

CURRICULUM VITAE

Damian Beaufils

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EDUCATION

- 2012 - 2013: MASTER OF LAWS (Criminal Prosecutions)
University of Wollongong
- 2011: GRADUATE DIPLOMA OF LEGAL PRACTICE
The College of Law
- 2008 – 2010: BACHELOR OF LAWS (HONS)
University of Sydney
- 2003 – 2007: BACHELOR OF ENGINEERING (HONS) (Environmental)
University of Wollongong

RELEVANT EMPLOYMENT HISTORY

2016 – Present – Barrister

I have been involved in a number of matters in the Land and Environment Court of NSW, the Local, District and Supreme Court of New South Wales as well as the Court of Criminal Appeal. I have conducted prosecutions for Local Councils and appeared for defendants in a variety of criminal matters. A list of cases and publications I have been involved in is found below.

2015 – 2016 – Solicitor, Office of Environment and Heritage

In my position at Office of Environment and Heritage I conducted prosecutions for the Environment Protection Authority and the National Parks and Wildlife Service. I also participated in civil enforcement matters in relation to native vegetation.

My responsibilities include conducting prosecutions in both the Local Court of New South Wales and the Land and Environment Court of New South Wales. At times I was part of the investigation team that would identify appropriate charges based on the evidence obtained. This position gave me first-hand experience into the ethical parameters that a prosecutor operates within, and the way prosecutorial guidelines apply to criminal matters.

2011 – 2015 – Solicitor, Legal Aid New South Wales

Specific tasks that I have performed whilst practising as a Solicitor with Legal Aid New South Wales include the following:

- Appearing in the Local Court of New South Wales completing bail applications, sentences, defended hearings, mentions and applications under section 32 of the Mental Health (Forensic Provisions) Act 1990 (NSW).
- Appearing in the District Court of New South Wales completing severity and conviction appeals, breach of bond matters and bail applications.
- Appearing in the Supreme Court of New South Wales completing bail applications.
- Appearing in the Administrative Decisions Tribunal in discrimination matters.
- Instructing Counsel in the Supreme and District Court in both criminal trials and sentences including complex criminal matters.
- Analysis of evidence in order to provide advice to clients about the strengths and weakness of that evidence. Advice would also consist of the appropriateness of charges and whether or not negotiations could achieve a better result for the client.
- Management of large and varied local court criminal practice.
- Providing pragmatic and effective legal advice to a number of clients at criminal and civil law advice clinics in regional and remote areas of New South Wales including Walgett, Redfern, Mount Druitt and Sutherland.
- Participating in a working party that created the first Legal Aid NSW Reconciliation Action Plan.
- Assistance with recruitment panels.
- Legal research in relation to legislative amendments such as the *Bail Act 2013* (NSW).
- Creation of personal performance plan and participation in file review process.
- Providing community legal education and attendance at interagency meetings.
- Drafting legal documents such as written submissions, subpoenas, notice of motions and affidavits.
- Charge negotiations with DPP and Police Prosecutors in relation to criminal law matters.
- Making decisions in relation to applications for grants of aid with further tasks such as requests for further information, terminating grants, assessing merits of appeals, assessing likelihood of imprisonment for local court defended hearings, advising clients about contributions and submissions to the LARC appeal committee.
- Identification of areas that can be improved within the office such as the way we managed our local court staff.
- Providing guidance to junior staff in relation to ethical issues, dealing with difficult clients, legal aid policies, stress management and the management of their practice.
- Settlement negotiations with corporations and government bodies in relation to civil law matters.

CASES AND PUBLICATIONS

2021

- *Tugaga v R* [2021] NSWDC 388
- *City of Parramatta Council v Sydney Trees Excavation and Demolition Pty Ltd* [2021] NSWLEC 71
- *R v Bortic* [2021] NSWCCA 138
- *R v Skelly* [2021] NSWDC 205
- *Chemaisssem v R* [2021] NSWCCA 66

2020

- *Tamer v R* [2020] NSWCCA 333
- *Bolin v R* [2020] NSWCCA 332
- *Namoi Valley Farms Pty Limited v Office of Environment and Heritage New South Wales; Department of Premier and Cabinet* [2020] NSWCCA 298
- *Woods v R* [2020] NSWCCA 219
- *Chief Executive, Office of Environment and Heritage v Namoi Valley Farms Pty Ltd* [2020] NSWLEC 69
- *R v Ayoub* [2020] NSWSC 154

2019

- Special Commission of Inquiry into the Drug 'Ice' – Counsel Assisting
- *Ku-ring-gai Council v John David Chia* (No 15) [2019] NSWLEC 1

2018

- *Environment Protection Authority v Australian Aged Dental Care Pty Ltd* [2018] NSWLC 15
- *Environment Protection Authority v Ditchfield Contracting Pty Limited* [2018] NSWLEC 90
- *Chen v R* [2018] NSWCCA 106

2017

- *RVA Australia Pty Ltd v Sutherland Shire Council No. 3* [2017] NSWLEC 1743
- *Willoughby City Council v Rahmani* [2017] NSWLEC 166

- *Apokis v Roads and Maritime Services* [2017] NSWLEC 163
- *Marland v R* [2017] NSWCCA 277
- *Woolworths Limited v Randwick City Council* [2017] NSWCA 179
- *Liverpool City Council v Moorebank Recyclers Pty Limited; Benedict Industries Pty Ltd v Minister for Planning (No 3)* [2017] NSWLEC 83
- *Council of the City of Ryde v Sally Haddad executor of the estate of the late Jim Haddad* [2017] NSWLEC 70
- *Saffioti v Kiama Municipal Council* [2017] NSWLEC 65
- *Liverpool City Council v Moorebank Recyclers Pty Limited; Benedict Industries Pty Ltd v Minister for Planning (No 2)* [2017] NSWLEC 53
- *Northern Beaches Council v Independent Liquor and Gaming Authority* [2017] NSWCATAD 122
- *RVA Australia Pty Ltd v Sutherland Shire Council* [2017] NSWLEC 1161
- *NSW Commissioner of Police v Keep Sydney Open Ltd* [2017] NSWSC 5

2016

- *Darcy v Duckett* [2016] NSWSC 1756
- *Williams v Graham* [2016] NSWLEC 151

PERSONAL ACHIEVEMENTS

2011: Admitted to the NSW Roll of Solicitors

2010: University of Sydney, Bruce Miles Scholarship Recipient

2009: University of Sydney Law School, Victoria Gollan Prize Winner

2003: University of Wollongong, Scholarship for Rugby Union

EXTRACURRICULAR INTERESTS

2021: Coach, Diverse Women in Law Advocacy Program

2020: Mentor, NSW Bar Association's First Nations Mentoring Program

2015: Mentor, Gilbert and Tobin Indigenous Mentoring Program

2009 – 2012: Captain, Coach and Manger, Loftus Rovers Senior Men's Football team

2009: Mentor, "AIME" Aust. Indigenous Mentoring Program

2004: Coach, Lloyd McDermott Indigenous Rugby Development Team Inc