



ROBERT HEATH KC

SILK: 2017 | CALL: 1999 (VICTORIA, AUSTRALIA)



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Overview

Robert has more than 23 years' experience in legal practice. He is recognised for his oral advocacy and paperwork, as well as for his client skills, versatility and commerciality. He is an experienced advocate in all types of applications, trials and appeals. He has a wide-ranging practice with particular expertise in arbitrations, class actions, infrastructure disputes, civil/commercial fraud, equity and trusts, and professional negligence. His recent cases include (i) acting for Fonterra Australia in a substantial class action and (ii) acting for Hydro Tasmania in an action relating to the failure of the Basslink sub-sea electricity cable.

Robert has had involvement in arbitrations under the UNCITRAL, Australian Centre for International Arbitration (**ACICA**) and SIAC Rules. Recently, he has acted as the sole arbitrator in an arbitration under the ACICA Rules (between joint venture partners working on the Melbourne Metro Rail Project), and he has acted as sole arbitrator in an *ad hoc* arbitration (between local government bodies in relation to land remediation disputes). Robert is an experienced mediator.

Education

- University of Melbourne (1995), BA (Hons); LLB (Hons)
- Diploma Certificate in International Arbitration, CIArb (2019).

Professional Memberships

- Member of the Victorian, Tasmanian and Western Australian Bars (Australia)
- Registered practitioner, Dubai International Financial Centre Courts
- Fellow of ACICA
- Member of the Reserve Panel of Arbitrators – SIAC
- Member of the Panel of Arbitrators – AIAC and THAC
- ICC
- Associate Member, Society of Mediation Professionals (Singapore)

Current Positions

- Code of Conduct Commissioner, Cricket Australia
- Member of the National Sports Tribunal (Australia)
- Chair of the Appeals Board, Football Victoria
- Accredited Mediator, National Mediator Accreditation System (Australia)
- Director of Episcopal Standards, Anglican Diocese of Melbourne

Professional Experience – example cases

- Acting for a major electricity generator in an arbitration, seated in Melbourne, relating to the Basslink sub-sea electricity cable
- A class action in the Supreme Court of Victoria relating to the farmgate milk price paid to Fonterra Australia's suppliers
- A class action in the Supreme Court of Victoria relating to aviation courses provided by a tertiary education institution
- Acting for the State of Victoria in a dispute concerning organochlorine contamination on a school property
- Providing advice to a multi-national construction company in respect of a substantial solar farm in New South Wales, Australia
- Acting for a minority shareholder in oppression proceedings in the Federal Court of Australia

- An action in the Federal Court of Australia relating to the appropriation of confidential information concerning systems for producing microencapsulated bioactive compounds at a processing plant in Wangnamyen, Thailand
- Acting for Merck Sharpe & Dohme in the Vioxx class action in the Federal Court of Australia
- Acting as an expert witness in a SIAC proceeding involving questions of Australian law
- Acting for the State of Victoria in a case relating to catastrophic injuries sustained by a prisoner
- Prosecuting medical practitioners on behalf of the Chinese Medicine Board of Australia

Languages

- English
- Robert is learning Bahasa Indonesia

Recommendations

- Chambers & Partners, Asia-Pacific, Dispute Resolution (Australia) – The Bar (2013, 2016, 2017, 2018, 2019 and 2023). For example:
 - *"Robert Heath is praised for a variety of valuable qualities, one source identifying him as 'technically excellent', a source of 'quality legal advice and a good sounding board for strategic matters', while another stresses that he is 'very bright and good on his feet'."*
 - *"Robert is a very thorough, incisive and persuasive advocate based on substance, not bluster."*
- Doyle's Guide, Leading Arbitration Barrister Rankings – Australia (2022)
- Best Lawyers, "Lawyer of the Year" award – Class action litigation in Melbourne (2023)

Other matters

- Robert is the honorary legal adviser to the Royal Historical Society of Victoria Inc.
- In 1999, Robert compiled & edited a book titled *"COACH! Inspiration & Perspiration"* (Information Australia, Melbourne, 2000).
- In 2016, Robert was one of the producers and directors of a feature length documentary titled "The Galahs" (which film documented the world tour of a team of Australian Rules footballers in 1967).
- Robert is a producer and director of a feature length documentary relating to Ferenc Puskás as a football manager in Australia in the early 1990s