

Early Bird expires 9 October 2008*

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days

Queensland Personal Injury Law

Recent developments and current
trends affecting the personal
injury landscape

13-14 November

Marriott Hotel
Brisbane

Don't miss this opportunity to:

- Discover how to **assess practical and procedural** aspects of a personal injury claim
- Learn how to evaluate the extent to which the **common law has been changed** by the *CLA*
- Examine how to ensure the **proper disclosure of rights and obligations**
- Find out how to assess the **strengths and weaknesses of a claim**

Expert speakers include:

Pat Mullins, Principal, **Mullins Law**

Ben Dube, Special Counsel, **Sparke Helmore**

Dr Dominic Katter, Barrister, **Queensland Bar**

John Briton, Commissioner,
QLD Legal Services Commission

Jessica McClymont, Barrister, **Queensland Bar**

David Muir, Partner, **Deacons**

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Professional Development

Queensland Personal Injury Law

Recent developments and current trends a

Day one: Thursday 13 November 2008

8.30	Conference registration	1.40	Recent cases and developments in the Queensland workers' compensation system <ul style="list-style-type: none">• Compliance and Notice of Assessments• Proving one's claim – the implications of <i>Bourk v Power Serve Pty Ltd</i>• Examining oral v written settlements• Commencement of proceedings in breach of the Act Brady Cockburn, Special Counsel, Coopers Grace Ward
8.50	Welcome and opening remarks from the Chair Stephen Hughes, Partner, NMS Gadens Lawyers	2.30	 Overcoming pitfalls in successfully negotiating a public liability action <ul style="list-style-type: none">• Addressing effective document management strategies and recognising risk• Successfully negotiating claims• Utilising dispute resolution process as an alternative to court proceedings Dr Dominic Katter, Barrister, Queensland Bar & Co-Author 'Personal Injury Litigation QLD'
9.00	 Analysing the developments of the last 12 months in the Queensland courts <ul style="list-style-type: none">• Recent developments in personal injury law in the Queensland courts• The application of the <i>Personal Injuries Proceedings Act 2002</i> in recent cases Pat Mullins, Principal, Mullins Law & Co-Author 'Personal Injury Litigation QLD'	3.20	Afternoon tea
9.50	Recent cases and developments in Commonwealth workers' compensation: implications of the decisions for the practitioner, the employer and the claimant <ul style="list-style-type: none">• The increase of self-insurers under the Act – same Act different workforce• Scrutinising the Commonwealth's legislation and its impact for practitioners• Assessing practical and procedural aspects of a PI claim Ben Dube, Special Counsel, Sparke Helmore	3.40	Determining rights and duties under the <i>Motor Accident Insurance Act</i> <ul style="list-style-type: none">• Categorising personal injury within the meaning of s.5(1) of the <i>Motor Insurance Act 1994</i>• Impact of the <i>Personal Injuries Proceeding Act 2002</i> on motor accident injury claims• Establishing negligence after assessing the strengths and weaknesses of the claim• Facilitating a successful agreement between the parties on an appropriate independent expert Clare Creevey, Partner, Clewett Lawyers
10.40	Morning tea	4.30	Grasping the significance of expert evidence rules and its impact on personal injury claims <ul style="list-style-type: none">• Analysing the impact of expert evidence in litigation• Considering exclusionary rules of expert evidence and relevant court rules• Understanding the dilemmas posed by expert evidence within the evolving litigation framework Dr Jennifer Corrin, Associate Professor, University of QLD
11.00	Civil Liability Act 2003 <ul style="list-style-type: none">• An assessment of the trends and cases• Evaluating the extent to which the common law has been changed by the CLA• Analysing what kind of risk will be taken by the claimant• Assessing the future of waivers of liability and their impact on personal injury claims David Muir, Partner, Deacons	5.20	Closing remarks from the Chair
11.50	Determining negligence and failure of duty of care resulting in personal injury <ul style="list-style-type: none">• The application, effectiveness and operation of common law principles applied in negligence• Limiting liability arising from negligence• The formulation of duties and standards of care• Successfully channelling the interface of contracts, torts and pure economic loss Dr Norman Katter, Barrister-at-Law	5.30	Close of day one
12.40	Networking lunch for speakers and delegates		

Affecting the personal injury landscape

Day two: Friday 14 November 2008

8.30	Conference registration	12:40	Networking lunch for speakers and delegates
8.50	Welcome and opening remarks from the Chair <i>Clare Creevey, Partner, Clewett Lawyers</i>	1:40	Erroneous perception? Exploring real and perceived issues and trends in claims for psychiatric and psychological injury <ul style="list-style-type: none"> • Bullies vs the law – what are the legal standards to be met in cases brought for damages? • Satisfying the court of a breach of duty of care to avoid psychological injury • Examining the decision of the Court in <i>Hintz v WorkCover Queensland & Anor</i> [2007] QCA 72 • Lessons for practitioners on “psychological injury in the workplace” claims <i>Stephen Hughes, Partner, NMS Gadens Lawyers</i>
9.00	Ethical considerations for the personal injury law practitioner <ul style="list-style-type: none"> • Analysing the Commission’s guidelines for advertising personal injury services • Examining the 50/50 rule in the light of the Court of Appeal’s decision in <i>LSC v Dempsey</i> • Looking after the client – settlement at all costs or a fair result? • Ethical hot spots – what to look out for <i>John Briton, Commissioner, QLD Legal Services Commission</i>	2.30	Negotiating successful claims for victims of crime <ul style="list-style-type: none"> • Recent case law • Examining the <i>Criminal Offence Victims Act 1995</i> • The position of the courts when assessing compensation <i>Michael Horvath, Barrister, Queensland Bar</i>
9.50	The impact of other areas of law on personal injury claims <ul style="list-style-type: none"> • Exploring the way in which aspects of claims for damages for personal injury interact with other areas of law including: <ul style="list-style-type: none"> – family law, estates law, bankruptcy law, contractual disputes and cost disputes • Advising plaintiff clients on how a claim may affect their rights or liabilities in other ways • Understanding the impact of these other areas of law upon the conduct of PI claims, and the way in which settlement or judgment monies should be paid <i>Jessica McClymont, Barrister, Queensland Bar</i>	3.20	Afternoon tea
10.40	Morning tea	3.40	ADR in personal injuries Alternative dispute resolution can be more effective than litigation in resolving personal injury disputes. This interactive session will address the reasons and processes to implement successful mediation for your client. <ul style="list-style-type: none"> • Why choose mediation • Determining the mediator • Preparing for mediation • Examining the process • Considering ethical challenges <i>Samantha Hardy, Senior Lecturer, Australian Centre for Peace and Conflict Studies</i>
11.00	Establishing current issues and causes of action in medical negligence cases <ul style="list-style-type: none"> • Passing the test of “medical negligence” – establishing breach of duty and causation • Measuring the damage caused • “Loss of a chance” cases • The use of “medical expert” reports in medical negligence actions • Procedure under PIPA for medical negligence cases <i>Sarah Atkinson, Senior Associate, Maurice Blackburn</i>	4.40	Closing remarks from the Chair
11.50	Personal injury and environmental health disputes <ul style="list-style-type: none"> • Exploring the successful application of substantive law including statutory duties and obligations under environmental protection legislation • Considering scientific and legal proof of causation • Integrating law, science and ADR to resolve environmental conflicts <i>Dr Edward Christie, Barrister, Mediator and Author, ‘Finding Solutions for Environmental Conflicts: Power and Negotiation’</i>	4.50	Close of conference

Interactive Session

Who Should Attend

- Personal Injuries Lawyers
- Insurance Lawyers
- Government Lawyers
- Legal Officers & Managers
- Insurance Industry Executives
- Claims Managers

Priority registration form

Queensland Personal Injury Law

4 easy ways
to register

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Mail: Conference Co-ordinator, LexisNexis
Locked Bag 2222, Chatswood NSW 2067
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Please complete sections A, B, C, D

Conference code: PD6818 ABN: 70 001 002 357

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Position: _____

Organisation: _____

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Suburb Postcode State

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 2 details

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Position: _____

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This will help us keep you informed about topics relevant to your business needs.

CONFERENCE RESOURCES

- I am unable to attend but would like to purchase a set of conference papers for the Queensland Personal Injury Law \$300.00 + GST = \$330.00

TEAM DISCOUNTS*

- Register a team of 2 for the Queensland Personal Injury Law at the same time, from the same organisation and receive a free pass for the 3rd delegate.

* Early Bird, team discounts and any other discount cannot be taken concurrently

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#Choose which day: Day 1 Day 2

Why attend this event

LexisNexis Queensland Personal Injury Law is a premier event for professionals seeking a relevant and practical approach to contemporary personal injury law. We offer:

- An outstanding speaker faculty
- Practical skills guidance
- Up-to-date expertise on legal developments
- Risk assessment strategies
- Claims management techniques
- Tips for streamlining management processes
- ... and more. It is the ultimate forum and authority on personal injury law in Queensland

D Payment details Payment is due upon registration

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Your registration will be confirmed in writing when full payment is received. We will refund your registration in full less a \$165 administration fee if notification is received in writing by 16 October 2008. If we receive written notification between 17 October 2008 and 30 October 2008 you will receive a 50% refund and conference documents. No cancellation requests will be accepted after 30 October 2008. You may nominate a replacement, however no refund will be issued.

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