

**RESUME AND PROFESSIONAL PROFILE  
OF PETER JOHN DAVIS QC**

- Date of Birth:** 25 September 1960.
- Occupation:** Barrister-at-Law.
- Professional Address:** Murray Gleeson Chambers  
Level 31  
239 George Street  
Brisbane Qld 4000.
- Formal Qualifications:** Bachelor of Laws (Honours) Queensland University of Technology (1984).
- Professional Experience:**
- 1979-1984** Articled Law Clerk, Brisbane city law firm.
- 18.12.1984** Admitted as a Solicitor of the Supreme Court of Queensland.
- 1985-1990** Practised as a solicitor in own right, specialising in litigation, both criminal and commercial.
- 06.08.1990** Admitted as a Barrister of the Supreme Court of Queensland.
- 10.04.1991** Admitted as a Barrister of the High Court of Australia.
- 01.10.1990 – present** Has practised at the Queensland private Bar (Brisbane) appearing in most courts and tribunals which sit in Queensland, mainly in the areas of crime, quasi crime (criminal confiscation, dangerous prisoners and criminal organisations), disciplinary proceedings, administrative and commercial matters including a substantial practice before the Queensland Court of Appeal; appearances in the Federal Court of Australia, Full Federal Court, High Court of Australia, Supreme Court of New South Wales, the Court of Criminal Appeal of New South Wales, Supreme Court of Victoria, Court of Appeal of the Northern Territory; over 60 appearances in intermediate courts of appeal over the last ten years.
- November 2005:** Appointed Senior Counsel.
- July 2013:** Appointed Queen’s Counsel by Letters Patent.
- Notable Cases:**
- *R v Fletcher* [1998] 2 Qd R 437; the first significant DNA based case in Queensland.
  - *R v Carroll* (2002) 213 CLR 635; the leading case on double jeopardy which resulted in the inclusion of *Chapter 68 – Exceptions to Double Jeopardy Rules* in the Criminal Code (Qld).
  - *Coleman v Power* (2004) 220 CLR 1; constitutional

right of political expression and operation of the *Police Powers and Responsibilities Act 2000* (Qld).

- *Elliott and Blessington v The Queen* (2007) 234 CLR 38; constitutional validity of New South Wales retrospective sentencing laws.
- *Gypsy Jokers Motorcycle Club Inc v Commissioner of Police* (2008) 234 CLR 532; constitutional validity of Western Australian anti-fortification laws.
- *Wong and Selim v The Commonwealth* (2009) 236 CLR 573; constitutional validity of legislation underpinning the National Health Scheme pursuant to which doctors were being disciplined.
- *State of South Australia v Totani* (2010) 242 CLR 1; constitutional validity of anti-criminal organisation laws.
- *Handlen and Pattison v The Queen* (2011) 86 ALJR 145; operation of the “proviso” to s 668E of the *Queensland Criminal Code* and s.80 of the Constitution.
- *Patel v The Queen* (2012) 247 CLR 531; High Court appeal against conviction for manslaughter by the doctor in the centre of the Bundaberg Base Hospital controversy which led to a Royal Commission.
- *R v Hurley* (Queensland Supreme Court Townsville, June 2007); the first prosecution arising from an aboriginal death in custody.
- Leading prosecutor of the owners of the “*Pacific Adventurer*” as a result of the 2009 oil spill off the Queensland coast; interlocutory rulings *R v Santos and Ors* [2011] QDC 001; sentencing remarks *R v Santos, Bluewind Shipping Ltd & Ors* [2011] QDC 254.
- *Queensland Harness Racing Ltd v Racing Qld Limited* [2012] QCA 34; appearance for the Speaker of the House of the Legislative Assembly, in a case giving rise to questions of parliamentary privilege.
- *A-G (Qld) v Fardon* [2011] QCA 111, *A-G (Qld) v Fardon* [2011] QCA 155, *Harvey v A-G (Qld)* [2011] QCA 256; *A-G (Qld) v Friend* [2011] QCA 357; *Yeo v A-G (Qld)* [2011] QCA 170; *A-G (Qld) v Lawrence* [2011] QCA 347; *A-G (Qld) v Ellis* [2012] QCA 182, *Tilbrook v A-G (Qld)* [2012] QCA 279, *Kynuna v A-G (Qld)* [2016] QCA 172, *Harvey v A-G (Qld)* [2014] QCA 146, *Hocking v A-G (Qld)* [2012] QCA 065, *A-G (Qld) v Hynds* [2013] QCA 124, *Turnbull v A-G (Qld)* [2015] QCA 054 all cases concerning the *Dangerous Prisoners (Sexual Offenders) Act 2003*.
- *A-G (Qld) v Fardon* [2013] QCA 365 and *A-G (Qld) v Lawrence* [2013] QCA 364; constitutional challenges to the *Criminal Law Amendment (Public Declarations)*

*Act 2013.*

- *R v Groves*; defence of prosecution arising from the collapse of ABC Learning (2012).
- *R v Baden-Clay*; committal proceedings (2013).
- *R v Power*; the murder of police officer Damian Leeding [2014].
- *R v Rohl*; defence of the first prosecution under the *Viscious Lawless Associates Disestablishment Act* (“VLAD Act”) (2014).
- *R v Cowan*; the murder of Daniel Morcombe [2015] QCA 087.
- *Lawrie v Lawler* [2016] NTCA 3; represented former leader of the Opposition in the Northern Territory.
- *Abbott v Commissioner of Police* [2016] QSC 95; extradition of the so called “*postcard bandit*” to Western Australia.
- *Graham v The Queen* [2016] HCA Trans 137; on self-defence and consent to an assault.

Other significant matters:

- Senior counsel assisting Sir Lawrence Street in his report (2007) into charges to be laid as a result of the death of Cameron Doomadgee on Palm Island.
- Various advices to the Speaker of the Queensland Legislative Assembly (from 2010).
- Various advices and cases for the Queensland Police Union (from 2013).
- Advice with the Solicitor-General on proposed amendments to ss.23 and 669A of the *Criminal Code* (2006 and 2010).
- Advices to the Ethics Committee of the Queensland Legislative Assembly concerning the power to dismiss a Member of the House (2013).
- Advice to the Government as to the amendment to s.282 of the *Criminal Code*; drawing the section subsequently enacted by the *Criminal Code (Medical Treatment) Amendment Act 2009*.
- Senior Counsel assisting the Fuel Subsidy Commission 2007.
- Author “*Review of Cape York Sentences*” (available on the Australian Institute of Criminology site; [www.aic.gov.au](http://www.aic.gov.au)) commissioned by the Government to review 71 sentences imposed on indigenous offenders in the Cape York region; the review was commissioned in the wake of the facts which were

considered in *R v Ku; Ex parte Attorney-General (No2)* [2011] 1 Qd R 439.

- Consulted by, and appeared for, the Queensland Police Service on various issues including police discipline (from 2003).
- Consulted by, and appeared for, the Integrity Commission Tasmania (*Integrity Commission Act 2009*) (2012).
- Consulted by Victorian Corrective Services concerning the operation of the *Serious Sex Offenders (Detention and Supervision) Act 2009* (Vic).
- Consulted by the Minister for Police (Queensland) on amendments to the *Criminal Organisation Act 2009*; amendments ultimately enacted by the *Criminal Organisation Amendment Act 2011*.
- Acted for the Commissioner of Police (Queensland) in the first application brought under the *Criminal Organisation Act 2009* against an alleged criminal organisation.
- Called in British Admiralty proceedings in July 2012 (*Patriotic Services Inc v NYK Line Tokyo*) and provided reports in 2013 (*Golden Ocean Group Ltd v Trustworth Shipping Pte Ltd*) as an expert witness on the topic of Australian criminal law.
- Author of a complete review into the operation of the *Dangerous Prisoners (Sexual Offenders) Act 2003* (review completed 2014).
- Represented the Wagner interests in The Grantham Floods Commission of Inquiry (2015).
- Represented the interests of the Anglican Diocese of Brisbane in the Royal Commission into Institutional Child Sexual Abuse in the Tasmanian Case Study (2016).

**Professional Papers Delivered:**

*The Practical Impact of the Civil and Criminal Jurisdiction Reform and Modernisation Amendment Bill 2010 upon the Supreme Court of Queensland*; P J Davis S.C. and E S Wilson, delivered to the conference of the Judges of the Supreme Court of Queensland 2010.

*Similar Fact Evidence and Relationship Evidence*; P J Davis S.C. and M Dight, delivered to the Queensland Bar Association Symposium 2008.

*Overview of the Civil and Criminal Jurisdiction Reform and Modernisation Amendment Bill 2010*; P J Davis S.C. and Glen Cranny (Solicitor), delivered to the Law Society Conference 2010.

*Ethics in Criminal Trials; A reaction to R v Nerbas*

[2011] QCA 199; P J Davis S.C., delivered in the Queensland Bar Association continuing professional development lecture series February 2012.

*A Death in Custody*; P J Davis S.C., delivered to the Criminal Lawyers Association of the Northern Territory 11<sup>th</sup> Biannual Conference; Bali 2007.

*Dangerous Prisoners Regime*; P J Davis S.C., Queensland Bar Association Symposium 2012.

*Confiscations; Broadening the Scope*; P J Davis S.C. Queensland Law Society Criminal Law Conference 27 October 2011.

*Appellate Advocacy; Tips, Do's and Don'ts*; P J Davis S.C., Sunshine Coast Bar Conference 19 September 2009.

*Criminal Justice and the Indigenous People of Australia; Legal issues arising out of the Arukun and Palm Island cases*; P J Davis S.C., delivered to the 12<sup>th</sup> International Criminal Law Conference 2011.

*The Arukun Nine – Lessons to be learned from one that went wrong*; P J Davis S.C., Sunshine Coast Bar Association Conference August 2008.

*Effective Cross-Examination of Children*; P J Davis S.C., Legalwise Seminars 26 November 2009.

*The Right to Silence: Implications from the X7 case*; P J Davis QC, Criminal Law CLI Seminar 17 July 2014, published in the Queensland Supreme Court Yearbook.

**Professional Affairs:**

Member Council of the Queensland Bar Association 2007 to 2014.

Vice-President Queensland Bar Association 2012-2013.

President Queensland Bar Association 2013-2014.

Chair of the Criminal Law Committee, Queensland Bar Association (2012-2013).

Chair of the Professional Conduct Committee, Queensland Bar Association 2012-2013.

Member of the National Criminal Law Liaison Committee of the Law Council of Australia 2013.

Life Member Queensland Bar Association “*in recognition of exceptional service to justice, the law and the Association*” (awarded 2014).

**Doyle's Guide to the Australian Legal Profession:**

Named as leading criminal barrister (Queensland) in the current directory.

**Assistant Parliamentary Commissioner:** Appointed under the *Crime and Misconduct Act 2001* to act in the Inquiry into the dissemination of Fitzgerald Inquiry documents; March 2013.