

# KAVITA BALENDRA

4WENTWORTH

BARRISTER

CHAMBERS

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Level 4, 180 Phillip Street,  
Sydney NSW 2000.

## Practice Areas

- Personal Injury
  - Workers Compensation
  - Public Liability
  - Motor Accident Compensation
- Intentional Torts
- Institutional Abuse
- Administrative Law
- Appeals
- Professional Negligence
- Insurance and Contracts
- Guardianship and Protected Estates
- Consumer Law
- Wills, Probate & Family Provision

## Employment

- 2008 - present      Barrister,  
4 Wentworth Chambers
- 2004 - 2008      Solicitor,  
Mills Oakley  
General litigation, Alternative Dispute Resolution including insurance, AAT and crime.
- 2003      Judge's Associate and Tipstaff to Justice Barrett,  
Supreme Court of NSW  
Legal research, in-court duties, administrative support for the Judge

## Education

- 2009      Master of Laws (LLM)  
University of Sydney
- 2002      Bachelor of Laws (LLB), Honours  
University of Sydney
- 1999      Bachelor of Science (BSc), Honours  
University of Sydney  
Major in Neuroscience

## Accreditation

- 2019      Nationally Accredited Multi-Disciplinary Mediator  
Australian Disputes Centre

## Publications

- 2021      Court of Conscience, UNSW Law Society, Issue 15, 2021  
'ASIC v Kobelt: An illustration of the Problems in Applying Community Values in Novel Situations'
- 2019      Bar News, NSW Bar Association, Autumn 2019  
'Untethered: Ruminations of a Common Law Barrister'
- 2017      Precedent, Australian Lawyers Alliance, Issue 140, May/June 2017  
'Recreational Activities and Exclusion Clauses'
- 2016      Bench TV, Benchmark productions Video CPD, March 2016  
'Negligence & Recreational Activities: *Alameddine v Glenworth Valley*'  
Bench TV, Benchmark productions Video CPD, Sept 2016  
'Want of Prosecution: *Onik Energy v Henderson*'

## Lectures

- 2019 - 2024      Course Facilitator and Lecturer: 'Effective Advocacy',  
Annual Legal Excellence Seminars, Law Society of NSW

### **Selected Cases – Led**

Consumer law	<i>Bamber v Hartman Pacific Pty Ltd</i> [2018] NSWCA 248 (29 October 2018)
Civil Liability Act	<i>Alameddine v Glenworth Valley Horse Riding Pty Ltd</i> [2015] NSWCA 219 (29 July 2015)
Superannuation	<i>SAS Trustee Corporation v Cameron</i> [2012] NSWIRComm 20 (23 March 2012)
Sexual Abuse/Limitation	<i>Guthrie v Spence</i> [2009] 78 NSWLR 223

### **Selected Cases – Unled**

Work Injury Damages	<i>Darma v Claremont Connections Pty Limited</i> [2021] NSWDC 509 (24 September 2021)
Personal Injury Commission Appeals	<i>Stanshall v The Urban Fringe Kings Langley Pty Ltd</i> [2021] NSWPICPD 23 (26 July 2021) <i>Australian Bushman's Campdraft and Rodeo Association Ltd v Gajkowski</i> [2017] NSWWCCPD 54 (15 December 2017)
Practice and Procedure	<i>Niass v State of New South Wales</i> [2020] NSWSC 707 (9 June 2020) <i>Onik New Energy Australia Pty Limited v Henderson</i> [2016] NSWSC 186 (9 March 2016)
Motor Accident Compensation	<i>McPherson v Dowell</i> [2018] NSWDC 348 (21 November 2018)
Estates	<i>Kiril Josifovski (aka Kiro Josifovski) as Administrator of the estates of the late Snezana Veleovski (aka Snezana Velevska) and the late Daniela Velevska v Ljube Veleovski</i> [2013] NSWSC 1103 (14 August 2013)
Employment	<i>Wang and others v Speciality Fashion Group Ltd</i> [2011] FWA 6872 (20 October 2011)
Costs	<i>Carvajal v Lamba (No. 2)</i> [2019] NSWDC 333 (19 July 2019)
Institutional Abuse and Intentional Tort	<i>Smith v Jones</i> [2022] NSWSC 1191 (9 September 2022)

### **Professional Associations**

2008 – present	NSW Bar Association Bar News Committee (2019 - Present) Common Law Committee (2019 - 2020) Education Committee (2015) Diversity Committee (2009) Volunteer Bar Exam Marker (2010 - 2019) Bar Course Facilitator and Lecturer (2010 – Present)
2008 – present	Australian Bar Association Diversity and Inclusion Committee (2019 – Present)
2014 – present	Women Barristers Forum Information Technology Officer (2015 – 2018) Secretary (2014)
2016 – present	Law Society of NSW Course Facilitator, Lecturer: 'Effective Advocacy' (2018 – Present) Volunteer School Mock Trial Judge (2016 - Present)