



## ROBERT HEATH KC

**SILK: 2017 | CALL: 1999 (VICTORIA, AUSTRALIA)**



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## Overview

Robert is an experienced advocate in all types of applications, trials and appeals. He has a wide-ranging practice with particular expertise in arbitrations, class actions, infrastructure / construction disputes, engineering disputes, civil/commercial fraud, equity and trusts, energy disputes (including gas price review arbitrations), and professional negligence.

In relation to construction and engineering disputes, Robert has worked on matters relating to the new Royal Adelaide Hospital, the failure of the Basslink sub-sea cable, a food processing plant in Thailand, technology used to process lamb carcasses at a Melbourne abattoir, and substantial infrastructure projects in Melbourne and Sydney (as counsel or arbitrator).

Robert has had involvement in arbitrations under the ACICA, UNCITRAL and SIAC Rules. In the last few years, he has acted as sole arbitrator in relation to the following disputes: a joint venture dispute relating to the Melbourne Metro Rail Project (sole arbitrator); a land remediation dispute between municipal councils (sole arbitrator); a joint venture dispute relating to a road project in Sydney (co-arbitrator, panel of three); a dispute relating to block-chain tokens and coins (sole arbitrator); and an expert determination in relation to a construction dispute.

## Education

- University of Melbourne (1995), BA (Hons); LLB (Hons)
- Diploma Certificate in International Arbitration, CIArb (2019).

## Professional Memberships

- Member of the Victorian, Tasmanian and Western Australian Bars
- Associate member of Bankside Chambers, Auckland and Singapore
- Registered practitioner, Dubai International Financial Centre Courts
- Fellow of the Chartered Institute of Arbitrators (FCI Arb)
- Fellow of ACICA
- Member of the List of Arbitrators – HKIAC
- Member of the Reserve Panel of Arbitrators – SIAC
- Member of the Panel of Arbitrators – DIAC
- Member of the ICC Australia Appointments Commission

## Current Positions

- Code of Conduct Commissioner, Cricket Australia
- Member of the National Sports Tribunal (Australia)
- Chair of the Appeals Board, Football Victoria
- Accredited Mediator, National Mediator Accreditation System (Australia)
- Director, Arbitration Victoria

## Professional Experience – example cases

- Acting for club doctors in the Australian Football League concussion class action (Max Rooke & Ors v The AFL & Ors).
- Acting for a major electricity generator in arbitrations, seated in Perth, relating to price reviews for the supply of gas under long term gas supply contracts
- Acting for a major electricity generator in arbitrations, seated in Melbourne, relating to the failure of the Basslink sub-sea electricity cable
- Acting for the Level Cross Removal Authority (Victoria) in relation to project-related disputes
- Acting for athletes and national sporting bodies in two pre-Olympic Games CAS arbitrations seated in Lausanne, Switzerland

- Acting for Fonterra Australia in a substantial class action concerning the farmgate milk price paid to Australian dairy farmers
- Acting for the harbour master of the Port of Apollo Bay in proceedings in the Supreme Court of Victoria
- Acting for the State of Victoria in a dispute concerning organochlorine contamination on a school property
- Acting for the Project company in disputes relating to the construction of the new Royal Adelaide Hospital
- Acting for the Linking Melbourne Authority in relation to East West link disputes
- Acting as an expert witness in a SIAC proceeding involving questions of Australian law

## Recommendations

- Doyle's Guide, Leading Arbitration Barrister Rankings – Australia (2025).
- Chambers & Partners, Asia-Pacific, Dispute Resolution (Australia) – The Bar (nine years ranked)
- Chambers & Partners, Global (2024): Dispute Resolution – The Bar.
- Chambers & Partners, sample referee comments:
  - *"Robert Heath is praised for a variety of valuable qualities, one source identifying him as 'technically excellent', a source of 'quality legal advice and a good sounding board for strategic matters', while another stresses that he is 'very bright and good on his feet'."*
  - *"Robert is a very thorough, incisive and persuasive advocate based on substance, not bluster."*

## Other matters

- Robert is the honorary legal adviser to the Royal Historical Society of Victoria Inc.
- In 1999, Robert compiled & edited a book titled *"COACH! Inspiration & Perspiration"* (Information Australia, Melbourne, 2000)
- Robert is a producer and director of a feature length documentary film titled *"The Galahs"* (which film documents the world tour of a team of Australian Rules footballers in 1967)
- Robert is a producer and director of a feature length documentary film titled *"Ange & The Boss"* (which relates to Ferenc Puskás, Ange Postecoglou and the South Melbourne Hellas Football Club)