



GREENWAY CHAMBERS

Ian Roberts SC

Barrister 1996 / Silk 2011

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Practice

Ian Roberts SC is a senior counsel with more than 30 years of experience as a lawyer including more than 25 years at the NSW Bar. His successful practice focuses on construction and infrastructure law, commercial law, professional negligence, transport law and appellate proceedings. He appears regularly in the NSW Supreme Court Technology & Construction List and Commercial List and the Federal Court of Australia. Ian accepts appointments as a mediator, referee and expert in expert determinations and also facilitates expert witnesses' conclaves.

Generally retained to appear in the Supreme Court of NSW, Frank is also regularly briefed for proceedings in the Federal Court and the superior courts of Queensland, Victoria, South Australia and the ACT. He has appeared in the High Court on special leave applications and final hearing.

Frank Hicks SC is also engaged for domestic and international arbitrations, and has advised on and appeared in all other forums of alternative dispute resolution, including mediation and expert determination.

Frank Hicks SC has also been regularly appointed as an arbitrator by agreement in private arbitral proceedings and as an expert for contractual expert determination of disputes and issues. He has been appointed by the NSW Supreme Court as a referee and facilitator of expert conclaves in litigation proceedings.

Further, Frank Hicks SC enjoys a strong reputation as a mediator for commercial and construction disputes, with an ability to achieve sound and satisfactory settlements of complex matters.

Called to the Bar in 2003 and took silk in 2017. Prior to the call, he was a Senior Associate in the disputes division of Clayton Utz's Construction & Major Projects Group between 1996 and 2002. From 1993 to 1996, he was a solicitor with Marsdens Lawyers, where he worked in general litigation in Campbelltown and Sydney.

Frank Hicks SC has a deep interest in the law of expert evidence, particularly as it relates to delay, disruption, and programming for construction projects, engineering issues (structural, geotechnical and civil), and architectural/design services. He has given many presentations for Building and Construction Disputes Workshops, NSW Young Lawyers CLE seminars, UNSW Legal Seminars, and local Law Society CLE seminars, as well as CPD seminars for Greenway Chambers.

Outside of the law, he enjoys cricket, rugby (union and league), horse racing and fine music.

Areas of Expertise

Appellate

Transport

Building and construction

Commercial law and equity

Professional indemnity and insurance

Qualifications

- Bachelor of Laws (QUT)
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Professional Recognition

- Doyles Guide, Leading Senior Counsel, Construction and Infrastructure (NSW) - Leading, 2020 -2025
 - Doyles Guide, Leading Senior Counsel, Construction and Infrastructure (Australia) - Recommended, 2020 - 2025
 - Best Lawyers Australia, Construction and Infrastructure, 2021 - 2026
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Publications

- Big Choice in Rotten Apples: to pay or to rectify (2018) 29(7&8) ACLB 70
- Lewence Construction: end of the last chance cash grab for insolvent contractors? (2017) 29(1) ACLB 5
- Negligence of builders for latent defects that arise long after completion (2014) 26 ACLB 134
- Agripower Australia - the end of SOP claims on mining leases? (2013) 25 ACLB 66
- Security of Payment Act claims by insolvent contractors (2013) 24(10) ACLB 154
- Carbon Tax price increases in construction projects (2012) 24 ACLB 86
- Completion of residential construction work: When does the clock start ticking? (2011) BCLJ 30
- Quo Vadis? Towards an effective predatory pricing provision (2009) 17 TPLJ 82
- Act Reigns in Corporate Bullying Adelaide Advertiser 15 January 2008
- The Big Chill from Birdsville (Nov 2007) LSJ 64
- Sovereign Immunity and Equitable Rights Against the Commonwealth (2007) 81 ALJ 406

Parkview Constructions Pty Ltd v Futuroscop Enterprises Pty Ltd [2023] NSWSC 178

Larsen v Tastec Pty Ltd [2023] NSWCA 39

Comptroller-General of Customs v Alstom Transport Australia Pty Ltd (2022) 293 FCR 381

Glencore Coal Pty Ltd v Franks [2021] FCAFC 61

TFM Epping Land Pty Ltd v Decon Australia Pty Ltd [2020] NSWCA 118

TFM Epping Land Pty Ltd v Decon Australia Pty Ltd [2020] NSWCA 93

Alstom Transport Australia Pty Ltd v Comptroller-General of Customs [2020] FCAFC 43

Acciona Infrastructure Australia Pty Ltd v Chess Engineering Pty Ltd (No 2) [2020] NSWSC 1788

Owners - Strata Plan No 87231 v 3A Composites Gmbh (2019) 369 ALR 315

Nuance Group (Australia) Pty Ltd v Shape Australia Pty Ltd [2018] VSC 362

The Owners Stata Plan 66375 v King [2018] NSWCA 170

Skyworks NSW Pty Ltd v 32 Drummoyne Pty Ltd [2017] NSWSC 343

The Owners Corporation Strata Plan 76841 v Ceerose Pty Ltd [2017] NSWCA 140

Fitz Jersey Pty Ltd v Atlas Construction Group Pty Ltd [2017] NSWCA 53

CJD Equipment v A & C Constructions [2009] NSWSC 1362

Rail Equipment Leasing Pty Ltd v CV Scheepvaartonderneming Emmagracht [2008] NSWSC 850

CV Sheepvaartonderneming Ankergracht v Stemcor (A/sia) Pty Limited [2007] FCAFC 77