

# GREENS LIST

## BARRISTERS



## JAMES FORSAITH

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Greens List

### EXPERTISE

**Appellate | Criminal Law | Government Law | Inquests, Inquiries, Tribunals & Commissions | Public Law & Administrative Law**

### PROFILE

James is a public lawyer with a strong background in police, national security, immigration and the protection of information. He appears in all State and Federal Courts as well as inquests and inquiries. He has recently appeared with Bret Walker SC for the Plaintiff in [Graham v Minister for Immigration and Border Protection \[2017\] HCA 33](#), a successful constitutional challenge to section 503A of the *Migration Act 1958*, and with Stephen Donaghue QC for the Commonwealth in a [police shooting inquest](#). He has appeared many times in the Federal Court (including unled before the Full Court) both for and against the Minister for Immigration and Border Protection. He advises and represents the Australian Federal Police and other law enforcement agencies in relation to warrants, subpoenas, coercive powers, suppression orders and claims of public interest immunity. His cases include [Watkins & Mann \(pseudonyms\) v DPP \(Vic\) \(2015\) 304 FLR 105](#) (surveillance devices) and [Jean Ross \(a pseudonym\) v The Chief Commissioner of Police \(2014\) 45 VR 220](#) (reliance on information obtained coercively by Chief Examiner).

James holds first class degrees in Law and Civil Engineering and an MPhil (International Relations) from Cambridge. He was previously Senior Lawyer at the Australian Government Solicitor, where he litigated sensitive and high-profile matters including the Benbrika terrorism trials. During his time in England, he spent two years with the RAND Corporation, completing projects for the UK and French Ministries of Defence and the European Union, including a [major study](#) into criminal

asset confiscation. He is a Legal Officer in the Royal Australian Naval Reserve and a Tutor in Constitutional Law at Monash University.

To get in touch with James Forsaith | or for more information please contact the

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