

PHILIP BONCARDO

Barrister

WARDELL CHAMBERS

Level 10, 111 Elizabeth Street, Sydney NSW 2000

DX 379 Sydney

T + 61 2 9231 3133 F + 61 2 9233 4164

E boncardo@wardellchambers.com.au

A highly competent barrister with a strong advocacy skills and meticulous attention to detail, Philip's principal areas of practice includes industrial and employment law, criminal law, general civil litigation and equity, building and construction law (including Security of Payment matters) and administrative review matters. He also has a particular interest in constitutional law and administrative law.

Philip has appeared in a broad range of geographical locations in Australia, including New South Wales, Victoria, Western Australia, the Australian Capital Territory, Queensland and Tasmania. Admitted to practice as a solicitor in 2012, he has acquired considerable advocacy experience in areas including criminal law, building and construction, commercial, equity, employment and industrial law, insolvency and care and protection matters. Practising in these areas saw him regularly appearing in the District and Local Courts of New South Wales, Children's Court, the Federal Circuit Court, the New South Wales Civil and Administrative Tribunal (NCAT), as well as the Fair Work Commission.

Previously, Philip worked as the Tipstaff to the Honourable Justice Brereton of the Supreme Court of New South Wales. He was also a National Legal Officer at the Construction, Forestry, Mining and Energy Union, where he gained significant experience in the Fair Work Commission and Federal Circuit Court.

Philip holds a Bachelor of Laws with First Class Honours and a Bachelor of Arts with First Class Honours from the University of Sydney. In addition to receiving awards for his academic excellence in labour law and industrial law, Philip also received the Ludlow's Award for achieving first place in the New South Wales Bar Association Exam in February 2016.

ADMISSIONS TO PRACTICE

- 2017 Called to the Bar of New South Wales
- 2012 Admitted as a Solicitor of the Supreme Court of New South Wales

PROFESSIONAL QUALIFICATIONS

- 2010 Bachelor of Laws (First Class Honours): University of Sydney
- 2008 Bachelor of Arts (First Class Honours): University of Sydney

PRINCIPAL AREAS OF PRACTICE

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| ▪ Industrial and Employment | ▪ Commercial Law |
| ▪ Criminal | ▪ Family (Property and Children) |
| ▪ Administrative (including Migration) | ▪ Care and Protection |
| ▪ Equity | ▪ Professional Discipline |
| ▪ Discrimination and Human Rights | ▪ Local Courts |

PROFESSIONAL EXPERIENCE

- 2017 – present Barrister, Wardell Chambers
- 2015 – 2017 National Legal Officer, Construction, Forestry, Mining and Energy Union (CFMEU)
- 2012 – 2015 Solicitor, Campbell, Paton and Taylor, Orange NSW
- 2011 Tipstaff, The Honourable Justice Brereton, Supreme Court of New South Wales

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PROFESSIONAL MEMBERSHIPS

- Member, New South Wales Bar Association

ACCOLADES

- Ludlow's Award for achieving first place in the New South Wales Bar Association Bar Exam: February 2016
- Recipient of Harmers Workplace Lawyers Prize for Labour Law: 2010
- Recipient of Sir Alexander Beattie Prize for Industrial Law: 2010

SELECT CASES

- *CPB Contractors Pty Limited v CFMMEU* [2019] FCAFC – for the respondent, led by Crawshaw SC against Hatcher SC and Gibian SC
- *ABCC v CFMMEU* [2019] FCA 468 – unled for the respondents against Leoncio
- *Mr Nigel Davies* [2019] FWC 2022 – unled for the successful respondent
- *CFMMEU and AWU v LS Precast Pty Ltd* [2019] FWCFCB 1431 – for the appellants, led by Crawshaw SC against Follett
- *Attorney General v DSF Constructions Pty Ltd* [2019] NSWCCA 33 – for the Attorney General, led by Agius SC, in an appeal against sentence under s 5D of the *Criminal Appeal Act 1912* (NSW)
- *Attorney General v Ceerose Pty Ltd* [2019] NSWCCA 33 – for the Attorney General in an appeal against sentence under s 5D of the *Criminal Appeal Act 1912* (NSW)
- *Mick Fabar Constructions Pty Ltd v Lingrp Pty Ltd* [2019] NSWSC 158 – unled against Bambagiotti and Arulrajah in an appeal against a decision of the Local Court
- *BGC POS Pty Ltd v CFMEU* [2019] FCA 74 – for the successful respondent, led by Agius SC and Neil SC and Millar
- *Kreger v SafeWork NSW* [2019] NSWIRComm 1002 – unled for the successful applicant against Carpenter
- *CFMMEU v Wagstaff Piling Pty Ltd* [2019] FWCFCB 102 – for the successful appellant, led by Reitano against Dalton SC and Avallone
- *CFMMEU v Boom Logistics Pty Ltd and WGC Cranes Pty Ltd* [2018] FWCFCB 6200 – for the successful appellant, led by Borenstein QC against Taylor SC and Fagir
- *ABCC v Gava* [2018] FCA 1480 – unled for the respondents against Star QC and Stewart
- *CFMEU v De Martin & Gasparini Pty Ltd (No 3)* [2018] FCA 1395 – for the successful applicant led by Crawshaw SC against White SC and Shariff
- *The Brooker Highway Case (No 2)* [2018] FCA 1214 – unled for the respondents against Walsh
- *The Brooker Highway Case* [2018] FCA 1081 – unled for the respondents against Walsh
- *Park v Transport for NSW* [2018] NSWCATAD 89 – unled for the Applicant against Birch AO QC
- *CFMEU v CBI Constructors Pty Ltd* [2018] FWCFCB 2732 – unled for the successful appellant against Pollock
- *BGC Contracting Pty Ltd* [2018] FWC 1466 – unled for the successful respondents against Dalton and Pollock
- *Secretary for the Department of Transport v CFMEU* [2018] NSWIRComm 1038 – unled for the respondent against Seck
- *Grant v Gilham; Christopher J Grant Pty Ltd v Gilham* [2018] NSWCATAP 104 – unled for the successful appellant

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- *CFMEU v BGC POS Pty Ltd* [2018] FCCA 1270 – unled for the successful applicant against Millar
 - *CFMMEU, Victoria-Tasmania Divisional Branch* [2018] FWC 1325 – unled for the successful applicant
 - *CFMEU v De Martin & Gasparini Pty Ltd (No 2)* [2017] FCA 1046 – for the successful applicant led by Crawshaw SC against White SC and Shariff
 - *CFMEU* [2018] FWCFB 1068 – unled for the successful appellant before the Full Bench of the Fair Work Commission in a right of entry matter
 - *Palmer v USG Boral Building Products* [2018] FWC 654 – unled for the successful applicant in an unfair dismissal claim
 - *Thomas v ACT Government* [2017] FWC 6167 – unled for the successful applicant in an unfair dismissal claim
 - *CFMEU v Director of the FWBII* [2017] FCA 1166 – for the successful applicant for a pecuniary penalty order, led by Agius SC and Reitano of counsel
 - *A v J Pty Ltd (No 2)* [2017] NSWSC 896 – led by Wallis in an application for a statutory will under s 19 of the *Succession Act* 2006 (NSW) for a disabled teenager