



Gillian Mahony SC

Eight Wentworth

CHAMBERS

Experience

I was called to the NSW Bar in 2006 and appointed Senior Counsel on 6 October 2023. On 25 May 2023, I was conferred life membership of the NSW Bar Association for "exceptional service to the Bar Association and to the profession of the law".

Between 2000 and October 2006, I was an employed solicitor with the NSW Crown Solicitor's Office in the Government Law, Administrative Law, Tort Law and the Community (Child Protection and Trust) practice groups, all areas of the law in which I continue to practice.

Practice Areas

- Coronial Inquests and Inquiries, Commissions of Inquiry
- Tort-based actions including medical negligence, supervision cases and intentional torts.
- Administrative law matters including Charitable Trusts and High Risk Offender Applications
- Estate and Family Provision claims
- Protective matters including guardianship, care proceedings and appeals, parenting applications in the FCFCOA, parens patriae applications and adoptions

Roles and Committee memberships

March 2025 – ongoing	Mentor, NSW Bar Indigenous Mentoring program
July 2024 – ongoing	Sydney University Law Extension Committee (NSW Bar representative)
June 2024 – ongoing	Chair, NSW Bar Association Costs and Fees Committee
May 2024 – June 2025	Member, NSW Bar Association Professional Conduct Committee #4
2024 – ongoing	Advocacy Coach, Australian Bar Association
2023 – ongoing	Director, Counsel Chambers Ltd

2016 – May 2024	Member, NSW Bar Association Education Committee
2016 – May 2023	Director, NSW Bar Practice Course
2014 – ongoing	Advocacy coach, NSW Bar

Recent professional engagements

April 2025	Panel member– Women Lawyers Association of NSW “Welcome to the Law: Advocacy and Professional Etiquette”
6 February 2025	Panel member / Facilitator: NSW Bar CPD Event “Vicarious Trauma at the Bar”
19 September 2024	Panel member - Pride in Law “Bringing Your Whole Self to the Law”
2024 Winter Bar News	"Pride in Law" [2024] NSWBarAssocNews 87
2023 Winter Bar News	“Swearing-in of his Honour Justice Richard Weinsten to the Supreme Court” [2023] NSWBarAssocNews 37

Education

Australian Disputes Centre: January 2021 Mediator Training

University of Technology: 1996 – 2000 B. Laws (Hons I); 2000 Grad, Cert (Legal Practice)

Petersham TAFE: 1996 Diploma in Interpreting (Auslan)

Macquarie University: 1989 - 1992 B. Arts (Major: Drama & Literature)

Santa Sabina College, Strathfield: 1983 – 1988 (highschool)

Selected Cases

High Court of Australia	
South West Helicopters v Essential Energy and Ors [2018] HCASL 98	Application for grant of Special Leave. Appearing for respondents (plaintiffs in first instance proceedings) opposing grant. Grant of Leave refused. Led by David Baran
Coshott v Spencer & Ors [2017] HCATrans 263 [2018] HCATrans 81	Application for Special Leave to Appeal. Led by Anthony Cheshire SC. For appellant.
<i>Black v Garnock</i> [2007] HCA 31	Led by Geoff Lindsay SC and Angus Grant (Appeal before Gummow, Hayne, Callinan and Crennan JJ). Acting for 1 st – 4 th respondents. Nature of interest of purchasers in land.
Federal Court of Australia	
<i>Williams v United States of America</i> [2007] FCAFC 109	Led by Mr S Gageler SC and Mr Richard Lancaster. Acting for the Applicant. Application to restrain State Magistrate from proceeding under s 19 of <i>Extradition Act 1988</i> (Cth)
NSW Court of Appeal / Court of Criminal Appeal	
<i>Kemal v R</i> [2022] NSWCCA 83	Appeal against sentence
<i>Lule v State of New South Wales</i> [2018] NSWCA 125	Appeal against decision of Cowdroy ADCJ Led by Michael Spartalis
<i>State of NSW v Exton</i> [2017] NSWCA 294	Assault claim against police. Appeal from decision of Levy DCJ. Acting for Appellant Led by Paul Menzies QC
<i>D v C; Re B (No 2)</i> [2018] NSWCA 310	Acting for the Secretary, Family & Community Services, Appeal from decision of Levy DCJ re: procedural fairness, <i>Children and Young Persons (Care and Protection) Act 1998</i>
<i>South West Helicopters v Stephenson & Ors</i> [2017] NSWCA 312	Led by David Baran. For 1 st – 3 rd respondents. Appeal from decision of Bellew J re: claim arising from death of passenger in helicopter accident. Application of <i>Civil Aviation (Carriers' Liability) Act 1959</i> (Cth) and <i>Civil Aviation (Carriers' Liability) Act 1967</i> (NSW). Liability of carrier for death of passengers in helicopter crash. Statutory interpretation of Warsaw Convention.

<i>NU v NSW Secretary of Family and Community Services</i> [2017] NSWCA 221	Acting for the Secretary, FACS. Appeal against decision of District Court in Care Proceedings.
<i>Wilde v State of New South Wales</i> [2015] NSWCA 28	Acting for Defendant. Statutory construction - <i>Crimes (High Risk Offenders) Act 2006</i> .
Supreme Court of NSW	
<i>State of New South Wales v SLD (Final)</i> [2025] NSWSC 203	Leading Ian Fraser. Acting for State of NSW for a Continuing Detention Order in respect of a High Risk Offender.
<i>State of New South Wales v SLD (Preliminary)</i> [2024] NSWSC 1645	
<i>Crenshaw v Hillsong Church</i> [2024]	Acting for defendant on claim of assault by an employee. Matter resolved at settlement
<i>Singh v Charles</i> [2022] NSWSC 743	Summary Dismissal / Strike Out application. Claim against NCAT Member
<i>Doueihi v State of New South Wales</i> [2021] NSWSC 341	Summary dismissal of Second Further Amended Statement of Claim - Application by State of NSW
<i>Doueihi v State of New South Wales</i> [2020] NSWSC 1065	Application by State to strike out pleadings
<i>Re Adoption of E F - Anonymised</i> [2020] NSWSC 410	Adoption of young person. Adoption opposed by birth mother. Appearing for DLR for young person wanting to be adopted
<i>EC v Secretary, NSW Department of Family & Community Services</i> [2019] NSWSC 226	Acting for Barnardos. Appeal from Presidential Children's Court re: application by Barnardos to be joined to proceedings – Statutory construction – s. 98(3), Children and Young Persons (Care and Protection) Act 1998
<i>Helen Fischer & Anor v Ashley Thompson and Others (Anonymised)</i> [2019] NSWSC 773	Acting for Applicants (proposed adoptive parents). Contested Adoption. Various issues including whether a child is an Aboriginal child for the purposes of the Act, whether adoption order in best interests and clearly preferable.
<i>Re the Adoption of AJH</i> [2017] NSWSC 1751	Acting for Minister, Family and Community Services. Contested adoption of a child under the parental responsibility of the Minister
<i>Stephenson v Parkes Shire Council & Ors</i> [2014] NSWSC 1758; (No 2) [2015] NSWSC 719	Led by David Baran. Acting for plaintiffs. Claim arising from death of plaintiffs' husband / father during low level helicopter noxious weed survey.

<i>Wilson v Wilson</i> [2017] NSWSC 1669	Acting for plaintiff. Deceased Estate. Removal of caveat where by siblings of deceased alleging suspicious circumstances re: making of a Will
<i>Edmonds v Morrissey</i> [2016] NSWSC 342	Acting for defendant. Deceased Estate. Proper construction of a Will.
<i>Director of Public Prosecutions v David Hicks & Anor</i> [2011] NSWSC 1060.	Led by Geoffrey Bellew SC then Lionel Robberds QC (upon Bellew J's appointment to Supreme Court) For Plaintiff. Proceeds of Crime Case / Literary Proceeds Order. Application of the privilege against self-exposure to forfeiture & penalty.
Federal Circuit and Family Court of Australia	
<i>Not For Publication (No 3)</i> [2025] FedCFamC1F 362	Acting for father on application for parenting orders where mother a resident of Australia and citizen of the USA and the child held dual citizenship. Mother sought sole PR and relocation orders. Father opposed Mother's orders. Father accused of FDV. Father subject of previous UK Court finding of FDV including on the Mother and subject to DV conviction in NSW on previous partner.
<i>Not For Publication</i> [2023] Division 1, 22 June 2023	Acting for Director General, DCJ on request for intervention by FFCCA. Application by grandparents seeking parental responsibility of grandchild where the child's mother was found deceased, the father of the child in custody for DV offences against the mother
<i>Not For Publication</i> [2023] Division 2, 26 May 2023	Acting for Director General, DCJ on request for intervention by FFCCA. Interim hearing as to presence of unacceptable risk of harm to child of relationship.
<i>Not For Publication</i> [2022] Division 1, May 2022	Acting for Director General, DCJ on request for intervention by FFCCA. Parenting and property dispute. Drug and alcohol abuse and FDV present.
District Court of NSW	
<i>R v Hunter</i> [2022] NSWDC 631	Sentence – sex abuse material, mandatory minimum sentence
<i>LM v Secretary, Department of Communities and Justice</i> [2021] NSWDC 34	Appeal from decision of Children's Court not granting leave re contact order. Preliminary question as to appointment of GAL for child. Appearing for Secretary, DCJ
<i>Attalla v State of NSW</i> [2018] NSWDC 190	False imprisonment, assault claim

<i>Benton v Historic Houses Trust of NSW</i> [2017] NSWDC 324	Claim for personal injury damages by employee of third party. Appealed to Supreme Court. Settled prior to appeal being heard.
<i>Lule v State of NSW</i> , 7 November 2017, Cowdroy ADCJ	Acting for defendant. Acting for Defendant False arrest / Assault by NSW Police.
<i>GEM v State of NSW</i> [2017] NSWDC 108; (no 2), [2017] NSWDC 134	Acting for defendant. Claim against State primary school for failing to supervise. Personal injury claim by a child with significant pre-existing disabilities.
<i>Makri v State of New South Wales</i> [2015] NSWDC 131.	Acting for Defendant. Alleged assault by police
<i>Michael v State of New South Wales</i> [2011] NSWSC 231.	Acting for Defendant. Junior to Richard Weinstein SC. Personal injury damages arising from assaulted in custody.
<i>Gina Koh v Ja Kil Ku</i> [2009] NSWDC 264	Acting for Defendant. Junior to Tony Bellanto QC. Personal injury claim for alleged sexual assault.
Commissions, Inquires and Inquests	
Inquest into the death of Katrina McGrady (2025) (adjourned part-heard)	Counsel Assisting Manner and cause of death and date of death. Whether there was delay in a procedure for a diagnosis of bilateral aneurysms. Whether medical interventions were inappropriately ceased whilst the Deceased was on life support. Whether appropriate cultural respect was provided to the Deceased and her family,
Inquest into the death of Gavin Andrew (2025) (adjourned part-heard)	Counsel Assisting Manner and cause of death. Whether the use of a minimally invasive mitral valve procedure caused or contributed to the death of the Deceased. Whether the procedure was an approved procedure.
Inquest into the death of Benjamin Worswick (2023)	Appearing for NSWPF. Manner and cause of death. Whether the deceased was given sufficient support in the lead up to and on the evening his child was removed from his care.
Inquest into the death of William Haines (2023)	Appearing for Corrective Services NSW Manner and cause of death of William Haines, Whether treatment by local hospital was deficient. Whether restraints of deceased during hospital admission appropriate.

<p>Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (2022, 2023)</p>	<p>Counsel Assisting</p> <ul style="list-style-type: none"> - Public Hearing 29: The culturally and linguistically diverse (CaLD) experience of violence, abuse, neglect and exploitation of CaLD people with a disability - Public Hearing 33: Violence, abuse, neglect and deprivation of human rights: a case study
<p>Inquest into the Death of Thomas Fulcher (2022)</p>	<p>Appearing for Northcott Society t/as Northcott Disability Services</p> <p>Death of older man with disabilities in supported accommodation</p>
<p>Inquest into the Deaths of Riley Shortland and Rachel Martin</p> <p>Inquest into the Death of Alex Raichman (2022)</p>	<p>Counsel Assisting.</p> <p>Deaths of young person with disabilities in the care of the Minister whilst on respite – Child and Carer hit by a flat bed truck on the M1 motorway following alighting from vehicle.</p> <p>Counsel Assisting. Death of young person with disabilities whilst in the care of respite. Child absconded and hit by a train</p>
<p>Inquest into the presumed death of missing person, Andrew Olphert (2022)</p>	<p>Appearing for NSWPF</p> <p>Andrew Olphert was a missing person whose body has not been recovered. Inquest into whether he was deceased and whether conduct of NSW Police in conducting missing person search was appropriate</p>
<p>Inquest into the death of Jason Pearce (2022)</p>	<p>Appearing for NSWPF</p> <p>Death of Jason Pearce by Police Shooting</p>
<p>Inquest into the Death of Pono Aperhama</p>	<p>Appearing for NSWPF</p> <p>Death of young person with Acquired Brain Injury under parental responsibility of the Minister. Death following self harm and restraint by members of public. Police attended in response.</p> <p>Cause and manner of death in issue. Question of whether death related to positional asphyxiation. Questions of case management and care by NGO and DCJ .</p>
<p>Royal Commission into National Natural Disaster Arrangements</p>	<p>Acting for <i>nbn Co</i></p> <p>Regarding sufficiency of services and responsiveness on infrastructure in times of natural disasters. Led by Anthony Cheshire SC</p>
<p><i>Special Commission of Inquiry in the Drug “Ice”</i></p>	<p>Commissioner Dan Howard SC. A</p>

	ppearing for NSW Department of Communities and Justice
<i>Inquest into death of David Wotherspoon</i>	State Coroner Barnes on 31 August 2017. Acting for Corrective Services NSW. Death of Aboriginal man in custody.
<i>Inquest into death of Dr Geoffrey Freeth. (June 2015)</i>	Acting for NSW Veterinary Practitioner's Board. Death of Veterinary practitioner using a restricted substance.
<i>Inquest into death of Mary Roberts</i>	Appearing for Corrective Services NSW. Death in Custody of elderly woman with significant medical conditions and age related conditions.
Children's Court of NSW	
The Secretary of the Department of Communities and Justice (DCJ) and the Stonsky Children [2019] NSWChC 8	Appearing for the ILR. Question whether the Secretary's proposed short term care orders of parental responsibility to the Minister for two years with a view to adoption was appropriate and adequate.
NSW Civil and Administrative Tribunal (NCAT and NCAT Appeal Panel)	
DRZ v Barnardos Australia [2020] NSWCATAP 47	Appeal from decision to remove child and cancel authorisation as an authorised carer. Question whether Tribunal misconstrued the Code of Conduct for Authorised Carers - whether Tribunal made other errors of law