

Media Release

TWO NEW APPOINTMENTS TO EQUITY DIVISION OF NSW SUPREME COURT

Wednesday 21 June 2023

Attorney General Michael Daley today announced the appointment of two senior counsel as judges of the New South Wales Supreme Court's Equity Division.

The Equity Division of the NSW Supreme Court is a civil jurisdiction that hears equity, probate, commercial, admiralty (nautical and private maritime disputes) and protective matters.

"Anthony McGrath SC and Scott Nixon SC are senior commercial lawyers with decades of experience appearing before the Supreme Court in complex commercial matters and providing strategic legal advice. Both are eminently well-qualified for their new role," Mr Daley said.

Anthony McGrath SC was called to the NSW Bar in 2000. He has appeared regularly before the NSW Supreme Court and the Federal Court of Australia, as well as the Independent Commission Against Corruption and in Royal Commissions. He was appointed Senior Counsel (SC) in 2013.

His principal areas of practice were equity, commercial, Corporations Law, trade practices and competition, professional negligence, banking, inquests and commissions of inquiry.

Among his many notable cases were Kraft Foods Group Brands LLC v Bega Cheese Limited, Optus Mobile Pty Limited v Telstra Corporation Limited, and Australian Olympic Committee Inc. v Telstra Corporation Limited.

Scott Nixon SC, a Rhodes Scholar, was called to the New South Wales Bar in 2004. His principal areas of practice were class actions, claims for breach of directors' duties and professional negligence claims. He was appointed Senior Counsel in 2016.

He, too, has appeared in numerous complex commercial and corporations law matters in the Supreme Court and the Federal Court, at both trial and appellate level. Some high-profile matters in which he has appeared include Doyle's Farm Produce Pty Ltd v Murray Darling Basin Authority (No 2), Bank of Queensland Ltd v AIG Australia Ltd and Crown Sydney Property v Barangaroo Delivery Authority.

He specialises in class actions, claims for breach of directors' duties and professional negligence claims.

These two appointments replace Justice Philip Hallen and Justice Rowan Darke, both of whom are retiring. "I wish both Justices Hallen and Darke well and thank them for their service to the court and the community," Mr Daley said.

Mr Nixon will be sworn in on 8 August 2023 and Mr McGrath will be sworn in on 15 August 2023.

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