



RUWAN WATHUKARAGE

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Ninth Floor Selborne Chambers, Level 9
174 Phillip Street, Sydney NSW 2000.

Master of Laws, Litigation and Dispute Resolution, University of Queensland
Graduate Diploma in Applied Law, University of Queensland
Attorney at Law (Final Examination), Law College of Sri Lanka

Admitted to the legal profession

2008

Admitted as a barrister in NSW

2018

Also entitled to practice in

All Australian jurisdictions
(Commonwealth, State and Territory)

Principal areas of practice

Competition and Consumer Law
Building and Construction Law
Equity and Commercial Law
Mediation & Alternative Dispute Resolution
Constitutional and Administrative Law
Personal injury & Professional negligence

Labour and Employment Law
Insurance and reinsurance
Criminal law & Proceeds of crime
Media and Technology Law
Start-up Law
Family provision & Probate

Experience

I accept briefs in all areas of law. As a barrister, I have appeared in Court of Appeal, Supreme Court, District Court, Local Court and Federal Court. In addition to litigation, I also provide mediation and alternative dispute resolution services to clients.

Accreditations and memberships

Nationally Accredited Mediator (NMA/2013)
Family Dispute Resolution Practitioner (AG/2009)
Practitioner member, Australian Dispute Resolution Association

Additional information

I have completed more than 3000 mediation hours as an accredited mediator in most areas of civil law and family law.

Publications

Wathukarage, Ruwan. "Independence of The Judiciary in Sri Lanka: An Institutional Analysis of Its Woes." *LAWASIA Journal*, (2007): 187-209.

SELECTED CASES AS COUNSEL

Court of Appeal

- *Matthew Bryant Smith v Coles Supermarkets & Chandler Macleod Group Limited* [2020] NSWCA 206, personal injury, led by Michael Cranitch SC.
- *Taouk v Ho* [2019] NSWCA 156, building and construction dispute, led by Ian Roberts SC.
- *Avant Insurance Limited v Tara Burnie* [20/264543], Appeal against the DC decision to join the insurer under TPC Act 2017, medical negligence, counsel for the respondent led by Andrew Campbell.

Supreme Court

- *Malcolm Stuart Hill by his tutor Shane Joseph Hudson v Trevor John Hill and others*, [2019/00307695], family provision, counsel for the plaintiff.
- *Rebecca Doraisamy and others v Kathrin Dorisamy and others*, [2020/00271580], family provision, counsel for the plaintiff.
- *Marketlend v Globo Hydro Power Australia Pty Ltd and others* [2019/58341], breach of contract-personal guarantees, counsel for the fifth defendant.
- *Matthew Jackson v Blue Mountains Katoomba Local Health District*, [2020/00126289], medical negligence, counsel for the plaintiff.
- *Laurellen Davis v Blue Mountains Katoomba Local Health District*, [2020/00126294], medical negligence, nervous shock, counsel for the plaintiff.
- *Michael Rubino v Dr Soroush Ziaee*, [CS256/2017], medical negligence, counsel for the plaintiff.
- *R v Kulwinder Singh* [2017/2019], Murder, nine-week jury trial, led by Margaret Cunneen SC.
- *Menz v Wagga Wagga Show Society Inc (No 3)* [2019] NSWSC 541, tort negligence- personal injury, led by Michael Cranitch SC.

District Court

- *China Towing Pty Ltd v Hatzipapa* [2018] NSWDC 345, The case concerned a claim for money converted from a company bank account by the defendant who managed the plaintiff company's business, led by Thomas Dixon.
- *Build Direct Global & Fuzhon Builddirect Limited v Wet Design Group Limited* [2015/00303537], breach of contract-misleading and deceptive conduct, led by Shane Prince SC.
- *Commercial Waterproofing & Tilling PTY LTD v Elie Chami* [2020/00312786], Building and Construction-Home Building Act-defective tiling work, counsel for the defendant.
- *Natalie Hillman v South Eastern Sydney Local Health District* [2020/00289467], medical negligence, counsel for the plaintiff.
- *Matthew Bryant Smith (Plaintiff) v Coles Supermarkets Australia Pty Ltd trading as Coles Distribution Centre(defendant/cross-claimant) and Chandler Macleod Group Limited(cross-defendant)* 2017/116745, personal injury, counsel for the plaintiff led by Stephen L C Flett.
- *Tara Burnie v Dr Leslie Blackstock* [2018/00229812], medical negligence, counsel for the plaintiff led by Andrew Campbell.

Local Court

- *WIG 2005 Pty Ltd v Joshua Peters* [2017/378366], breach of contract-wages, led by Shane Prince SC.

Fair Work Commission

- *Bennie, Salvanah v Sunnyhaven Disability Services Ltd* [U2020/11119], unfair dismissal, counsel for the applicant.
- *Mandacha, Alexandra v Blink Property Queensland Pty Ltd* [U2020/11829], unfair dismissal, counsel for the respondent.

Workers Compensation Commission

- *Intelligent Structures Pty Ltd v iCare* [6407/20], dispute liability of Intelligent Structures to pay section 145 Notice to Reimburse, counsel for the applicant.

Previous work experience

- Solicitor, Zhang Partners Solicitors, Bella Vista, NSW (2017-2018).
- Director/Mediator in chief, Beyond Resolutions Dispute Resolution Services, QLD (2013-2016).
- Mediator/Case Manager, Relationships Australia, QLD (2009-2016).
- Graduate Solicitor, Smith & Associates Solicitors, QLD (2008-2008).
- Research Assistant, T.C Bernie School of Law, University of Queensland, QLD (2006-2007).