

Caroline Brown

Partner

Perth

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About Caroline

Caroline specialises in energy, competition and regulatory law and disputes. She has broad commercial litigation experience in the Supreme and Federal Courts and is experienced in all forms of alternative dispute resolution.

Caroline regularly manages large commercial disputes, with significant volumes of documentation and complex, disputed facts. She has assisted clients in resolving disputes and regulatory issues through negotiation, mediation, arbitration, expert determination and litigation.

Since 2002, Caroline has acted for the Economic Regulation Authority in relation to access disputes before review bodies, including the Australian Competition Tribunal and the Supreme Court of Western Australia.

Experience

- Acting for a state-owned gentailer subsidiary of Synergy in the defence of proceedings before the Electricity Review Board alleging a breach of the Wholesale Electricity Market Rules.
- Acting for the Australian energy market operator in a dispute with an independent power producer over a requirement for the producer to refund capacity payments in circumstances where it was on forced outage for up to six months. The Supreme Court agreed with our client's construction of the relevant Market Rules and required payment of the refunds.
- Acting for the Economic Regulation Authority of Western Australia in an application by the owners of the Goldfields Gas Pipeline (GGP) to the Supreme Court of WA for judicial review of the ERA's decision on the 2016 – 2019 revised access arrangement for the GGP. The Supreme Court ultimately dismissed GGT's application for judicial review and upheld the ERA's final decision concluding that the ERA did not make an error of law.
- Acting for Wright Prospecting in its objection to Cazaly Iron's application for an exploration licence over the Rhodes Ridge Iron ore tenements, including proceedings in the Warden's Court and Supreme Court judicial review action.

- Advising the Essential Services Commission of South Australia on legal issues related to its assessment of Envestra's proposed revised access arrangement for the South Australian Gas Distribution System, including acting for ESCOSA in an application for review before the District Court of South Australia and a judicial review application before the Supreme Court of South Australia.
- Acting for the Australian Competition and Consumer Commission (ACCC) in an action against a group of companies and their directors involving allegations of a pyramid scheme and referral selling in relation to a scheme promoted partly over the internet. Interim injunctions were ordered, preventing the promotion of the scheme and a Mareva order was made, freezing the assets of the company and the principal director. In the course of the proceedings, Anton Pillar-type orders were made allowing the ACCC to inspect the company's accounts and financial records.

Credentials

Education

- The University of Western Australia, LL.B., 1990
- The University of Western Australia B Juris, 1989

Admissions

- Western Australia, 1995

Recognitions

- Recommended as a Leading Commercial Litigation & Dispute Resolution Lawyer in Western Australia by *Doyle's Guide* 2025
- Recognised by *Best Lawyers in Australia* for competition and regulatory law since 2014, including Lawyer of the Year (2022 edition) for Competition Law, Perth

Expertise

Services

- Antitrust & Competition
- Litigation
- Corporate
- International Dispute Resolution

Industries

- Energy & Natural Resources

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.