



GREENWAY CHAMBERS

# Conflicts of Interest

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## Ed Cox SC and Adele Carr

# Conflicts of Interest

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## Topics to be covered

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- Exercising inherent jurisdiction
- Recognising conflict
- Solicitor as a witness in proceedings vs might be called as a witness
- Advancement of personal interest

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## Charisteas v Charisteas [2022] FedCFamC1A 160

- Wife and litigation funder represented by the same solicitor
- Conduct of wife's counsel part of reason of remittal by the High Court
- Informed member of the public would conclude vs might conclude

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## Le v Anguis [2022] NSWSC 1150

- Plaintiff's solicitor previously represented deceased
- Use of confidential information
- Mere possibility of calling a solicitor as a witness not sufficient to justify restraint

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## Wild v Meduri [2023] NSWSC 113

- Solicitor on the record for the defendants and required to give evidence
- Rule 27 of the Solicitor's Conduct Rules

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Michael Wilson & Partners v Nicholls [2023] ACTCA 13

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- Solicitor potentially acting as a mere mouthpiece
- Basis on which solicitor may be restrained



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## Contact details

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