

RICHARD SCRUBY SC

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PROFESSIONAL QUALIFICATIONS

Admitted to the New South Wales Bar, September 2002

Appointed silk 2017

MAIN AREAS OF PRACTICE

Equity and Trusts; General Commercial; Corporations, Insolvency and Reconstruction; Real Property; Insurance; State and Commonwealth Taxation.

TERTIARY EDUCATION

1999 – 2001	University of Oxford, St Catherine’s College (Kobe Steel Scholar)	BCL (Dist)	• Subjects: Trusts, Corporate Finance, Jurisprudence.
		M Phil	‘Attempts to Dispose of Future Property’
1992 - 1998	University of Sydney	BA (Hons)	• University Medal in English (1996)
		LLB (Hons)	• 1st Class Honours • Jessup International Mooting team (1998) • Taxation Prize (1998).

RELEVANT PAST EMPLOYMENT

February – July 2002:	Assistant Lecturer, UTS Law School (Constitutional Law)
February-October 1999:	Associate to Justice Callinan, High Court of Australia.
December 1997 – February 1998:	Summer Clerk/Paralegal, Mallesons Stephen Jacques: Litigation; Taxation.
1995-1998	New South Wales Law Reports

PRACTICE DESCRIPTION

I practice widely with a focus on equity, commercial, corporations and insolvency, and taxation matters. In recent years I have been briefed in a number of significant corporations matters, including the Tahmoor, Hastie, and BBY liquidations, litigation brought by ASIC against the directors of James Hardie, and various matters connected with the Babcock & Brown liquidation. I appear for the Commissioner of Taxation and have appeared for a variety of parties in different jurisdictions in cases involving the mining industry. I have been a member of the Diversity and Equality Committee of the New South Wales Bar Association, have adopted the Law Council's Equitable Briefing Policy and continue to serve on a Professional Conduct Committee. Over the years I have been listed in various annual peer-reviewed publications, most recently in Best Lawyers 2025 in the area of Litigation. I have published articles on aspects of contracts and corporations law in the Australian Bar Review and Australian Law Journal.

PUBLICATIONS

"The Creditor Duty" (2023) 97 ALJ 170

"Reflective loss and the policy of the law" (2022) 51 Australian Bar Review 225.

"Contracting out of statutory prohibitions against misleading or deceptive conduct" (2019) 47 Australian Bar Review 181.

(co-authored with Brenda Tronson) "Some recent statistics on women at the New South Wales Bar", [2018] (Summer) Bar News 50-54.