

Curriculum Vitae

Angus Scott KC

July 2010 to Present

- Expertise:** Administrative
Appellate
Royal Commissions, Commissions of Inquiry and Inquiries
Civil & Human Rights & Discrimination
Commercial
Constitutional
Criminal
Disciplinary proceedings
Discrimination
Occupational Health and Safety (2023 Doyles List recommended Barrister)
Mining – Disciplinary Proceedings, Prosecutions and Inquiries
- Jurisdictions of Practice:** High Court, Federal Court, Supreme Court of Queensland (trial and appeal division), Industrial Court, Industrial Magistrates Court, Federal Magistrates Court, Queensland Civil and Administrative Tribunal
- Experience:** Senior Counsel Assisting the Royal Commission into the Robodebt Scheme
- Junior Counsel Assisting in the Commission of Inquiry relating to the Crime and Corruption Commission
- Appeared as Counsel in cases including the following:
- *Parole Board Queensland v McQueen* [2022] QCA 230
 - **Issue:** Whether a statutory duty imposed on the parole board to provide reasons for cancelling or suspending a prisoner’s parole is qualified by a statutory confidentiality provision
 - *Health Ombudsman v Braun* [2022] QCA 117
 - **Issue:** Whether the Health Ombudsman has the power to extend the statutory time limit for completing an investigation after the expiry of that time limit
 - *R v Maudsley* [2021] QCA 268;
 - **Issue:** Whether the dishonest state of mind required for proof of an offence against section 92A of the *Criminal Code* must be proven to be the purpose of of the act that constitutes that offence
 - *Australian Conservation Foundation Inc v Minister for the Environment* (2021) 174 ALD 286

- **Issue:** Interpretation of the “water trigger” under the Environmental Protection and Biodiversity Conservation Act 1999 (Cth) in the context of an approval by a Commonwealth Minister in relation to the Adani Coal Mine.
- *Sunland Cattle Co Pty Ltd v Kingham* [2021] QSC 287
 - **Issue:** Whether the Land Court has a duty to inquire when considering a recommendation in respect of an application for a mining lease under the *Mineral Resources Act 1989*.
- *Parker v Commissioner, Queensland Fire and Emergency Services* (2020) 6 QR 361
 - **Issue:** Whether admissions by a public servant in a confidential conversation with another public servant is precluded from use in an investigation under the *Crime and Corruption Act 2001* by reason of an obligation of confidence
- *Lee v Crime and Corruption Commission* [2020] QCA 201
 - **Issue:** Whether the ruler in *Jones v Dunkel* applies in disciplinary proceedings
- *Braun v Rushbrook* [2020] QSC 268
 - **Issue:** Whether procedural fairness must be afforded to a public servant before they are suspended under s. 137 of the *Public Service Act 2008* (Qld).
- *Stone v Guli* (2020) 303 IR 42
 - **Issue:** Whether prosecution proceedings are invalid because the complainant commenced proceedings under a delegation instead of a written authorisation under a separate power. Special leave decision at [2021] HCATrans 147.
- Other recent experience:
 - **Issue:** Acting for two former executives of Linc Energy in the prosecution of them for environmental offences. Appearing as defence counsel in jury trials of criminal matters related to the Ipswich City Council.
- *Kilby v Harrison; Saxon Energy Services Australia Pty Ltd v Harrison* [2019] ICQ 21
 - **Issue:** Whether the prosecution must prove “conscious disregard” by the defendant to show “recklessness” in occupational health and safety matters.
- *Lawrie v Lawler* (2016) 39 NTLR 1

- **Issue:** Whether a former Minister of the Northern Territory Government was denied procedural fairness in relation to findings made against her the report of an inquiry that made findings critical of her conduct as Minister.
- *Jeremiah v Lawrie* (2016) 39 NTLR 191
 - **Issue:** Whether a warrant for the seizure of a former Northern Territory Minister’s parliamentary emails should be set aside
- *Lyons v Queensland* (2016) 335 ALR 28; (2016) 90 ALJR 1107; [2016] HCA 38
 - **Issue:** Whether refusal to permit a deaf person to participate in jury service contravened *Anti-Discrimination Act 1991* (Qld).
- *Harrison v President of Industrial Court of Queensland* [2017] 1 Qd R 515
 - **Issue:** Whether failure of charge to specify the safety and health obligation allegedly breached renders the charge incurably defective and thereby liable to be struck out.
- *Nugent v Stewart (Commissioner of Police)* [2016] QCA 223
 - **Issue:** Can a police officer rely on the privilege against self-incrimination when asked by their employer, the Commissioner of Police, about matters touching the performance of their duties as a police officer.
- *Arnold v Racing Queensland* [2015] QSC 293
 - **Issue:** The application was for a declaration that a greyhound trainer’s greyhounds had been unlawfully seized by Racing Queensland following the Four Corners program relating to the Greyhound racing industry. Dalton J made the declaration.
- *Hill-Mac Pty Ltd v Chief Executive, Office of Liquor and Gaming Regulation* [2014] QCA 019
 - **Issue:** Applicability of principles in *Kirk v Industrial Relations Commission (NSW)*; *Kirk Group Holdings Pty Ltd v WorkCover Authority of (NSW) (Inspector Childs)* (2010) 239 CLR 531 to disciplinary proceedings.
- *Australian Society of Ophthalmologists & Anor v Optometry Board of Australia* [2013] QSC 350
 - **Issue:** Whether the Australian Society of Ophthalmologists and Royal Australian and New Zealand College of Ophthalmologists have standing to challenge a decision of the Optometry Board of Australia. The decision was a decision to authorise optometrists to treat glaucoma

without medical supervision.

- *Fortescue Metals Group Ltd v Commonwealth* (2013) 250 CLR 548
 - **Issue:** Whether the Mineral Resource Rent Tax is beyond the power of the Commonwealth Parliament.
- *Maloney v R* (2013) 252 CLR 168
 - **Issue:** Whether restrictions on alcohol on Palm Island were invalid for inconsistency with the *Racial Discrimination Act 1975* (Cth).
- *Wotton v State of Queensland* (2012) 246 CLR 1
 - **Issue:** Whether restrictions on a parolee's communication with the media breached the implied freedom of political communication under the *Constitution*.
- *Handlen v R; Paddison v R* (2011) 245 CLR 282; *Hargraves v R; Stoten v R* (2011) 245 CLR 257
 - **Issue:** The extent to which section 80 of the *Constitution* limits legislative capacity to overcome miscarriages of justice in trials of Commonwealth indictable offences.

February 2004 to December 2006

Position: Law clerk, Queensland Crown Law

Experience: Judicial Review and Administrative Law
Constitutional Law
Discrimination
Employment
General litigation

Secondments: 2005 Law clerk to legal team of Bundaberg and Queensland Hospitals Inquiries
2006 Policy officer in Law and Justice Policy Unit of Queensland Department of Premier and Cabinet

January 2007 to June 2010

Position: Solicitor, Queensland Crown Law

Experience: Judicial Review and Administrative Law
Regulatory Prosecutions

Special Projects: 2007 Instructing solicitor to prosecution team in *R v Hurley*

Clerkships

Summer clerkships 2003-2004

- Ebsworth & Ebsworth
- Dibbs Barker Gosling

Tertiary Education

Degree: Bachelor of Arts/Laws
Institution: Queensland University of Technology
Completed: End 2005
Awards: Second Class Honours Division A in Law
University Prize in Constitutional and Public Law

Secondary Education

Grades 8-9 St Mary's College Toowoomba
Grades 10-12 Downlands College Toowoomba