

# Scott Aspinall

## *Qualifications/Experience*

University of Sydney - MB BS1997 with final year prize for surgery

LLB (Hons I)(Sydney) 2000

Fellow of INSOL International & Professional Member of ARITA

Member of NSW Bar Association Professional Conduct Committee, 2011 to 2020.

Teaching Fellow in Civil Procedure, University of NSW, 2022

Scott Aspinall was called to the New South Wales Bar in 2005

Prior to his admission to the bar Scott was a solicitor at Allens Arthur Robinson in Sydney and Associate to Justice Emmett at the Federal Court.

Formerly a medical practitioner at Royal Prince Alfred Hospital in Sydney

## *Areas of Practice*

Scott has broad experience in a number of areas of law including commercial law, insolvency, inquiries, regulatory law and company law.

He has been recommended in Doyle's guide and is recognised in Best Lawyers in the field of insolvency.

## *Some notable cases*

Crown Inquiry 2019-2: counsel assisting the Bergin Casino Inquiry in NSW. He conducted forensic investigation into allegations of money laundering at Crown Casinos and examination multiple directors and senior executives of Crown Resorts Ltd.

*Bonanno v Finamore* [\[2022\] NSWCA 276](#) involving questions of when an agreement is a mortgage and the obtaining of a collateral advantage

*Gilmore Finance Pty Ltd v Aesthete Pty Ltd* [\[2022\] NSWCA 279](#) (led by Hodge KC) a trust appeal involving questions of fully informed consent by a beneficiary.

*WaterNSW v Harris (No.3)* [\[2020\] NSWLEC 18](#) In 2019 he prosecuted for WaterNSW in the first prosecution for water theft under the Water Management Act (NSW). The case involved complex statutory interpretation and evidentiary questions.

*In the matter of 5G Developments Pty Ltd* [\[2019\] FCA 1541](#), involving complex financial dealings and the reinstatement and winding up of a corporation.

*Mansfield v A committee convened under section 20-10 of the Insolvency Practice Schedule (Corporations)* [\[2018\] AATA 1510](#). The first case regarding the interpretation of the Insolvency Practice Rules before the AAT.

*Sanderson as Liquidator of Sakr Nominees Pty Ltd (in liquidation) v Sakr* [\[2017\] NSWCA 38](#) (led by Hutley SC) - a the leading case on liquidator's remuneration

*Soundwave Festival Pty Limited v Altered State (W.A.) Pty Limited (No 1)* [\[2014\] FCA 466](#), one of the leading cases on the principles to be applied in respect of section 459S of the *Corporations Act*.

*Commonwealth Bank of Australia v Anglican Diocese of Bathurst* [\[2015\] NSWSC 1856](#). A highly complex commercial case involvement the enforcement of loans against an Anglican diocese based upon letters of comfort and interpretation of complex ecclesiastical law and the law unincorporated associations.