

RENEE BERRY

Year of call - 2017
Year of admission - 2006

DIRECT CONTACT DETAILS:

Phone: 07 3112 9074
Mobile: 0435 099 990
Email: rberry@qldbar.asn.au

EXECUTIVE ASSISTANT DETAILS:

Kristen Edwards
Phone: 07 3221 2182
Email: k.edwards@higginschambers.com.au

AREAS OF PRACTICE

Administrative and Public Law
Appellate
Health Law
Human Rights
Inquests and Inquiries
Professional Discipline and Regulatory Law

EDUCATION

Master of Laws (UQ)
Bachelor of Laws (UQ)
Bachelor of Business Management (UQ)
Grad Dip PLT (College of Law)

CAREER HISTORY

Renee practises predominantly in the areas of administrative and public law, human rights law, health law and regulatory law. She has appeared both led and unled in state and federal jurisdictions, including appellate and specialist courts.

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Level 29, 239 George Street
(corner George and Adelaide Streets)
Brisbane, QLD, 4000
P: + 61 7 3221 2182
higginschambers.com.au

In 2022 and 2023, Renee was one of the Counsel Assisting the Royal Commission into the Robodebt Scheme.

From 2006, until she joined the private Bar, Renee worked at Crown Law Queensland in the areas of administrative law and advocacy. She has a broad range of experience in litigation and advice work involving government and statutory agencies.

Renee is a sessional member of the Queensland Civil and Administrative Tribunal. She is also a member of the Administrative Law Committee of the Bar Association of Queensland, and a committee member of the Human Rights Law Association.

SIGNIFICANT CASES

Fuller v Lawrence [2024] HCA 45

Renee appeared as junior counsel (led by Matt Black) for the respondent. The issue raised in the appeal was whether a direction given by a corrective services officer under the *Dangerous Prisoners (Sexual Offenders) Act 2003* (Qld) was a decision of an administrative character “made...under an enactment” within the meaning of the *Judicial Review Act 1991* (Qld). The argument focussed on whether the direction satisfied the second limb of the test in *Griffith University v Tang* (2005) 221 CLR 99, and specifically whether the direction “itself” affected legal rights or obligations. The High Court held that the direction was one made under an enactment, and dismissed the appeal.

Link to case: <https://eresources.hcourt.gov.au/downloadPdf/2024/HCA/45>

Drumgold v Board of Inquiry & Ors (No. 3) [2024] ACTSC 58

Renee appeared as junior counsel (led by Justin Gregory KC) in an application for judicial review, brought by the former Director of Public Prosecutions in the ACT, of the final report of the Board of Inquiry constituted by the Honourable Walter Sofronoff KC into the ACT criminal justice system. Renee acted on behalf of six police officers named in the final report. The Court allowed the application on a number of grounds including an apprehension of bias and a failure to afford natural justice.

Link to case: https://www.courts.act.gov.au/_data/assets/pdf_file/0003/2408133/Drumgold-v-Board-of-Inquiry-Ors-No.-3-2024-ACTSC-58-certified.pdf

Johnston & Ors v Carroll (Commissioner of the Queensland Police Service) & Anor; Witthahn & Ors v Wakefield (Chief Executive of Hospital and Health Services and Director General of Queensland Health); Sutton & Ors v Carroll (Commissioner of the Queensland Police Service) [2024] QSC 2

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Renee appeared as one of three junior counsel (led by Scott McLeod KC and Michael Hodge KC) in an application for judicial review of directions requiring officers and employees to be vaccinated against COVID-19. The proceeding raised a number of issues concerning the *Human Rights Act 2019* (Qld).

Link to case: <https://www.queenslandjudgments.com.au/caselaw/qsc/2024/2>

Storry v Chief Executive of the Office of Fair Trading, Department of Justice and Attorney-General [2021] QCA 30

Renee appeared for the respondent Chief Executive in an application for leave to appeal from a decision dismissing the applicant's application for judicial review. The decisions the subject of that application concerned the appointment of a receiver and the transfer of receivership property with respect to a real estate business. The Court of Appeal found that the applicant had not established an error in the reasoning below, and refused to grant leave to appeal.

Link to case: <https://archive.sclqld.org.au/qjudgment/2021/QCA21-030.pdf>

Boyy v Executive Director of Specialist Operations of Queensland Corrective Services [2019] QSC 283

Renee appeared for the respondent Executive Director in an application for a statement of reasons under the *Judicial Review Act 1991* (Qld). The statement of reasons was requested in relation to action of Queensland Corrective Services of attaching a "enhanced security offender" label on the applicant's electronic records. The Court found that such an action was not a decision to which the Act applied, and was therefore not a decision in respect of which the applicant was entitled to a statement of reasons.

Link to case: <https://archive.sclqld.org.au/qjudgment/2019/QSC19-283.pdf>

PROFESSIONAL MEMBERSHIPS

Sessional Member, Queensland Civil and Administrative Tribunal
Committee Member, Administrative Law Committee of the Bar Association of Queensland
Committee Member, Human Rights Law Association

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