

ERIN HILL

BARRISTER

ehill@vicbar.com.au

Clerk: Dever's List
205 William Street
Melbourne Vic 3000
9225 7999
dever@vicbar.com.au

AREAS OF PRACTICE

- Appellate
- Common law, including personal injuries and institutional liability matters
- Commercial law
- Competition and consumer law
- Criminal law
- Inquests, inquiries, tribunals and commissions
- Public law and administrative law

EDUCATIONAL QUALIFICATIONS

2008: LL.B, BA (Australian National University)

12 December 2008: admitted to practice as an Australian Legal Practitioner, Supreme Court of the Australian Capital Territory

2011: LL.M (Legal Practice) (Australian National University)

25 October 2012: Signed Victorian Bar Roll

MATTERS

My practice includes civil and common law.

I appear in all courts and tribunals.

Along with advice work, I regularly appear in court in city, suburban and regional areas.

Royal Commission, inquiry and review experience:

April 2020 – April 2021:

Review of the Agent Model into the Administration and Management of Complex Claims, Counsel Assisting the Independent Reviewer, Peter Rozen QC (now His Honour Judge Rozen).

The Agent Review responded to the recommendation of the Victorian Ombudsman's follow-up report into complex workers' compensation claims in Victoria, *WorkSafe 2*, published in December 2019. WorkSafe Victoria generally delegates the administration and management of claims and premium functions to insurance companies which act as claims agents. The Agent Review inquired into agent conduct and decision making which have been a source of complaints to WorkSafe Victoria and the Ombudsman. Findings from the Review were published in the final report: *Improving the experience*

of injured workers: A review of WorkSafe Victoria's management of complex workers' compensation claims.

January 2019 – December 2020:

Royal Commission into Aged Care Safety and Quality, Counsel Assisting. Led by Dr Timothy McEvoy QC (now the Hon. Justice McEvoy), Peter Gray KC (now the Hon. Justice Gray) and Peter Rozen QC.

My responsibilities as counsel assisting included leading evidence from witnesses, drafting submissions and the preparation of reports. I appeared in many public hearings that were conducted in capital cities and regional centres, along with virtual hearings. In addition to supporting senior counsel assisting, I led evidence from witnesses with lived experience of the aged care system, along with professional, academic, and expert witnesses, in individual and in panel format. I also participated in community fora and attended site visits with commissioners, including to residential and community aged care facilities.

October – December 2018:

A review into the Office of Public Prosecution's prosecution of Peter Glenn Pryse 1997 – 1999, with a consideration of changes to the consultative processes involving victims and of changes to recording and documentation processes at the Office of Public Prosecutions. Led by Jeremy Ruskin KC.

This review was commissioned by the Solicitor for the Office of Public Prosecutions (Victoria) following the publication of an article in *The Age* newspaper regarding the failure of the Office of Public Prosecutions to keep a proper record and to communicate with teenage complainants in a sexual assault case in regional Victoria in 1999.

Common law matters include:

Crick v Transport Accident Commission [2019] VCC 46, serious injury application concerning a back injury and transport accident, differing medical opinions. Led by Danny Masel S.C.

Notman v Wesfarmers & Anor [2016] VSC 457, entitlement to contribution between insurers under section 23B of the *Wrongs Act 1958*. Led by Christopher Blanden KC.

Bonilla v Transport Accident Commission [2015] VCC 1548, serious injury application concerning the aggravation of pre-existing mental health problems, disentanglement of injury, credit issues. Led by Andrew Moulds KC.

Danilo Saric v Chubb Security Australia Pty Ltd [2015] VCC 271, serious injury application related to a psychiatric injury sustained at work, delay in originating motion being issued, including an application under section 23A *Limitations of Actions Act 1958*. Led by Kerri Judd KC (now the Hon. Justice Judd).

Victorian Workcover Authority v Everspur Pty Ltd (T/A Pierce Plumbing) 2014, recovery action by the Victorian Workcover Authority against an employer under section 138 *Accident Compensation Act 1985*.

Victorian Workcover Authority v Centro Property Management (Vic) [2013] VSC 587, recovery action by the Victorian Workcover Authority against an employer under section 138 *Accident Compensation Act 1985*, duty of care owed by defendant to worker, apportionment of liability. Led by Christopher Blanden KC.

Agalidis v Topouzoglou [2013] VCC 851, common law damages trial, *Wrongs Act 1958*, duty of care, plaintiff failed to establish breach of duty of care by the defendant. Led by Christopher Blanden KC.

Experience in other civil matters includes applications under the *Guardianship and Administration Act 2019*, medical board proceedings, compensation claims brought under the *Residential Tenancies Act 1997*, compulsory examination under the *Australian Consumer Law and Fair Trading Act 2012* in respect of suspected breaches of the *Australian Consumer Law (Victoria)*.

Criminal law matters include:

Callum McGee (a pseudonym) v The Queen [220] VSCA 146, interlocutory appeal concerning a stay application brought by the Accused in respect of historical sex offences. Led by Dr Nanette Rogers S.C, Senior Crown Prosecutor.

May 2018: *R v Humphrey John Polycarp Gomes*, Supreme Court of Tasmania, acting for the accused, a general medical practitioner charged with multiple counts of dishonestly obtaining financial advantage under the *Commonwealth Criminal Code 1995* in respect of claims made under the Medicare scheme. Led by Dr Timothy McEvoy QC.

February – September 2018: *Operation Kursk*. *Operation Kursk* concerned the prosecution of eleven co-accused charged with high, mid and low-level drug trafficking offences, weapons, driving and dishonesty offences in North Eastern Victorian, primarily in Wangaratta, in the Magistrates' and County Court of Victoria. Led by Max Perry.

28 July 2015 – August 2017: *Operation Juliet 1*. *Operation Juliet 1* concerned the prosecution of twenty-seven co-accused charged with high, mid and low-level drug trafficking offences, the manufacture of methamphetamines, trafficking of firearms and other weapons, driving and dishonesty offences in North Eastern Victoria, primarily in Wangaratta, in the Magistrates' and County Court of Victoria. See for example: *DPP v Fogarty* [2016] VCC 207. Led by Max Perry.

Since 2013: Subpoena arguments, including claims of public interest immunity on behalf of Office of the Chief Commissioner of Victoria Police, along with personal safety and family violence intervention order applications and firearms related matters.

Since November 2012: Prosecution of matters for the Victorian Director of Public Prosecutions in the Magistrates' Court of Victoria, and County Court of Victoria including trials, pleas, contested hearings, applications, appeals.

Other criminal and quasi criminal work includes: prosecution of matters for the Commonwealth Director of Public Prosecutions, various prosecution and defence work for offending under the *Prevention of Cruelty to Animals Act 1996*, applications brought under section 85B of the *Sentencing Act 1991* (acting for both the offender and applicant), *Victims of Crime Assistance Act 1996*, matters under the *Children, Youth and Families Act 2005* and intervention order proceedings.

OTHER PROFESSIONAL EXPERIENCE

December 2024 – ongoing: Chairperson of Victoria Legal Aid Panel of Independent Reviewers

August 2021: Advocacy Instructor, Victorian Bar, online course delivered to students of the Legal Training Institute, Port Moresby, Papua New Guinea

December 2020: accredited Advocacy Instructor, Australian Advocacy Institute

July 2019: Advocacy Instructor, Victorian Bar delegation to the Legal Training Institute, Port Moresby, Papua New Guinea

2019 – 2021: International Advocacy Training Committee, Victorian Bar

2018, 2019, 2021: Student Engagement Committee, Victorian Bar

June 2018: Indictable Crime Certificate

16 November 2018: Elected to Victorian Bar Council

Semester One 2018: Sessional Teaching Associate, LAWS5355 Advocacy, Monash University

16 November 2017: Elected to Victorian Bar Council

2016: Pacific Rim Committee, Victorian Bar

August 2009 – August 2012: Associate to the Honourable Justice Elizabeth Hollingworth, Supreme Court of Victoria