

GREENS LIST

BARRISTERS



JAMES FORSAITH

BAR ROLL: 2013 | ADMITTED: 2006

James is a public lawyer with a strong background in police, national security, immigration and the protection of information.

PHONE: +61 3 9225 7945

EMAIL: forsaith@vicbar.com.au

CHAMBERS: Owen Dixon Chambers East

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 law enforcement, national security, immigration and information law. He appears in all State and Federal Courts and tribunals up to and including the High Court, where he appeared with Bret Walker SC for the Plaintiff in [Graham v Minister for Immigration and Border Protection \[2017\] HCA 33; \(2017\) 263 CLR 1](#), a successful constitutional challenge to section 503A of the Migration Act 1958. 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 regularly advises and represents law enforcement agencies such as the Australian Federal Police, the Australian Criminal Intelligence Commission and the Australian Border Force in relation to warrants, subpoenas, the exercise of coercive powers and the protection of information. He has extensive experience litigating claims of public interest immunity on behalf of these and other agencies. He is familiar with the Rome Statute of the International Criminal Court and has appeared in domestic matters involving allegations of war crimes.


James holds first class degrees in Law and Civil Engineering, a Master of Laws from the University of Melbourne and an MPhil (majoring in International Relations) from the University of Cambridge. Before coming to the bar he was a Senior Lawyer at the Australian Government Solicitor, where he litigated sensitive and high-profile matters including the Benbrika terrorism trials. He also spent two years as an Analyst 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.

Memberships & Committees

[Victorian Bar](#)

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

 +61 3 9225 7945

 clerkb@greenslist.com.au

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