

IAN FRASER

Barrister

FREDERICK JORDAN CHAMBERS

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Ian's core areas of practice comprise criminal law, administrative law, inquests, disciplinary hearings and inquiries.

With extensive experience in Australia and the United Kingdom acting for both defence and prosecution, Ian has conducted complex criminal matters, both at first instance and on appeal. Currently, Ian appears for both the prosecution and defence, and conducts regulatory prosecutions for various government agencies. Ian also has wide experience in crime-related matters, including parole hearings, applications under Part 7 of the *Crimes (Appeal and Review) Act*, apprehended violence orders, forensic procedure orders, challenges to search warrants, and proceedings pursuant to the *Crimes (High Risk Offenders) Act*. He also appears in coronial and other inquiries, in which he appears as counsel assisting and on behalf of families and other interested parties, and administrative review matters in the New South Wales Civil and Administrative Tribunal.

Prior to being called to the Bar, Ian was special counsel and solicitor advocate in the inquiries and criminal law teams at the NSW Crown Solicitor's Office. Notably, he was special counsel responsible for the representation of the State of NSW and its agencies before the Royal Commission into Institutional Responses to Child Sex Abuse. Ian has also been a senior prosecutor with the Crown Prosecution Service Homicide Team in London, and a criminal defence lawyer in Western Australia.

Ian holds several panel appointments, including the Commonwealth DPP external junior counsel panel, the Legal Aid NSW General Criminal Law Panel and the RSPCA NSW panel for animal cruelty prosecutions. He graduated with a Bachelor of Laws and a Bachelor of Arts from the University of NSW.

ADMISSIONS TO PRACTICE

- 2015 Admitted to the Bar of New South Wales
- 2005 Admitted as a Solicitor in England and Wales
- 2001 Admitted as a Solicitor of the Supreme Court of Western Australia
- 2000 Admitted as a Solicitor of the Supreme Court of New South Wales

PROFESSIONAL QUALIFICATIONS

- 1999 Bachelor of Laws: University of New South Wales
 - 1999 Bachelor of Arts (History): University of New South Wales
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PRINCIPAL AREAS OF PRACTICE

- Criminal Law and Proceeds of Crime
- Inquests, Disciplinary Hearings and Inquiries
- Administrative Law

PROFESSIONAL EXPERIENCE

- 2015 – present Barrister, Frederick Jordan Chambers
- 2011 – 2015 Special Counsel and Solicitor Advocate (Inquiries Team) and Senior Solicitor (Criminal Law & Inquiries Teams), Crown Solicitor's Office
- 2009 – 2011 Crown Advocate seconded to the CPS London Homicide Team, Crown Prosecution Service, London
- 2007 – 2009 Crown Advocate, Kensington Borough Unit, Crown Prosecution Service, London
- 2006 – 2007 Senior Crown Prosecutor, Kensington Borough Unit, Crown Prosecution Service, London
- 2004 – 2006 Solicitor, Area Legal Office (Prosecutions), Department for Work and Pensions, London
- 2001 – 2002 Criminal Defence Lawyer, Laurie Levy & Associates, Perth

PROFESSIONAL MEMBERSHIPS AND PANEL APPOINTMENTS

- Member, New South Wales Bar Association
- Panel Member, Commonwealth Director of Public Prosecutions – External Junior Counsel Panel
- Panel Member, NSW Legal Aid – General Criminal Law Panel
- Panel Member, RSPCA NSW – Panel of Barristers for Animal Cruelty Prosecutions

SELECT CASES

Supreme Court of NSW

- *State of NSW v McCarthy* (2017): application to vary orders under the *Crimes (High Risk Offenders) Act 2006* (unled)
- *State of NSW v Weribone* (2016): application for orders under the *Crimes (High Risk Offenders) Act 2006* (unled)
- *State of NSW v [Suppressed]* (2016): application for high risk offender continuing detention order in respect of defendant with pending charges (unled)
- *Fantakis v Commissioner of Police & Ors* (2013): appeal against forensic procedure order (unled)

Royal Commission into Institutional Responses to Child Sexual Abuse

- Case study 36 – Church of England Boys Society: representation of the State of NSW and agencies (unled)
- Case study 42 – Anglican Diocese of Newcastle: representation of the State of NSW and agencies (led by Ian Temby QC)

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- Case studies 1 (Scouts), 2 (YMCA), 5 (Salvation Army), 7 (Parramatta Girls Home), 10 (Salvation Army), 13 (Marist Brothers), 15 (Swimming Australia), 21 (Satyananda Yoga Ashram), 23 (Knox Grammar School), 24 (Out of Home Care) and 27 (Health Providers and Regulators): representation of State of NSW and agencies (instructing solicitor)

Coronial Inquiries

- *Inquest into the death of X* (2017): apparent suicide following hospital mental health assessment (counsel assisting, unled)
- *Inquest into the death of Jonathan Young* (2017): death of a palliative care patient in circumstances of possible neglect (junior counsel assisting led by Gabrielle Bashir SC)
- *Inquest into the death of Thanh Pham* (2017): death following karate grading (counsel for the family, unled)
- *Inquest into the death of X* (2016): suicide following assessment by NSW Police officers (counsel assisting, unled)
- *Inquest into the death of Manjit Singh* (2015): death from tuberculosis (junior counsel assisting led by Kristina Stern SC)
- *Inquest into the death of SR* (2015): suicide at Sydney Trains railway station (counsel assisting, unled)
- *Inquest into the death of Vijay Singh* (2015): workplace death in industrial freezer (counsel assisting, unled)
- *Inquest into the death of Glen Punch* (2013): death following ingestion of synthetic drugs. (junior counsel assisting the State Coroner, led by Peter Hamill SC)
- *Inquest into the death of Roberto Curti* (2012): Death following use of Taser and OC spray by members of NSW Police (solicitor assisting the State Coroner)

Other Inquiries

- *Special Commission of Inquiry into the Greyhound Racing Industry* (2015-16): counsel for RSPCA NSW (unled)
- *Inquiry by a Conduct Division of the Judicial Commission of NSW into a Magistrate* (2013) (junior counsel assisting, led by Jeremy Gormly SC)
- *Inquiry by a Conduct Division of the Judicial Commission of NSW into Magistrate Pat O'Shane* (2012) (solicitor assisting the Conduct Division)
- *Operation Winjana* (2012): representation of NSW Crime Commission before respect of inquiry relating to allegations of misconduct of a staff member, and practices relating to criminal assets. (instructing solicitor)

Other Cases

- *R v Odegbune & 19 others* (Central Criminal Court, London): largest joint enterprise murder prosecution in United Kingdom involving a stabbing at Victoria Station at peak hour (instructing solicitor)
- *R v Cupidon* (Central Criminal Court, London): bodyless murder prosecution (instructing solicitor)
- *R v M & L* (Central Criminal Court, London): use of anonymous witnesses in murder prosecution (instructing solicitor)
- *R v Brown* (Central Criminal Court, London): murder prosecution relating to historical gangland execution involving complex issues relating to evidence of character and identification (instructing solicitor)
- *Mule v Western Australia* (2002): successful application for stay of proceeds of crime proceedings on basis of pending criminal trial (counsel, unled)