

## *Admissions*

**Admission:** 2014

**Call to Bar:** 2021

## *Education*

### **Master of Laws (First Class)**

University of Cambridge

Bates Scholar, Trinity Hall

Received a First with  
Distinction for the thesis:  
*'BRCA to Basics: The  
Economics of Human Gene  
Patents'*

### **Bachelor of Laws (Hons I)**

University of Queensland

### **Bachelor of Arts (Pol. Sci.)**

University of Queensland

## *Contact*

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## *Key Practice Areas*

Regulatory enforcement and civil penalties; competition and consumer law; corporations law; commercial litigation; general commercial and contract advice; professional negligence; inquiries.

## *Selected Cases*

- **DNA Inquiry:** Acted for Ms Allen (Managing Scientist) and Mr Howes of the Forensic and Scientific Services' DNA testing laboratory in the Commission of Inquiry into Forensic DNA Testing in Queensland conducted by Walter Sofronoff KC (led by Matthew Hickey OAM).
- **Stay application:** Acted for ASIC in successfully resisting an application for a stay of banning orders made against a financial advisor: *Matai and ASIC* [2023] AATA 340 (unled).
- **ACCC Full Court appeal concerning boycott arrangements:** Represented the ACCC in appeals before the Full Court of the Federal Court by J Hutchinson Pty Ltd and the CFMMEU against the liability and penalty decisions of Downes J in [2022] FCA 98 and [2022] FCA 1007 in relation to contraventions of ss 45E and 45EA of the *Competition and Consumer Act 2010* (Cth) (led by Michael Hodge KC, with Anastasia Nicholas, judgment reserved).
- **ASIC crypto-asset litigation:** Representing BPS Financial Pty Ltd in civil penalty proceedings commenced by ASIC in relation to alleged false, misleading, or deceptive representations and alleged unlicensed conduct in relation to the operation of a non-cash payment facility, Qoin (led by Michael Hodge KC, ongoing).
- **Regulatory investigations:** Regularly briefed, both led and unled, to advise and act for the ACCC, ASIC, and Australian Energy Regulator in relation to regulatory investigations, potential enforcement action, and issues of statutory interpretation — including to conduct examinations of individuals under s 155(1)(c) of the *Competition and Consumer Act 2010* (Cth).

- **Private competition law litigation:** Representing the plaintiff, a specialist obstetrician, in private litigation against six respondents seeking damages for alleged cartel conduct in contravention of Part IV of the *Competition and Consumer Act 2010* (Cth) (led by Nick Ferrett KC).
- **Equity / Professional Negligence:** Acted for Ms Talbot and her daughters in proceedings against Arnold Bloch Leibler and others in relation to the alleged negligent provision of legal advice and administration of estate property: *Talbot & Ors v Boyd Legal (A Firm) & Ors* [2023] QSC 8 (led by Peter Dunning KC, with Paul Telford).
- **Commercial / Professional Negligence:** Acted for HWL Ebsworth Lawyers in successfully defending professional negligence proceedings brought by a former client in relation to a real estate transaction, both at first instance and on appeal: *Metro Waterloo Pty Ltd v HWL Ebsworth Lawyers* [2021] QDC 295 and [2022] QCA 195 (led by Richard Perry KC).

### *Other Experience*

#### **Senior Associate (Litigation), GRT Lawyers**

*October 2019 – January 2021*

Responsible for the day-to-day conduct of, and advising on strategy for, a diverse range of commercial disputes and pre-litigation matters in a boutique practice. Matters included contract disputes and post-insolvency recovery proceedings, advising numerous clients on the operation of force majeure clauses in the context of COVID-19, and providing comprehensive advice to an emerging natural resources company on its statutory obligations under the *Coal Mining Safety and Health Act 1999* (Cth).

#### **Senior Associate (Competition Law), Ashurst**

*August 2018 – October 2019*

Acted in a range of competition and consumer law matters across Sydney, Melbourne, and Brisbane – with a particular focus on representing large corporate clients in ACCC litigation and investigations.

Key matters included:

- *ACCC v Pacific National Ltd (No 2)* [2019] FCA 669, Aurizon’s successful defence of proceedings brought by the ACCC under ss 45 and 150 of the *Competition and Consumer Act 2010* (Cth), seeking to block the sale of the Acacia Ridge Intermodal Terminal to Pacific National;
- *confidential ACCC investigation*, advising a high-profile, multinational client in responding to an ACCC investigation into alleged unfair contract terms and unconscionable conduct – resulting in the matter being closed with no enforcement action; and

- *secondment to leading Australian energy company*, advising on the implementation of changes required by the new *Electricity Retail Code* (Cth) across all retail products.

**Lawyer / Senior Lawyer (Civil Regulation), Australian Government Solicitor**

*July 2014 – August 2018*

Represented Commonwealth regulators (principally the ACCC and ASIC) in a range of investigations and proceedings.

Key matters included:

- *Commonwealth v Director, Fair Work Building Industry Inspectorate* (2015) 258 CLR 482, representing the Commonwealth and instructing the Solicitor-General in an appeal before the full bench of the High Court concerning the continued validity of agreed penalties in civil penalty proceedings following the High Court’s decision in *Barbaro v The Queen* (2014) 254 CLR 58;
- *ACCC v Coles Supermarkets Australia Pty Ltd* [2014] FCA 1405, representing the ACCC in a test case on business-to-business unconscionable conduct;
- *ASIC BBSW Litigation*, acting for ASIC in investigations into, and subsequent proceedings against, NAB and CBA concerning the alleged fixing by traders of the bank bill swap rate (BBSW), a benchmark used for various derivatives;
- *ACCC v Australia and New Zealand Banking Group Ltd* (2015) 236 FCR 78, an appeal before the Full Court of the Federal Court in relation to alleged contraventions of s 45A of the then *Trade Practices Act 1974* (Cth), raising novel issues of agency, competition, and market definition in two-sided platform markets; and
- *Air Cargo Cartel Litigation*, acting for the ACCC during both the liability and penalty stages of its long-running litigation against sixteen international airlines in relation to a price-fixing cartel, which culminated in total civil penalties of approximately \$100 million being imposed on participants: see, e.g., *ACCC v PT Garuda Indonesia Ltd (Remedies)* (2019) 370 ALR 637.

**Paralegal (Civil Regulation), Australian Government Solicitor**

*April 2011 – July 2014*

***Publications***

‘What Must an Accessory Know? Determining the Limits of Accessorial Liability under Civil Penalty Regimes’ in Kayis et al (ed), *The Law of Civil Penalties* (The Federation Press, 2023)

‘Statutory unconscionable conduct under the ACL: the case against a requirement for “moral obloquy”’ (2015) 23 *Competition and Consumer Law Journal* 123-139 (peer reviewed)