

GREENS LIST

BARRISTERS



MORGAN MCLAY

BAR ROLL: 2009 | ADMITTED: 2007

Morgan's practice is focused on Common Law, Public law and regulatory/white collar crime including OHS.

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CHAMBERS: Aickin Chambers

EXPERTISE

Common Law | Criminal Law | Industrial Relations Law & Employment Law | Inquests, Inquiries, Tribunals & Commissions | Public Law & Administrative Law | TAC/WorkCover

PROFILE

Morgan's practice is focused on Common Law, Public law and regulatory/white-collar crime, including OHS. He is particularly focussed on where there is a substantial cross-over in practice areas with Crime. For instance, he is regularly briefed in Inquiries, Inquests and investigations that require the forensic analysis, particularly benefitted by experience in the criminal jurisdiction. He has recently appeared in the following matters:

- *Royal Commission into Victoria's Mental Health System:* (junior counsel to Claire Harris QC and with ors);
- *Royal Commission into Aged Care Quality and Safety* (junior counsel to Claire Harris QC and with ors);
- *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* (junior Counsel to Claire Harris QC and with ors).
- *Royal Commission into the Management of Police Informants* (junior counsel to Brendan Murphy QC and with Kyle McDonald).

He has also regularly appeared in Public Interest immunity and suppression order matters.

Morgan regularly acts for and against government departments in common law proceedings, inquests, administrative law and regulatory prosecutions.

He regularly appears in inquests. He has appeared for individuals, government departments, medical practitioners, police, health services and other interested parties (including families) and assisted the coroner.

A selection of Inquests of interest in which he has appeared include:

- *The Thunderstorm Cluster Deaths Inquest;*
- *Inquest into the death of S. Sofianopoulos – Carbon Monoxide Poisoning* - (junior to Stephen O'Meara QC);
- *A number of deaths in custody;*
- *Inquest into the death of M Halwala, Bleomycin lung toxicity as a result of chemotherapy.*

His experience in investigations, emergency management and fraud places him in a unique position to be able to advise parties seeking to recover compensation or take action against individuals for intentional torts and also advise regulators and governing bodies.

Psychiatry and the law – Morgan has significant experience in appearing in matters involving psychiatry and mental health. He has:

- Appeared in numerous Crimes Mental Impairment reviews in the County and Supreme Courts – often calling evidence from forensic psychiatrists;
- Royal Commission into Victoria's Mental Health System;
- Advised government Departments and agencies;
- Successfully acted for many first responders seeking compensation for psychological injury Post Traumatic Stress Disorder (PTSD) following exposure to critical incidents;
- Appeared in a number of deaths in custody – particularly in relation to suicide ratings.

He has also been involved or advised parties in relation to matters relating to sports law and gambling. He

regularly appears in the VFL tribunal on behalf of the league and has also conducted appeals to the Appeal tribunal.

Morgan has an LLM from the Australian National University. In which he focused on Dispute Resolution, Insurance Law and Commercial Drafting. The research component focused on industry-based complaint services as an alternative to litigation (then the FICS and IOS (now the Australian Financial Complaints Authority (AFCA)).

Morgan can also assist in regulation, licensing bodies and disciplinary proceedings. He has a particular interest and experience in medico-legal work. He has defended and prosecuted doctors (and other allied health workers) and acted for them in disciplinary proceedings and other related matters.

Morgan has a strong interest in the Arts. Until recently, he was a Director on the Board of an Arts organisation and has acted and advised several artists and Arts organisations concerning various legal issues.

Other high-profile matters:

- *The Queen v The Herald and Weekly Times Pty Ltd and Ors* (junior to Dr Matthew Collins AM QC) (Contempt of court; breach of suppression order);
- *Inquest into the passing of Veronica Nelson*
- *ICF v DHHS* (junior to Chris Caleo KC) (Misfeasance in public office)

Class actions:


- *Lombardo v DCSS* (Cosmetic surgery class action) (junior to Mary Anne Hartley KC)
- *5 Boroughs NY Pty Ltd v State of Victoria (No. 3)* (junior to Dr Neal SC)

Morgan is happy to discuss with solicitors personally how he can assist in a number of common law and quasi-criminal matters, or contact can be made with one of the Greens List clerks who are well aware of Morgan's experience and capacity.

Memberships & Committees

[Victorian Bar](#)

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

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