

# Angus O'Brien

Year of call: 2015 (NSW)

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GERARD BRENNAN  
CHAMBERS

## Overview

Angus has a general commercial and public law practice. He has broad experience in contractual disputes, corporations and insolvency, energy and resources, commercial equity, construction and administrative law matters.

Prior to returning to Queensland, Angus practised at leading commercial chambers in Sydney and London. He has significant experience in complex, high-value matters, including matters with an international dimension.

Angus received a Bachelor of Arts and Bachelor of Laws (First Class Honours) from the University of Queensland. He also holds a Masters of Laws (First Class Honours) from the University of Cambridge.

Angus was an Associate at the High Court of Australia to the Hon. Justice (later Chief Justice) SM Kiefel AC.

## Areas of practice

- Administrative Law
- Appellate
- Arbitration, Mediation & Evaluation
- Banking
- Bankruptcy & Insolvency
- Building & Construction
- Commercial
- Competition & Consumer
- Conflict of Laws
- Contract
- Equity & Trusts
- Insurance
- Land Law & Property
- Mining, Energy & Resources
- Professional Negligence
- Representative Proceedings

## Education

### 2013 Masters of Laws (Hons 1), University of Cambridge.

David M Livingstone (Australia) Scholarship (awarded by Jesus College).  
College Prize for the LLM (awarded by Jesus College).  
Jesus College Foundation Scholarship (awarded by Jesus College).

Subjects: Commercial Equity, Restitution, Corporate Finance, International Commercial Litigation.

### 2010 Bachelor of Arts/Bachelor of Laws (Hons 1), University of Queensland.

1st place in graduating class (LLB).  
John Hughes Wilkinson Memorial Prize and Minter Ellison Prize in Law for highest overall marks in the LLB program.  
Virgil Power Prize for highest overall marks in 3rd and 4th year LLB courses.  
TC Beirne School of Law Valedictorian.  
Sir Samuel Griffith Memorial Prize in Law for Civil Procedure.  
Walter Harrison Prize for Law of Property A.  
Ross Anderson Prize for Constitutional Law B.

## Admissions

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**2015** Call to the Bar (NSW) – Ludlows Award for 1st place in February 2015 Bar Exams.

**2011** Lawyer, Supreme Court of Queensland.

## Career summary

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- 2015 - present** Barrister in private practice at:  
- Queensland Bar (2019-present);  
- One Essex Court Chambers, London (2018-2019);  
- Banco Chambers, Sydney (2015-2019).
- 2013 - 2015** Associate in the International Arbitration and Litigation group of Skadden, Arps, Slate, Meagher & Flom (UK) LLP, London.
- 2011 - 2012** Associate at the High Court of Australia to the Hon. Justice (later Chief Justice) SM Kiefel AC.

## Selected cases

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### General commercial

Acting (led by R Traves KC) for a mining company in Supreme Court of Queensland proceedings involving a claim for private nuisance (ongoing).

Acting (led by G Handran KC) for defendants in Supreme Court of Queensland proceedings involving fraud-related claims (ongoing).

Acting (led by T Howard SC) for a recycling and waste management company in Supreme Court of Queensland proceedings involving claims for negligence and breach of contract (settled).

Acting (led by P McQuade QC) in Supreme Court of Queensland proceedings involving fraud-related claims in excess of \$16 million (settled).

### Energy and resources

Acting (led by D Butler KC) in Federal Court proceedings concerning the acquisition of a mining lease (settled).

Acting (led by D Piggott KC) in Supreme Court of Queensland proceedings concerning interests in a gold mining project (see [2022] QSC 295, [2023] QSC 018 and [2023] QSC 054).

Acting (led by D Clothier QC) in Supreme Court of Queensland proceedings concerning the enforcement of a mining services agreement (settled).

Acting (led by K Stern SC and RCA Higgins) for BlueScope Steel in an approx. USD 260 million claim in the Supreme Court of NSW against South32 group companies concerning the pricing mechanism under a long-term coal supply contract (settled).

Acting (led by AJ Myers QC, RCA Higgins and others) for BlueScope Steel in the Supreme Court of NSW against South32 group companies concerning a long-term coal supply contract (settled).

Acting (as solicitor and advocate) for a private company in an UNCITRAL arbitration seated in Stockholm against an international oil major, involving claims in excess of US\$5 billion

## **Corporations and insolvency**

Acting (led by S Maiden KC, with M Barnes) for ASIC in Federal Court proceedings against a financial services licensee (ongoing).

Acting (led by P McQuade QC, with J Marr) for a liquidator in Federal Court proceedings commenced by ASIC involving alleged breaches of liquidators' duties (see (2023) 169 ACSR 244, [2023] FCA 975).

Acting (led by P McQuade QC) for a defendant in Supreme Court of Queensland proceedings for breaches of directors' duties (see [2019] QSC 281).

Acting (led by RCA Higgins) for Legal Practice Management Group Pty Ltd in connection with an application to the Supreme Court of NSW for leave to commence derivative proceedings (see [2017] NSWSC 1500 and [2018] NSWSC 527; (2018) 125 ACSR 513).

## **Judicial review and administrative**

Acting (led by J McKenna KC) for the Australian College of Theology Ltd in AAT proceedings for merits review of decisions by the Tertiary Education Quality and Standards Agency concerning its higher education provider category ([2024] AATA 3598).

Acting (led by S McLeod QC) for a developer in Federal Court proceedings for judicial review of a decision under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (see [2021] FCA 254).

Acting (led by A Crowe QC) for a private VET provider in Federal Court proceedings for judicial review of regulatory decisions by the Australian Skills Quality Authority (settled).

Acting (led at different times by A Crowe QC, M Hindman QC and S McLeod QC) for private VET providers in two sets of AAT proceedings seeking merits review of regulatory decisions by the Australian Skills Quality Authority and on appeal to the Federal Court (see [2021] AATA 36, [2020] FCA 617, [2020] AATA 737 and [2019] AATA 3645).

Acting (led by RCA Higgins) for the Australian Information Commissioner in AAT proceedings seeking merits review of a decision under the Privacy Act 1988 (Cth) (see [2017] AATA 2426).

## **Insurance**

Acting (led by S McLeod QC) for NIB Health Funds Ltd in Federal Court proceedings against a private hospital (see [2020] FCA 932 and [2020] FCA 1761).

Acting (led by RA Dick SC and PW Flynn) for Weir Services Australia Pty Ltd at trial (see [2017] NSWSC 259) and on appeal ([2018] NSWCA 100; (2018) 359 ALR 314) in Supreme Court of NSW proceedings against its liability insurer.

## **Building and construction**

Acting (led by T Breakspear SC, with B Kabel) in Supreme Court of Queensland proceedings concerning a major infrastructure project.

Advising (led by S Doyle QC) with respect to reviews of adjudications under building security of payment legislation.

## **Professional recognition**

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2025 Doyle's Guide – Leading Commercial Litigation & Dispute Resolution Junior Counsel – Queensland.

2023 & 2024 Doyle's Guide – Leading Administrative & Public Law Barristers – Queensland (Junior Counsel).

## Publications

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"Impact of COVID-19 on Commercial and Construction Contracts: A Consideration of Force Majeure and Frustration", LexisNexis Info Hub, 23 April 2020.

"Backwards Tracing", [2015] (Summer) Bar News 10.

"Company and Insolvency Law" in Daniel Clarry (ed), *The UK Supreme Court Yearbook, Vol 4: 2012- 13 Legal Year* (Appellate Press 2018), pp 249-52.

"The Relationship between Contract and Unjust Enrichment: Unpacking *Lumbers v Cook*", (2011) 32 *Adelaide Law Review* 83.

"Ahmadou Sadio Diallo (Republic of Guinea v Democratic Republic of the Congo): Clarifying the Scope of Diplomatic Protection of Corporate and Shareholder Rights", (2008) 9 *Melbourne Journal of International Law* 151 (with Stephen Knight).

Current to August 2025