

HUGO WILESMITH

Barrister specialising in commercial litigation, corporate crime, and regulatory disputes.

ADMISSIONS

Called to the Bar 2025

Admitted as a Solicitor (Supreme Court of NSW; High Court of Australia) 2015

LEGAL EXPERIENCE

Alinea Chambers, Barrister 2025 – present

Allens, Senior Associate (formerly Associate) 2018 – 2020; 2022 – 2025

- Secondments to Linklaters (2020) and Commonwealth Bank of Australia (2024)

Fieldfisher, Senior Associate 2021 – 2022

High Court of England and Wales, Judicial Assistant 2021

MinterEllison, Lawyer (formerly Graduate). 2015 – 2018

- Secondments to Optus (2015, 2017).

My primary areas of practice as a solicitor were commercial litigation, regulatory disputes and investigations, corporate crime, insurance, and competition law. That practice included:

- Litigation (trial and appellate) in the Federal Court, the NSW, Victorian and Queensland Supreme Courts, the NSW District Court, and various tribunals.
- Regulatory investigations and litigation involving ASIC, ACCC, AUSTRAC, ICAC, AFCA, FIRB, L&GNSW, and other Australian and international regulators.
- Fraud, bribery, AML/CTF and whistleblowing investigations and disputes.
- Generalist experience in construction, financial services, tenancy and public law.

I held an extensive pro bono practice, including through the Homeless Persons' Legal Service.

TEACHING AND LAW REPORTING

New South Wales Law Reports, Reporter 2018 – 2020; 2022 – present

University of Law (UK), Visiting Lecturer 2021 – 2022

University of Technology, Sydney, Tutor (Commercial Remedies) 2017 – 2018

EDUCATION

London School of Economics, Master of Laws (Distinction) 2021

- First in course (out of 250).
- Lawyers Alumni Prize for best overall mark in course.
- Valentin Ribet Prize for Corporate Crime.
- First place, Law and Practice of International Finance.

Australian National University, Bachelor of Laws (Honours) / Bachelor of Arts 2014

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Liability limited by a scheme approved under Professional Standards Legislation

SELECTED CASES AS A BARRISTER

Commercial

Gladiator Resources v Price | FCA NSD 1027/2025. Injurious falsehood and breaches of Corporations Act. Led by G Ng SC.

Ligon 158 Pty Ltd (in liq) v Binetter | FCA SAD 205/2024. Commercial proceedings (breach of fiduciary duties and various equitable claims). Led by M Cairns.

YAF Master (WK-155253) & Anor v S&P Global Inc & Anor | FCA NSD 73/2021. Deceit and Corporations Act claims, including interlocutory disputes on privilege and AVL evidence (settled). Led by R Dick SC, D Barnett SC and G Ng SC et al.

Dexus Capital Investment Services Pty Ltd v Australia Pacific Airports Corporation Limited | NSWSC 2025/192969. Privilege disputes in shareholder proceedings. Led by J Arnott SC.

Seventh Street Holdings v Vinyl Group | NSWSC 2025/44367. Breach of contract and misleading and deceptive conduct claims. Led by D Delany.

Price v ACN 627 087 030 Pty Ltd t/a Yates Beaggi Lawyers | NSWSC 2020/142448. Fiduciary duties, debt, caveat and breach of contract claims. Unled.

Girgis v Vinyl Group | NSWSC 2025/43455. Breach of contract claim. Led by D Delany.

Edwards v Bailey | NSWSC 2025/371769. Purchase money resulting trust and limitations dispute (settled). Led by D Delany.

In the matter of Michaels Investments Pty Ltd | NSWSC 2025/00294244. Proceedings to reinstate a deregistered company (for the successful applicant). Unled.

Bain v Great Northern Developments Pty Ltd | NSWDC 2026/55465. Liquidated damages claim arising from loan and guarantee (settled). Unled.

Coastal Quarry Products Pty Ltd v Everingham | NSWDC 2021/00091025. Breach of contract and unjust enrichment (settled). Unled.

Regulatory proceedings and public inquiries

Australian Securities and Investments Commission v MWL Financial Services Pty Ltd | FCA VID1483/2025. Acting for ASIC in civil penalty proceedings (Corporations Act and ASIC Act breaches by financial advice licensee). Led by J Shepard SC, with S Crosbie.

Operation Rosny. Counsel Assisting the Independent Commission against Corruption. Led by P Dwyer SC and J Curtin.

Bankruptcy and insolvency

Moses v Harris | FCA NSD1014/2025. Bankruptcy proceedings, for trustee. Judgments include *Moses v Harris* [2026] FCA 254 (application for review of rejection of proof of debt). Unled.

Wheeler v Woodland and Whitaker | FCA NSD1836/2025. Acted for debtor in bankruptcy proceedings (settled). Unled.

Culleton v Tonks | FCFCOA SYG1168/2026. Hearing of creditor's petition. Unled.

Culleton v Tonks | FCFCOA SYG2485/2025. Acting for creditor, resisting application to set aside bankruptcy notice. Unled.

Crime

Advice work for the Commonwealth Director of Public Prosecutions on charge certification and prospects. Unled.

R v Kitashiba. Summary criminal proceedings (drug possession, possession of stolen goods); acting for defendant in preliminary hearing. Unled.

Other (public law, employment law, probate and family provision, common law)

Culleton v Tonks [2026] NSWSC 174. Judicial review of NCAT decisions (for the successful respondents). Unled.

Dennis v Zoka | NSWSC 2025/337237. Family provision dispute (settled). Unled.

Estate of Leonard Vivian Burton | NSWSC 2025/341845. Probate and family provision dispute. Unled.

Estate of Norman Victor Brown | NSWSC 2025/6663. Probate dispute. Unled.

Estate of Baden Bruce Ranger | NSWSC 2025/160958. Probate dispute. Unled.

Wasilewicz v Industrial Relations Secretary | NSW IRC 2025/491214. Acting for the Industrial Relations Secretary and ODPP in conciliations (victimisation). Unled.

Whitford v Military Rehabilitation and Compensation Commission (Compensation) [2026] ARTA 175. Acted for successful applicant in military compensation proceedings. The first reported decision under the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988* (Cth) to find a causal link between benzene exposure and multiple myeloma. Unled.

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Various investigations, inquests and inquiries, compulsory examinations, confidential matters, advices, and motions and directions hearings on matters not listed above.

PUBLICATIONS

'Double operation clauses and the limits of ratification: *Shao v Crown Global Capital Pty Ltd* (in prov liq) [2025] HCA 43' (2026) 40 *Journal of Contract Law* 140

LSJ Online, 'Federal Court: April 2026 | *Pillay v Minister for Immigration and Citizenship* [2026] FCAFC 24' (10 April 2026), <<https://lsj.com.au/articles/federal-court-april-2026/>>

Law Society Journal, 'High Court provides guidance on class action waiver clauses' (8 March 2024) (with Alex Tolliday, Ben McLachlan and Chiara Biviano)