

PERSONAL INJURIES LAW CONFERENCE

Program

67 min **The Three Ps of Personal Injuries Legal Practice: Preparation, Principles and Presentation**

Presenters:

The Honourable Justice David Boddice, Supreme Court of Queensland (Court of Appeal)
Richard Douglas KC, Barrister, Queensland Bar

Chair: **Vanessa Herrmann**, Chief Executive Officer, Red Health Independent Medical Assessments

Chaired by Major Partner Red Health



60 min **Achieving success – ambition and guidance today shapes the lawyers of tomorrow**

Our presenters discuss the challenging but exciting period that is the transition to practice from undergraduate training, providing guidance for both junior practitioners and supervisors of newly admitted lawyers, including:

- Understanding and applying ethical obligations as an early career lawyer
- As a junior practitioner, what you can expect by way of supervision, strategies to get the support you need, and understanding the supervisor's perspective
- How supervisors and owners of firms employing junior staff can create a supportive environment that clearly articulates ethical obligations
- Practical supervision strategies to prevent mistakes and ensure they are caught early

Presenters:

David Bowles, Special Counsel, QLS Ethics and Practice Centre, Queensland Law Society
Joe Siracusa, Principal, Siracusa Legal; Chair, Queensland Law Society Ethics Advisory Committee

Chair: **Eduardo Cruz**, Partner, CZ Injury Law; Member, Queensland Law Society Accident Compensation & Tort Law Committee



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61 min **Why impairment assessments are commonly misunderstood**

Contrary to popular belief, impairment assessments are not the most influential factor in quantifying a claim. Our panel will consider how an impairment assessment is a distraction from the real issue of the entire injury and/or disability.

Presenters:

Dr Gary Nielsen, Orthopaedic Surgeon, Themis Medico-Legal

Sebastian Olsen, Principal & Legal Practitioner Director, MurphySchmidt Solicitors;
Accredited Specialist (Personal Injuries Law) – Qld

Dr Josephine Sundin, Consultant Psychiatrist, Toowong Specialist Clinic

Chair: **Luke Murphy**, Partner, MurphySchmidt Solicitors; Accredited Specialist (Personal Injuries Law) – Qld; Past President, Law Council of Australia; Deputy Chair, Queensland Law Society Accident Compensation & Tort Law Committee



67 min **Getting instructions – plaintiff and defendant perspectives**

This session will revise the significance of the steps involved in the process of gaining instructions and managing a file to correctly prepare and present a claim.

We will consider the following steps in detail:

- Critical analysis
- Obtaining records
- Getting confirmation that instructions match records
- Properly preparing the case in a disciplined way

Presenters:

Rachael Miller, Partner, QMT Law; Accredited Specialist (Personal Injuries Law) – Qld;
Member, Queensland Law Society Accident Compensation & Tort Law Committee

Luke Murphy, Partner, MurphySchmidt Solicitors; Accredited Specialist (Personal Injuries Law) – Qld; Past President, Law Council of Australia; Deputy Chair, Queensland Law Society Accident Compensation & Tort Law Committee

Chair: **Michael Garbett**, Partner, Moray & Agnew Lawyers; Chair, Queensland Law Society Accident Compensation & Tort Law Committee



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53 min **Case law update**

An overview of case law and its defining principles.

Presenters:

Justin Harper, Barrister, Queensland Bar

Melissa McGarrity, Barrister, Queensland Bar

Chair: **Christine Mercer**, Principal, Legal and Quality Assurance, Assessment Hub

Chaired by Major Partner Assessment Hub



54 min **Maximising motivation, engagement and performance – tips for practitioners**

Lead psychologist Sharon Sweeney will provide advice and guidance for individuals and firms regarding organisational psychology and workforce management.

The session delivers an overview of key considerations and insights for practitioners at all levels which you can immediately apply in your work to get the most from your role, team and careers, including:

- Understanding workplace behaviour and motivation
- Defining success, competency and role profiling
- Feedback and coaching for enhanced motivation and performance
- Goal setting and development planning
- Key considerations for leadership development and succession planning

Presenter: **Sharon Sweeney**, Lead Psychologist, Truslove & Goss

Chair: **Belinda Hughes**, Director, Hughes and Lewis Legal; Member, Queensland Law Society Accident Compensation & Tort Law Committee



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65 min **The paths less trodden**

Explore the expansion of vicarious liability, the revival of the *pro hac vice principle*, and the application of the Australian Consumer Law in personal injury claims.

Our presenters will examine:

- The shifting boundaries of vicarious liability, potentially expanding the range of acts or omissions captured and the inclusion of non-employees, along with the revived principle *pro hac vice* and how it might affect apportionment
- Application of the Australian Consumer Law to personal injury damages claims in Queensland, including avoiding aspects of the *Civil Liability Act 2003* (Qld), and potential outcomes

Presenters:

Kevin Holyoak, Barrister, Queensland Bar

Bianca Stringer, Barrister, Queensland Bar, Hemmant's List

Chair: **Trent Johnson**, Partner, Travis Schultz & Partners; Accredited Specialist (Personal Injuries Law) – Qld; Member, Queensland Law Society Accident Compensation & Tort Law Committee



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Presenters



The Honourable Justice David Boddice

Supreme Court of Queensland (Court of Appeal)

Justice Boddice is a graduate of The University of Queensland—Bachelor of Laws (Honours) (1983). In 1984, His Honour was admitted as a barrister of the Supreme Court of Queensland and appointed Senior Counsel in 2001.

Justice Boddice previously served as a member of the Queensland Anti-Discrimination Tribunal (2006–2009), chair of the Queensland Nursing Tribunal (2007–2009), director (1993–2010) and chairperson (2006–2010) of Barristers' Chambers Limited, junior vice president (2006–2008) and senior vice president (2008–2010) of the Medico-Legal Society of Queensland and member of the Continuing Professional Development Committee of the Bar Association of Queensland (2007–2009). Justice Boddice has been the legal patron of the Medico-Legal Society of Queensland since 2014.

Justice Boddice was appointed a judge of the Supreme Court of Queensland in 2010. His Honour served as an additional Judge of the Mental Health Court from 2011 to 2014 and as President of the Court from 2014 to 2017. Justice Boddice was appointed the Southern Region Judge of the Land Appeal Court in 2020. His Honour was appointed a judge of the Queensland Court of Appeal in 2023.



David Bowles

Special Counsel, QLS Ethics and Practice Centre, Queensland Law Society

David was admitted as a solicitor in 1996 and was in private practice from that time until joining Queensland Law Society's QLS Ethics and Practice Centre in November 2012.

David's experience, initially as an employee and then as a sole practitioner includes crime, property, litigation and estate planning. As an ethics solicitor he is responsible for providing ethical guidance to members and continuing legal education.

He holds postgraduate certificates in Artificial Intelligence from the Said Business School at Oxford University, in Cybersecurity from Harvard University Extension School, in Project Management from the University of Adelaide EdX program and is a director of the Australasian Computer Law Institute

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Eduardo Cruz

Partner, CZ Injury Law

Member, Queensland Law Society Accident Compensation & Tort Law Committee

Eduardo was admitted as a solicitor in November 2004 and has worked exclusively with a culturally diverse client base since 2002. He volunteers as general counsel for Australia's fastest growing charity Serving Our People and is a board member for youBelong Australia, a leading charity that welcomes and empowers refugees.

Eduardo has been involved with the Queensland Law Society's Accident Compensation & Tort Law Committee since 2017. He is actively engaged in procedural and legislative reform across motor vehicle accident insurance, workers' compensation, public liability insurance and historical sexual abuse claims.

He has previously worked in two national firms and for WorkCover Queensland, managing a section of its common law division.



Richard Douglas KC

Barrister, Queensland Bar

Richard was called to the Bar in 1980, commenced practice in 1982 and awarded silk in 1998. His specialties are common law, insurance law, land law and confiscation of criminal profits. He has particular expertise in statutory proportionate liability. He was president of the Bar Association of Queensland from 2009 to 2011 and Medico-Legal Society of Queensland from 2016 to 2018. He was awarded life membership of the Bar Association in 2019. He chaired the Association's Civil Litigation Committee from 2012 to 2022 and the Association's Ethics Counsellors' Panel from 2023. He is the editor of the Association's Hearsay electronic magazine.

Richard is the lead author of two publications, namely the online Civil Liability Australia and the text Annotated Civil Liability Legislation Queensland, both published by LexisNexis. In 2014, he was awarded the National Insurance Law prize by the Australian Insurance Law Association. In 2018, he was the Association's annual Geoff Masel lecturer.

Richard is a member of Callinan Chambers, Brisbane. He is also a member and director of the barristers' services entity, Hemmant's List. He conducts an extensive trial court, appellate and advisory practice. He is a nationally accredited mediator and has mediated and appeared as counsel in many disputes.

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Peter Finocchio

Director, Legal Funding Australia

As one of the founding directors of Legal Funding Australia, Peter has extensive experience in disbursement funding. As a result of running a successful business for over 15 years, he has seen Legal Funding Australia expand in each state and territory throughout Australia.

Peter is business-minded and loves being inventive to assist lawyers in simplifying their business and saving money. He understands the challenges and costs associated with running a legal practice and he knows the value of quick and efficient systems, and how to implement them.



Michael Garbett

Partner, Moray & Agnew Lawyers

Chair, Queensland Law Society Accident Compensation & Tort Law Committee

Michael has been practising in all aspects of Personal Injuries Law for over 30 years. He practises predominantly in the field of compulsory third-party litigation.

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Justin Harper

Barrister, Queensland Bar

Justin holds a Bachelor of Laws and Bachelor of Arts from the University of Queensland. He was called to the Bar in 2005 and practises in tort law, public law and coronial inquests.

Justin represents clients in all areas of personal injury law, acting for both plaintiffs and defendants. He has represented numerous victims of institutional child abuse in their compensation claims.

Justin has acted as Counsel Assisting in numerous coronial inquests, into deaths arising from police pursuits and other deaths in custody. He represented family members at the Inquest into the Death of Hamid Khazaei and the Inquest into the Death of Omid Masoumali. He also represented the patients of Dr Jayant Patel and the Bundaberg Hospital Support Group at the Queensland Public Hospitals Commission of Inquiry and the mothers of deceased adolescents at the Barrett Adolescent Centre Commission of Inquiry.

Justin began his legal career as an articled clerk. He then served as a solicitor in criminal law and personal injury, before working in senior policy roles within the Queensland Government. He is a past president of the Queensland branch of the Australian Lawyers' Alliance, a national board member of the Australian Lawyers' Alliance and was the Queensland representative on the board of the Professional Standards Council 2006-07.



Vanessa Herrmann

Chief Executive Officer, Red Health Independent Medical Assessments

Vanessa is the CEO of Red Health Independent Medical Assessments, an Australian-owned medico-legal service provider established in Brisbane in 2011. With 11 years at Red Health, Vanessa has been instrumental in driving the company's success, contributing significantly to business strategy and stakeholder management.

Introduced to personal injury law as a paralegal, Vanessa's diverse background in healthcare and customer service laid a strong foundation for supporting matters. This role ignited her passion for law and medicine. Her natural curiosity has sometimes tested the patience of those she encounters but has also enriched her extensive knowledge of law, medicine, and business.

Committed to humanising the medico-legal experience, Vanessa enjoys helping legal professionals navigate its complexities by leveraging her knowledge and network to achieve effective outcomes.

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Kevin Holyoak

Barrister, Queensland Bar

Kevin completed a Bachelor of Laws in 1987. He practised as a solicitor from 1988 before he was admitted to the Bar in 1991.

Kevin has an extensive practice encompassing all aspects of insurance law and related areas of common law (including personal injuries, fire, agricultural, professional negligence and other losses), equity and statute, commercial and trade practices law.

Kevin has appeared in many cases in the Queensland Court of Appeal and the High Court of Australia on insurance and allied matters. He has authored numerous papers and articles between 1998 and 2024.



Belinda Hughes

Director, Hughes and Lewis Legal

Member, Queensland Law Society Accident Compensation & Tort Law Committee

Belinda is the co-founder and director of personal injury and insurance law startup, Hughes and Lewis Legal.

Hughes and Lewis was designed to be different. To capitalise on technological advancements, be flexible and nimble in its delivery of legal services and to always have a human-centred approach in its dealings.

Belinda practises in the area of workers' compensation, having acted as both an in-house solicitor and as a legal panel lawyer for WorkCover Queensland.



Trent Johnson

Partner & Brisbane Office Leader, Travis Schultz & Partners

Accredited Specialist (Personal Injuries Law) – Qld

Member, Queensland Law Society Accident Compensation & Tort Law Committee

Trent is a partner at Travis Schultz & Partners and leads their Brisbane office. He practises in all aspects of personal injury litigation, including motor vehicle accident, public liability, workers' compensation, asbestos/dust and child abuse claims.

He is a long-term member of the Australian Lawyers Alliance, and past president and former volunteer of the Suncoast Community Legal Service.

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Melissa McGarrity

Barrister, Queensland Bar

Melissa was called to the Bar in 2024 after serving as a solicitor in private practice for 15 years.

Prior to commencing at the Bar, Melissa was a Special Counsel at a WorkCover and Queensland Government panel law firm. Previously, she managed a regional office of a national plaintiff personal injury law firm.

Melissa represents both plaintiffs and defendants in personal injury, including all facets of workers' compensation, motor vehicle and public liability matters, along with historical institutional abuse and medical negligence. She also has experience in workers' compensation regulatory matters, workers' compensation fraud prosecutions and dust diseases.

Melissa has been recognised by Best Lawyers in the Insurance Law category since 2020.



Christine Mercer

Principal, Legal and Quality Assurance, Assessment Hub

Christine brings over 20 years of invaluable experience as a plaintiff solicitor to her role at Assessment Hub. She has worked extensively in private practice in Brisbane and the United Kingdom.

Specialising in medical negligence claims, Christine has a deep understanding of the nuances of medical evidence which uniquely positions her to develop staff expertise and enhance the quality of medico-legal reports.

In her role as Principal at Assessment Hub, Christine works closely with medical experts to produce robust, evidence-based reports that are meticulously quality-assured. Her transition from practising law to focusing on medico-legal services reflects her commitment to improving the interface between law and medical expertise.

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Rachael Miller

Partner, QMT Law

Accredited Specialist (Personal Injuries) – Qld

Member, Queensland Law Society Accident Compensation & Tort Law Committee

Rachael was admitted as a solicitor in December 1987 and has been a partner at Quinlan Miller & Treston since 1998. She is a Fellow of the Australian and New Zealand Institute of Insurance and Finance.

Rachael practises exclusively in insurance litigation and has acted both for statutory and general insurers, and for national companies that are self-insured or have significant retentions. She has particular expertise in, and regularly advises on, indemnity and liability issues, and catastrophic claims.

Rachael has previously served as a member of the Queensland Law Society Personal Injury Specialist Accreditation Committee and the Specialist Accreditation Board. She is also currently a member of the Queensland Law Society Litigation Rules Committee and Compulsory Professional Development Committee. She has been a member of the Incorporated Council of Law Reporting since 2007.



Luke Murphy

Partner, MurphySchmidt Solicitors

Accredited Specialist (Personal Injuries) – Qld

Past President, Law Council of Australia

Deputy Chair, Queensland Law Society Accident Compensation & Tort Law Committee

Luke has been a legal practitioner for more than 30 years and has served as President of QLS (2020), on QLS Council (2018 to 2021), QLS Executive and the QLS' Finance and Risk Committee. He has also served on QLS' Specialist Accreditation Committee, QLS' CPD Committee and QLS' Practice Management Committee.

Luke served on the LCA Executive (2021 – 2023), and as Chair of the LCA's Corporate Governance Committee, and Anti-Money Laundering and Counter-Terrorism Finance Working Group (2022 – 2023). He is Chair of the LCA's Personal Injuries and Compensation Committee.

For the past two decades, Luke has represented QLS at Parliamentary inquiries and committee hearings, in negotiations with the Motor Accident Insurance Commission and WorkCover, CTP reviews, WorkCover Stakeholders' Reference Groups and QIRC interest groups.

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Dr Gary Nielsen

Orthopaedic Surgeon, Themis Medico-Legal

Associate Professor Nielsen is a general orthopaedic surgeon, with more than 30 years of clinical experience. He has a special interest in hip, knee, and lower limb surgery and has completed numerous fellowships in elective lower limb surgery and orthopaedic traumatology.

Associate Professor Nielsen served as the State Chairman of the Australian Orthopaedic Association and has a longstanding affiliation with the University of Queensland, working as both a Senior Lecturer and an Associate Professor in Orthopaedic Surgery. He has also completed a Masters of Surgical Education at the University of Melbourne.

Associate Professor Nielsen has extensive experience in conducting medico-legal assessments. He currently sits as a Tribunal Member on the Workers' Compensation Regulator's Medical Assessments Tribunal (Qld), is certified as an Independent Medical Examiner in the Evaluation of Permanent Impairment, Fifth Edition (AMA5), and is a registered trained assessor in the Guides to the Evaluation of Permanent Impairment (GEPI) 1&2.



Sebastian Olsen

Principal & Legal Practitioner Director, MurphySchmidt Solicitors Accredited Specialist (Personal Injuries Law) – Qld

Sebastian brings a unique perspective to his role as Principal at Murphy Schmidt Solicitors, having completed a medical science degree before undertaking his legal qualification.

Sebastian is a former member of the Brisbane Turf Club Young Members Committee, current Chairman of the Rugby League Brisbane Judiciary Tribunal, and Deputy Chairman of the Queensland Rugby League Judiciary Tribunal - Major Competitions. He is also a volunteer solicitor for Anglicare.

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Joe Siracusa

Principal, Siracusa Legal
Chair, Queensland Law Society Ethics Advisory Committee

Joe has over 20 years' experience in information technology, IP, procurement & probity.

Before founding Siracusa Legal, he was a partner in a Brisbane-based commercial law firm and worked in national law firms in Brisbane, Canberra and Sydney, as well as at the Queensland Department of Justice and Attorney-General, where he led the project to develop the Uniform Civil Procedure Rules.

Joe regularly advises international companies and government businesses on complex IT, IP and procurement matters and has been the probity advisor for several major projects. He is a member of the Queensland Law Society Privacy, Data & Intellectual Property Law Committee, and a member of the Advisory Council of the Centre for Public, International & Comparative Law at the TC Beirne School of Law at the University of Queensland.



Bianca Stringer

Barrister, Queensland Bar, Hemmant's List

Bianca was called to the Bar in October 2022, after an established career both in the public and private sector. Her personal injuries practice includes medical negligence, CTP, workers compensation and abuse law claims. She also practises in health law more broadly, including disciplinary proceedings and coronial inquests, along with employment matters and administrative law.

Prior to being called to the Bar, Bianca was an Associate at Corrs Chambers Westgarth and the Administrative Appeals Tribunal. She had an extensive background in the government working for the Australian Health Practitioner Regulation Agency.

Bianca holds a statutory board appointment with the Prostitution Licensing Authority and is a regular contributor on health law issues, writing for the Australian Health Law Bulletin.

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Dr Josephine Sundin

Consultant Psychiatrist, Toowong Specialist Clinic

Dr Josephine Sundin is a senior forensic and general adult psychiatrist, with 40 years' experience in psychiatry.

She served on the Mental Health Court of Queensland for 13 years, on the Medical Board of Queensland for three years and chaired the ethics committee for the Australian Medical Association Queensland.

Dr Sundin is the inaugural Chair of the Psychiatry Tribunals at the Workers' Compensation Rehabilitation Scheme. She lobbied the government for five years to have the psychiatry tribunals acknowledged as specialist tribunals. This came into effect on 1 July 2024.

Dr Sundin has completed hundreds of permanent impairment assessments in both her private and public work.



Sharon Sweeney

Lead Psychologist, Truslove & Goss

Sharon is a registered psychologist with the Psychology Board of Australia and has been working in the area of organisational psychology since 2002, assisting individuals, teams and organisations to operate more effectively.

She has extensive experience assessing individuals for selection and development using a range of psychometric assessment tools, and has delivered development-based feedback and coaching for front-line managers, senior leaders, and executives.

Sharon has designed and delivered a range of leadership assessment and development activities, including 360 surveys and day-in-the-life business simulations, also delivering leadership development programs, facilitated workshops, and training programs for a range of professional services clients.

She also supports businesses to review, develop and enhance their people practices, supporting organisational change and development.