

# PETER O'NEILL

Year of call - 1994

## DIRECT CONTACT DETAILS:

Phone: 07 3236 2877

Mobile: 0403 258 894

Email: [poneill@qldbarr.asn.au](mailto:poneill@qldbarr.asn.au)

## CHAMBERS MANAGER/RECEPTION DETAILS:

Nikki Powell

Phone: 07 3211 0040

Email: [lucaschambers@qldbarr.asn.au](mailto:lucaschambers@qldbarr.asn.au)

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## AREAS OF PRACTICE

Workers' Compensation

Employment

Industrial Relations

Workplace Health and Safety

Labour Hire Licensing

Administrative

Judicial Reviews

Regulatory Prosecutions

## EDUCATION

B. Business (Accountancy), Queensland University of Technology 1993 (Distinction)

LLB (Hons), Queensland University of Technology 1993

LLM (Hons), Queensland University of Technology 1997

Master of Arts in Criminology and Criminal Justice, Griffith University 2001

## CAREER HISTORY

Peter came to the private bar, joining Philp Chambers in April 1993. He initially undertook a broad practice which included personal injuries, commercial law, real estate matters, criminal law, family law and insurance law. Peter has appeared in all State Courts and Tribunals, the Administrative Appeals Tribunal and Federal and Family Courts. In 1997 Peter was one of the founding members of Lucas Chambers.

Peter has been a member of the Workers' Compensation Regulator's (formerly Q-COMP) panel of barristers since 2002. He has developed a speciality practice in workers' compensation law and has appeared in over 450 workers' compensation hearings in the Industrial Magistrates Court, the Queensland Industrial Relations Commission and the Industrial Court. He appears for both appellants and the Regulator.

He regularly provides strategic advice to various State Government departments.

In March 2023 Peter was appointed as a Deputy Chair of the newly formed Queensland Racing Appeals Panel and he has conducted a number of hearings in the Racing Appeals Panel since April 2023.

He is a member of the Bar Association's Industrial Law Committee.

Peter has been the State Judiciary Chair for Baseball Queensland's judiciary and disciplinary panel for approximately ten years, and he is also an active member of the Rugby League Brisbane judiciary and disciplinary tribunal.

EST. 1997

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## NOTABLE CASES

### Recent cases

#### [\*Praljak v Workers' Compensation Regulator\* \[2023\] ICQ 30](#)

Application to strike out Notices of Appeal

#### [\*Schlumberger Australia Pty Ltd v Workers' Compensation Regulator\* \[2023\] ICQ 007](#)

Calculation of premium – WorkCover Industry Classification

#### [\*Baigorri v Workers' Compensation Regulator\* \[2023\] QIRC 190](#)

Whether claimant a deemed worker – Schedule 2

#### [\*Shaw v Workers' Compensation Regulator\* \[2022\] ICQ 024](#)

Application to set aside Notice of Appeal

#### [\*Tuesley v Workers' Compensation Regulator\* \[2021\] ICQ 8 \(2021\) 307 IR 395](#)

Whether an interlocutory decision of the QIRC can be appealed

#### [\*Workers' Compensation Regulator v Glass\* \[2020\] QCA 133](#)

Jurisdiction – whether the Court of Appeal has jurisdiction to hear appeal from Industrial Court

#### [\*JBS Australia Pty Ltd v Workers' Compensation Regulator\* \[2020\] ICQ 010](#)

Self-Insurer – refusal of claim – whether worker was a seasonal worker

#### [\*Singh v Workers' Compensation Regulator\* \[2020\] ICQ 009](#)

Costs

#### [\*Glass v Workers' Compensation Regulator\* \[2020\] ICQ 001](#)

Entitlement to compensation – teacher injured on rope swing overseas

#### [\*Guymer v Workers' Compensation Regulator\* \[2018\] ICQ 009](#)

Appeal to the Industrial Court from summary dismissal of psychiatric claim – no new injury

#### [\*Johns v Workers' Compensation Regulator\* \[2016\] ICQ 027](#)

Whether injury is work-related – worker not on shift, slip and fall

#### [\*Family Day Care Association of Queensland Inc v Workers' Compensation Regulator\* \[2016\] ICQ 018](#)

Psychiatric injury – whether reasonable management action taken

#### [\*Krleski v Simon Blackwood \(Workers' Compensation Regulator\)\* \[2015\] ICQ 006](#)

Serious brain injury – whether on ordinary recess or at place of employment

#### [\*Toll North Pty Ltd v Blackwood & Lamb\* \[2015\] ICQ 004](#)

Dependency – Children

#### [\*Palmer Coolum Resort Pty Ltd v WorkCover Queensland & Simon Blackwood \(Workers' Compensation Regulator\)\* \[2014\] ICQ 026](#)

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Setting of workers' compensation premium – change of ownership

### Older cases

#### [Clark v Q-COMP \[2012\] ICQ 16](#)

Fatal claim – whether compensation to be calculated at date of death

#### [Tabcorp Holdings Limited v Q-COMP \[2012\] ICQ 4](#)

Psychiatric injury – demotion – whether reasonable management action taken

#### [Coles Group Limited v Q-COMP \[2011\] ICQ 18](#)

Journey claim – single vehicle motor accident – whether dangerous operation of motor vehicle

#### [CSR Ltd v General Medical Assessment Tribunal – Thoracic & Anor \[2010\] QSC 321](#)

Judicial review

#### [Q-COMP v Feneley \[2010\] ICQ 46](#)

Appeal to Industrial Court – whether extension of time should have been granted, whether abuse of process

#### [SPE Pty Ltd v Q-COMP and Gary Clifford Fuller \[2010\] ICQ 32](#)

Whether a deemed worker – Schedule 2

#### [Sutherland v Q-COMP \[2009\] ICQ 42 \(2009\) 190 QGIG 106](#)

Back injury – whether injury the same as accepted thoracic injury

#### [Verhagen v Q-COMP \[2008\] ICQ 35 \(2008\) 189 QGIG 542](#)

Psychiatric injury – whether employment a significant contributing factor, whether reasonable management action taken

#### [Q-COMP v Robinson \[2007\] ICQ 50 \(2007\) 186 QGIG 695](#)

Solar induced skin disease – whether the respondent denied natural justice

#### [Parker v Q-COMP \[2007\] ICQ 31 \(2007\) 185 QGIG 269](#)

Psychiatric injury – bullying – whether reasonable management exclusion applied

#### [Green v Q-COMP Review Unit \[2005\] ICQ 1 \(2005\) 178 QGIG 75](#)

Courier driver – whether worker or independent contractor

#### [Smith v Glegg \[2004\] QSC 443](#)

Breach of fiduciary duty; undue influence

#### [Idea Technology Services Pty Ltd v Nguyen \[2002\] QSC 432](#)

Breach of contract; misappropriation of funds

#### [Hennarcobrinni Pty Ltd v Barry \[2000\] QSC 466](#)

Application for renewal of writ

#### [Medalham P/L v NZI Insurance Australia Ltd \[2000\] QSC 077](#)

Insurance; breach of contract; alleged arson

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