

Dr Katherine Fallah

Barrister, 6 St James Hall Chambers
Sessional Lecturer, Australian National University

Admitted as a Lawyer of the Supreme Court of NSW: 2007
Called to the Bar: 2021

Key Areas of Practice

Administrative Law	Discrimination Law
Appellate	Human Rights
Coronial Inquests & Inquiries	Intentional Torts
Constitutional Law	Public International Law
Criminal Law	War Crimes & Military Law

Education

Melbourne Law School	Kathleen Fitzpatrick Visiting Postdoctoral Scholar (2019) ARC Laureate Program in International Law Postdoctoral project: <i>Framing the Mercenary in International Law</i> Supervisor: Distinguished Professor Anne Orford, Australian Research Council Laureate Fellow
Sydney Law School	Doctor of Philosophy in Law (2017) Thesis: <i>Making War, Making Law: Generation of International Legal Norms to Regulate Private Military Violence</i> Supervisor: Professor Ben Saul, Challis Chair of International Law Lionel Murphy Australian Postgraduate Scholar; Australian Postgraduate Award; University of Sydney Cooke, Cooke, Coghlan, Godfrey and Littlejohn Scholarship for Postgraduate Research Visiting Research Positions: <i>Fondation Maison des Sciences de l'Homme</i> , Paris; Institute for International and Comparative Law in Africa, University of Pretoria; European University Institute, Florence
Harvard Law School	Doctoral Exchange Student (2010–2011) Royston George Booker Scholarship; Dean's Discretionary Scholarship
Australian National University	Graduate Diploma in Legal Practice (2007)
University of New South Wales	Bachelor of Jurisprudence / Bachelor of Laws (Award with Distinction) (2005) <i>Majors:</i> Politics and International Relations; International Law <i>Awards:</i> Winner of the Prix Jean-Pictet, International Humanitarian Law Competition; First Place International Law Moot Subject; UNSW McKinsey and Company Scholarship; Vice-Chancellor's High Achiever <i>Clinics:</i> Social Justice Intern, Gilbert + Tobin Centre for Public Law

Selected Professional Experience

6 St James Hall Chambers	<i>Barrister (2022–)</i> Mixed practice with an emphasis on international law, human rights law, public law, inquiries and inquests, and appellate criminal law. Dedicated human rights and migration pro bono practice.
Australian National University, College of Law	<i>Sessional Lecturer (2022–)</i> Course convenor and lecturer in International Criminal Law and International Humanitarian Law.
Maurice Byers Chambers	<i>Barrister (2021–2022)</i> Reader under the tutorship of Ragni Mathur SC (Maurice Byers Chambers) and Adam Hochroth (Banco Chambers). Mixed practice with a focus on appellate criminal law, public law, coronial inquests and human rights.
University of Technology Sydney, Faculty of Law	<i>Lecturer (2011–2020); Adjunct Fellow (2020–2022)</i> Course convenor and lecturer: Public International Law; International Humanitarian Law; International Criminal Law; Criminal Law and Procedure; Human Rights Law; Jessup International Law Moot. Mooting Management Committee and Student Experience Committee. Brennan Program for Social Justice faculty contributor. Learning Futures peer assessor of university-wide subject offerings. Faculty appointment to University Student Conduct Committee, Student Misconduct Appeals Committee, and Academic Board Courses Accreditation Committee. Convenor of the UTS Law Teaching and Learning Seminar Series (2019-2020). Vice-Chancellor's Learning & Teaching Grant (2019).
Sydney Law School	<i>Lecturer (2009–2010); Sessional Lecturer (2007–2008)</i> Course convenor and lecturer: International Law; International Law and Australian Institutions; Public International Law; Civil and Criminal Procedure; War Law (International Humanitarian Law). Associate of the Sydney Centre for International Law. Institute of Criminology Managing Committee. Principal investigator, Reimagining International Criminal Justice Project (Institute of Social Sciences New Capacity Grant, \$25,000). Coach of the Sydney Law School team in the Jean Pictet International Humanitarian Law Competition in France.
Sydney Law School	<i>Research Assistant to the Dean of Law (2007–2008)</i> Legal research for two consecutive Deans: Professor Ron McCallum AO (employment law) and Professor Gillian Triggs (public international law).
Federal Court of Australia, Sydney	<i>Research Associate to the Hon Justice Ronald Sackville AO (2006); Research Associate to the Sydney Judges of the Federal Court (2005–2006)</i> Conducted legal research, proofread judgments, and assisted in the preparation of journal articles and speeches. Key areas of research: administrative law; native title; human rights; competition law.

NSW Office of the Director of Public Prosecutions, Sydney	<i>Prosecution Officer (2005)</i> Instructed counsel in the prosecution of criminal matters ranging from sexual assault to murder, drug offences and malicious wounding cases.
Harmers Workplace Lawyers, Sydney	<i>Paralegal (2002–2004)</i> Undertook legal research and assisted lawyers in their employment and discrimination law practice.
Louisiana Crisis Assistance Centre, New Orleans	<i>Intern (Spring 2002)</i> Assisted lawyers in the defence of death-row inmates. Conducted research and cold case reviews for the Post-Mortem Project, a review of all executions in Texas.
Mallesons Stephens Jacques Solicitors, Sydney	<i>Paralegal (2001–2002)</i> Corporations and financial services law, commercial litigation.
Ebsworth and Ebsworth Solicitors, Sydney	<i>Paralegal (1999–2001)</i> Provided legal assistance to solicitors in commercial practice. Frequently appeared in court (with leave) and instructed counsel at hearings.

Professional Affiliations & International Awards

- Member of the NSW Bar Association Human Rights Committee (2022–)
- Member of the NSW Bar Association Diversity and Equality Committee (2023–)
- Member of the Australian and New Zealand Society of International Law (2016–)
- Member of the International Humanitarian Law Advisory Committee, Australian Red Cross (2009–2018)
- Member of the Australian and New Zealand Professional Association for Transgender Health (2016–19)
- Alumna of the Harvard Law School Institute of Global Law and Policy Scholars' Workshop
- Recipient of the Prix Jean-Pictet for International Humanitarian Law (2003)
- Recipient of the Audre Rapoport Prize for Scholarship on Gender and Human Rights (2018)

Selected Research Consultancies, Community Education Projects & Public Affairs

- Legal Consultant to the Geneva Centre for the Democratic Control of the Armed Forces, Project on Privatisation of Security (2008–2010)
- Legal Consultant to the African Union, Options for the Elimination of Mercenarism in Africa (2008)
- Legal Consultant to the Institute for Security Studies, South Africa, contributing to the Project on the Regulation of Private Military and Security Companies (2007–2008)
- International humanitarian law training of senior officials from the Iraqi Ministries of the Interior and Human Rights (in collaboration with AusAID) (2007–2009)
- Delegate to the Drafting Conference for the Oversight Mechanism of the International Code of Conduct of Security Service Providers (Montreux, Switzerland) (2013)
- Delegate to the Australian Federal Government's Australia 2020 Summit (Canberra, Australia), at the invitation of the Prime Minister of Australia (2008)
- Legal Researcher for the Australian Section of the International Commission of Jurists (2006–2008)

Select Cases

Human rights

- [*Deng v Australian Capital Territory \(No 3\)*](#) [2022] ACTSC 262 – arbitrary detention – *Human Rights Act 2006* (ACT) (ACT Supreme Court, led by Adam Hochroth for the defendants).
- [*Evans v McConaghy Shopping Centres Pty Ltd*](#) [2022] NSWCATAD 406 – disability discrimination in the provision of goods and services (NCAT, final outcome confidential, unled for the applicant).
- [*Mullaley v Western Australia*](#) – race discrimination in policing (Federal Court of Australia, outcome confidential, unled for the applicants).
- *EIX20 v Western Australia; EIY20 v Western Australia* - race discrimination and disability discrimination against youth detainees at Banksia Hill Detention Centre (Federal Court of Australia, ongoing, led by Geoffrey Watson SC and Diana Tang for the applicants).

Coronial inquests

- [*Inquest into the Deaths of Stacey Docherty and Seth Docherty*](#) (2022) – mother/child homicide/suicide (Coroners Court of NSW, assisting Simeon Beckett SC for the Department of Communities and Justice).
- [*Inquest into the Death of George Campbell*](#) (2023) – death of a young person in Out of Home Care (ongoing, led by Simeon Beckett SC for the Department of Communities and Justice).

Criminal appeals

- [*Addo v R*](#) [2022] NSWCCA 141 – tendency and coincidence evidence – discharge of dissentient juror (Court of Criminal Appeal, led by David Carroll for the appellant).
- [*DR v R*](#) [2022] NSWCCA 151 – application of *Bugmy* principles on sentencing (Court of Criminal Appeal, led by Ragni Mathur SC for the appellant).
- *Ney v R* – mental illness considerations on sentencing (Court of Criminal Appeal, ongoing, led by Ertunç Ozen SC for the appellant).

Publications

- For a full list of publications, including articles in scholarly journals and presentations at institutions such as Harvard Law School, UCLA, Sciences-Po in Paris, Melbourne Law School, the Centre for Critical International Law at Kent, and the Institute for International and Comparative Law in Africa, see: <https://www.sixstjameshall.com.au/s/Fallah-publications.pdf>.