

Phillip English - Barrister

Third Floor St James' Hall Chambers – Level 3, 169 Phillip Street, Sydney NSW 2000
TEL: 02 9233 3004 E: english@3sjh.com.au

Curriculum Vitae

Areas of practice

White Collar and Environmental Crime, Inquests & Commissions of Inquiry, Administrative Law, Asset Confiscation, Contempt.

LEGAL EXPERIENCE

2011 to present – **NEW SOUTH WALES BAR**

White collar matters and environmental crime

- Environmental Counsel to the Environment Protection Authority, a statutory appointment under the *Protection of the Environment Administration Act 1991*.
- Regularly appearing in Land and Environment Court Class 5 criminal proceedings, for example: *EPA v Tumut Waste Pty Ltd* [2026] NSWLEC 18; *Secretary of Planning, Housing & Infrastructure v CEAL Ltd* [2025] NSWLEC 89; *EPA v Cadia Holdings Pty Ltd* [2025] NSWLEC 27; *Burwood Council v Alam* [2025] NSWLEC 2; *EPA v Maules Creek Coal* [2024] NSWLEC 58; *EPA v Dial-A-Dump (EC) Pty Ltd* [2024] NSWLEC 21; *Burwood Council v Portleigh Pty Ltd & X-Sealant Pty Ltd* [2023] NSWLEC 103; *NRAR v Bao Lin Pty Ltd* [2022] NSWLEC 42; *Orr v Narrabri Coal Operations Pty Ltd* [2021] NSWLEC 85; *EPA v Whitehaven Coal Mining Limited* [2019] NSWLEC 27; *EPA v Viva Energy Pty Ltd* [2019] NSWLEC 13; *EPA v Laison* [2018] NSWLEC 76; *EPA v Elf Farm Supplies Pty Ltd* [2017] NSWLEC 60; *EPA v Foxman & Ors* [2015] NSWLEC 105 (trial); *EPA v Foxman & Ors* [2016] NSWLEC 120 (sentence).
- Criminal appellate appearances:
 - *CEAL Limited v Secretary of the Department of Planning, Housing and Infrastructure* [2026] NSWCCA 20 – sentence appeal in relation to planning offences (unled).
 - *Kamal v R* [2026] NSWCCA 13 – conviction appeal in relation to sexual offences.
 - *Chan v R* [2025] NSWCCA 212 – sentence appeal in relation to drug importation and manufacture offences (unled).
 - *EPA v Grafil Pty Ltd & Mackenzie* [2022] NSWCCA 268 – sentencing for waste offences.
 - *Le v R* [2022] NSWCCA 243 – sentencing for firearms and drug offences (unled).
 - *R v Hausman & Rostankovski; Hausman & Rostankovski v R* [2022] NSWCCA 24 – sentencing for blackmail and money laundering offences (unled).
 - *Petch v R* (2020) 103 NSWLR 1 – conviction appeal re blackmail offence.
 - *Macdonald & Maitland v R* (2019) 99 NSWLR 376 – conviction appeal re common law offence of misconduct in public offence.
 - *EPA v Grafil Pty Ltd & Mackenzie* (2019) 101 NSWLR 245 – stated case re waste offences.

- *Dyno Nobel Asia Pacific Pty Ltd v EPA* (2017) 228 LGERA 302 – sentencing for water pollution offences.
- *R v Boughen & Cameron* (2012) 215 A Crim R 476 - sentencing for tax fraud offences.

Confiscation proceedings

- *Karout v NSW Crime Commission* [2025] NSWCA 260 (unled).
- *NSW Crime Commission v Karout* [2025] NSWSC 538 (unled).
- *Commissioner of Australian Federal Police v HWCJ GLB Pty Ltd & Ors* [2024] NSWSC 482 (unled).

Civil penalty proceedings

- *Australian Securities & Investments Commission v Blumenthal* [2022] FCA 384 - civil penalty provisions under the *Corporations Act 2001* (Cth) (unled).
- *Australian Securities & Investments Commission v Forex Capital Trading Pty Ltd & Ors* [2021] FCA 570 - civil penalty provisions under the *Corporations Act 2001* (Cth).

Civil appellate appearances

- *Petch v Director of Public Prosecutions* [2022] NSWCA 33 – perjury.
- *State of New South Wales v Thomlinson* (2018) 98 NSWLR 315 - construction of s 77 of the *Liquor Act 2007* (NSW).
- *SD v New South Wales Crime Commission* (2013) 84 NSWLR 456 – compulsory questioning powers.

Commissions of Inquiry & Inquests

- Delegated powers under the *Independent Commissioner Against Corruption Act 2017* (NT) to preside over an investigation into alleged improper conduct involving a public officer in the Northern Territory.
- Counsel assisting at the Independent Commission Against Corruption's (**ICAC**) Operation Hector (corrupt conduct relating to Transport for NSW contracts with Downer EDI Works Pty Ltd) (2023).
- Counsel assisting at ICAC's Operation Gerda (corrupt conduct in relation to the provision of security services at Sydney University) (2019).
- Counsel assisting at various hearings for the Australian Commission of Law Enforcement Integrity (2022).
- Represented interested parties including Government Agencies at the following Royal Commissions, inquests and inquiries:
 - Inquiry into Liverpool Council (2026) – appeared for a Councilor and Council director.

- ICAC's Operation Wyvern – allegations of corrupt conduct against Transport for NSW employees and officers of Protection Barriers Pty Ltd (2025).
- NSW Independent Liquor and Gaming Authority's review of The Star Casino licence (2022).
- ICAC's Operation Paragon - allegations of corrupt conduct against officers of NSW Roads and Maritime Services (2021).
- ICAC's Operation Spicer - corrupt donations to the Liberal Party (2016).
- South Australian inquest into the death of baby Ebony Napier (2015).
- Royal Commission into Institutional Responses to Child Sexual Abuse – Case Studies 2 and 48 (2013 - 2016).
- ICAC's Operation Jasper - Mount Penny coal exploration licences (2012).

Publications whilst at the Bar

- "Contempt by Concurrent Inquiry" – *Alternative Law Journal* Vol 37:3 2012.

2007 to 2011 – **LAWYER - AUSTRALIAN GOVERNMENT SOLICITOR**

EDUCATION

2001 to 2004 - **Master of Law and Legal Practice (Hons) - UTS**

- Winner of the *Nea Goodman* prize for the highest aggregate mark across all subjects attempted.

1997 to 2000 – **Bachelor of Commerce - UNSW**

- Graduated with merit.