

John Fennel – Barrister

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CURRICULUM VITAE

- **August 2022 – Present: Barrister (Reader), 3 St James' Hall**
- **February 2019 – October 2021: Federal Prosecutor, Office of the Commonwealth Director of Public Prosecutions**
- **October 2021 – August 2022: Senior Federal Prosecutor, Office of the Commonwealth Director of Public Prosecutions**
- **July 2022: Temporarily appointed Acting Practice Team Leader, Human Exploitation and Border Protection**

Selection of cases in which I appeared / had carriage:

- R v Wen (2022 – District Court of NSW – sentence hearing in relation to trafficking a commercial quantity of methamphetamine related to Operation Ironside)
- R v McVeigh (2022 – District Court of NSW – sentence hearing concerning one offence of procuring a child < 16 to engage in sexual activity)
- R v Dregmans [2022] NSWDC 55 (2022 – District Court of NSW – sentence hearing in relation to the possession of Child Abuse Material)
- R v Dale [2022] NSWDC 272 (2022 – District Court of NSW – sentence hearing concerning the offence of accessing and possessing child abuse material)
- R v Mukdadilok (2022 – Local Court of NSW – release application concerning trafficking of 10 kilograms of methamphetamine and dealing with the proceeds of crime (AUD \$2.75 million) – bail refused)
- R v Riahikivaj (2021 – District Court of NSW – application to
- R v Van Der Maas (2021 – Supreme Court of NSW – defended release application)
- R v Price (2021 – Supreme Court of NSW – defended release application)
- R v Filipovic (2021 – District Court of NSW – Sentence – procure child to engage in sexual activity using a carriage service & breach of Child Protection Registration requirements)
- R v Huynh (2020 – 2021 – sentence in the Local Court of NSW followed by appeals against sentence and conviction to the District Court of NSW [during which the below stated case was heard and determined])
- R v Macri (2019 and 2020 – Local Court of NSW – defended prosecution on behalf of the ATO [conviction appeal refused; sentence appeal allowed])
- R v Macdonald; R v Goddard (2020 – Local Court of NSW – tax fraud; co-offenders, husband and wife, who falsified deductions in tax returns)

Selection of notable cases in which I instructed counsel:

- R v Ding; R v Techasopapan (2022 – trial of two co-accused in relation to two alleged importations of commercial quantities of ephedrine)
- R v Nguyen (2021 – 2022 – trial of an offence of attempting to possess a commercial quantity of an unlawfully imported border controlled drug, namely, 253.38 kilograms of pure methamphetamine. The first trial in March 2021 resulted in a hung jury and the second trial in November 2021 resulted in a guilty verdict)
- *La Rocca v R* [2021] NSWCCA 116 (conviction and severity appeal, currently listed for re-trial in September 2022)

- *Huynh v R* [2021] NSWCCA 148; (2021) 359 FLR 235 (stated case concerning the powers of the District Court in criminal appeals from the Local Court involving federal offending)
- *R v Burchill* (2019 and 2020 – District Court of NSW – defended GST tax fraud trial in which the accused was unrepresented)
- **October 2016 – January 2019: Solicitor, HWL Ebsworth Lawyers – Insurance Litigation**
Published cases in which I acted:
 - *Kitanoski v JB Metropolitan Distributors Pty Ltd* [2018] NSWWCC 198
 - *Kitanoski v JB Metropolitan Distributors Pty Ltd* [2018] NSWWCC 93
 - *Thi Bich Van Tran v Westpac Banking Corporation* [2017] NSWWCC 223
 - *Whitelum v The Corporation of the Trustees of the Order of the Sisters of Mercy in Queensland* [2018] NSWSC 51
 - *Martinovic v Workers Compensation Commission of New South Wales & Ors* [2019] NSWSC 1532
- **December 2018: Marker, University of Sydney School of Business (CLAW6031 – International Financial Crime)**
- **February 2016 – October 2016: Researcher to the Honourable Associate Justice Joanne Harrison, NSW Supreme Court**
- **May 2015 – January 2016: Tipstaff to the Honourable Justice Michael Adams, NSW Supreme Court**
- **November 2014 – March 2015: Data Entry Clerk – Banki Haddock Fiora**
- **October 2014 – May 2015: Volunteer – Arts Law Centre of Australia**
- **May 2013 – March 2014: O-Week Director – University of Sydney Union**
- **December 2012 – May 2013: Paralegal – TurksLegal**
- **November 2011 – January 2012: Research Assistant – University of Sydney Business School**
- **April 2008 – February 2009: Legal Research Assistant – 3 St James Hall Chambers**

EDUCATION & QUALIFICATIONS

I hold a practising certificate issued by the Bar Association of NSW

October 2016 – August 2022 I held a practising certificate issued by the Council of the Law Society of NSW

December 2015: Admitted as a lawyer of the Supreme Court of New South Wales

2015: Australian National University – Graduate Diploma of Legal Practice

2012 – 2014: University of Sydney – Juris Doctor

2008 – 2011: University of Sydney – Bachelor of Economics (Hons)

Majors: Economics and Business Law

Honours: Business Law

ACADEMIC ACHIEVEMENTS

Academic Achievements

2011 First Class Honours in Business Law – topic: application of the anti-money laundering regime to accountants in Australia

2010 First in Course: CLAW2204 (Banking and Finance Law)

2010 Second in Course: CLAW2205 (Trade Practices and Consumer Law)

2008 Third in Course: CLAW1002 (Commercial Transaction B)