May 1986 – Dec 1986 Senior Legal Officer
Attorney General's Department, Canberra

Dec 1986 – Mar 1988 Solicitor
Legal Aid Commission

Apr 1988 – Dec 1990

Solicitor
Phillips Fox

Areas of Practice

1. Professional negligence in the areas of Valuers/Real Estate Agents, Engineers, Architects and Solicitors
2. Liability of public authorities
3. Product liability
4. General liability
5. Insurance policy advices

Dec 1990 – July 1996

Partner
Watkins Tapsell

Areas of Practice

1. Professional negligence in the areas of Surveyors, Project Managers, Engineers and Insurance Brokers
2. Commercial litigation
3. Public liability

Aug 1996 – Oct 2000

Partner
Hicksons

Areas of Practice

1. Insurance law with particular emphasis on professional negligence in the areas of Insurance Brokers, Real Estate Agents, Engineers, Surveyors, Hospitals and Computer Consultants
2. Insurance Contracts Act matters involving construction of the Act and general claims handling
3. Insurance policy advices
4. Liability of public authorities
5. Trade Practices Act advices

Nov 2000 – July 2003

Partner
Hunt & Hunt

Areas of Practice

1. Insurance law with particular emphasis on professional negligence in the areas of

Educational Institutions and general liability claims.

2. Reinsurance
3. Trade Practices Act

2004 – To date

Barrister at Law – 5 Wentworth Chambers

Areas of Practice

1. Administrative/ Migration Law
2. Insurance/Reinsurance disputes
3. Insurance related litigation including Professional Negligence and General Liability claims
4. Equity/ Family Provisions Act/ Injunctions
5. Commercial Law - Trade Practices Act related disputes and advices

**APPOINTMENTS PREVIOUSLY/
CURRENTLY HELD**

Past Member of the Arbitration Committee of the Law Society

Past Chairman of the Education and Seminars Committee of the Australian Insurance Law Association and Committee Member of the Australian Insurance Law Association from 1995 to 2000

Past Member of the Australian Insurance Institute

Past Accredited Specialist in both Commercial Litigation and Advocacy (Commercial Litigation)

Past Early Neutral Evaluator for the Supreme Court of NSW (1998 to 2004)

Past Arbitrator of the District and Supreme Courts of NSW (1998 to 2004)

Past Court Appointed Mediator of the Dust Diseases Tribunal (2000 to 2003)

Past Member of a Professional Conduct Committee of the NSW Bar Association (2007 to 2009)

RECENT PUBLICATIONS

16 March 2010 – Sydney – Proportionate liability – College of Law – Seminar on Insurance Essentials.

22 March 2010 – Sydney – Direct Access Briefs – for the NSW Bar Association – One day seminar.

25 March 2010 – Sydney – Preparing Affidavits and Witness Statements – for a half day seminar program for Legalwise seminars on Commercial Litigation Essentials.

REPORTED CASES

Condon and Anor v Commissioner of Taxation and Ors [2004] NSWSC (14 June 2004) – On a question under the *Corporations Act*.

SZPCW v Minister for Immigration and Multicultural & Indigenous Affairs [2005] FCA 3 May 2005 – On the question of administrative law error.

Thermasorb Pty Ltd v Rockdale Beef Pty Ltd [2005] NSWSC (19 April 2005) – On the question of the interstate transfer and consolidation of proceedings.

Fostif Pty Ltd v Campbells Cash & Carry Pty Ltd [2005] NSWCA 83 (31 March 2005) – On champerty and procedure.

Bassindale v Western Area Health Service [2006] NSWSC (12 July 2006) – On the question of the administration of Interrogatories and whether it was oppressive.

SZFWZ v Minister for Immigration & Multicultural Affairs [2007] FCA (21 February 2007) – On the question of administrative law error.

SZJCM V Minister for Immigration & Citizenship [2007] FCA (26 February 2007) – On the question of administrative law error.

SZIWW v Minister for Immigration & Citizenship [2007] FCA (26 February 2007) – On the question of administrative law error.

SZGZH v Minister for Immigration & Citizenship [2007] FCA (4 April 2007) – On the question of administrative law error.

Yerbury v Macquarie University [2007] NSWSC (15 June 2007) – On the question of undertakings as to confidentiality.

BELL v VEIGEL; BELL v BROUGHTON; BROUGHTON v VEIGEL [2008] NSWCA 36 (20 March 2008) – On the adequacy of reasons in a judgment.

Kennett and Anor v Mayrana Pty Ltd and Ors (No 9) [2008] NSWIRCOMM 106 – On unfair contracts and expert evidence.