



MARK SMYTH

PARTNER

[Sydney](#)
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Mark is a Partner focusing on regulatory disputes, investigations and public law.

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BACKGROUND

Mark holds a Master of Laws (BCL) from the University of Oxford and a Bachelor of Arts & Bachelor of Laws (First Class Honours) from the Australian National University.

Mark is the co-author of a leading Australian textbook on public law, freedom of information and privacy, *Control of Government Action*. He is a Teaching Fellow in Administrative Law at UNSW and a member of the NSW Law Society's Public Law Committee.

He is admitted to practise as a solicitor of the Supreme Court of NSW, the High Court of Australia and in England & Wales.

KEY SERVICES

[Administrative and Public Law](#)
[Commercial Litigation](#)

KEY SECTORS

[Banks](#)
[Energy](#)

EXPERIENCE

Mark is an experienced litigator who advises clients on strategic contentious matters and helps clients to navigate and resolve significant disputes. Mark focuses on regulatory disputes, investigations, inquiries and public law. He has worked across the firm's global network, including the firm's London office.

Mark is regularly called upon to provide strategic advice to clients in a contentious context, investigations and commissions of inquiry, merits and judicial review of government decisions, and trials on complex commercial and regulatory matters.

Mark works with clients across a range of industries and has particular experience in energy and resources, financial services, infrastructure and technology & telecommunications sectors.

Mark's recent experience includes advising:

- numerous ASX-listed companies in relation to ESG issues, including in relation to environmental and climate change issues, responding to shareholder activism and defending litigation
- a major global technology company in relation to novel digital platform regulation and associated regulatory investigations
- a public authority in relation to several major infrastructure procurement disputes
- various listed companies and individuals in connection with criminal and regulatory investigations involving alleged bribery, fraud and criminal contraventions of the *Corporations Act*
- a leading ASX-listed company in successfully defending proceedings for misleading or deceptive conduct and unconscionable conduct
- a global mining and resources company in relation to various issues arising from the failure of a major asset
- a major energy company in relation to judicial review proceedings in relation to energy pricing
- clients across the technology, energy & resources and financial services sectors in relation to major public inquiries, including Royal Commissions, ICAC inquiries and Senate inquiries

- various financial services institutions in relation to ASIC investigations and actions arising from the Financial Services Royal Commission