

Early bird price expires 11 September 2009\*

New South Wales:

# Personal Injuries Law Masterclass

Effectively resolving complex issues and negotiating successful outcomes for your client

15 October 2009  
Crowne Plaza Hotel  
Darling Harbour,  
Sydney

Practical  
1 Day  
Format

Claim  
up to 6.5  
MCLE  
Points

## PERSONAL INJURY CLAIM FORM

Failure to complete this form in its entirety may result in a delay in processing this claim.

Check all that apply:

Injury With Disability

Injury With Hospitalization

Deceased - Date Deceased: / /

Long Term Disability  
Policy Number

Hospital Indemnity  
Policy Number

Hospital Inpatient  
Policy Number

Life  
Policy Number

Specified Health Ex  
Policy Number

### Critical sessions on:

- Industrial action under common law
- Action under the CLA and case law developments
- Establishing liability for psychiatric injury
- Medical negligence: Principles and loss of chance
- Employers' liability for personal injury
- Conduct and management of professional negligence claims
- Catastrophic injury claims in CTP

### Expert speakers include:

**James Glissan QC**, Sixteenth Floor Wardell Chambers; Consultant Editor, Personal Injury Litigation New South Wales, LexisNexis Butterworths

**Glen Miller QC**, Sir James Martin Chambers

**Michael Cranitch SC**, State Chambers

**David Nock SC**, 9th Floor Wentworth Chambers

**Ian Roberts SC**, Elizabeth Street Chambers

**Hugh Marshall SC**, Elizabeth Street Chambers

**Jeffrey Phillips SC**, Denman Chambers

**Genevieve Henderson**, Practice Group Leader - Motor Vehicle Accidents NSW, **Slater & Gordon**

Learn with confidence

Register today! Ph: 1800 772 772  
or visit [www.lexisnexis.com.au/pd](http://www.lexisnexis.com.au/pd)



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Professional Development

## Masterclass: Thursday 15 October 2009

- 8:30 **Conference registration**
- 8:50 **Opening Remarks from the Chair**
- 9:00 **Instructing and working with expert witnesses in personal injury claims**
- Identifying the difference between expert evidence and opinion evidence
  - When expert evidence cannot establish negligence
  - Use of single experts and concurrent evidence by experts
  - When the expert has a financial interest in the case
  - Topical considerations regarding expert evidence within litigation
- Glen Miller QC, Sir James Martin Chambers**
- 9:50 **Industrial action under common law: to sue or not to sue**
- Advice to be given to clients
  - Informed consent
- David Nock SC, 9th Floor Wentworth Chambers**
- 10:40 **Morning tea**
- 11:20 **Liability of employers in damages for personal injury: proving negligence or breach of duty of care**
- *Res Ipsa Loquitur*: establishing the elements of negligence
  - Examining the implications of the High Court decision *Schellenberg v Tunnel Holdings Pty Limited*
  - When expert evidence cannot establish negligence
  - Matters affecting liability in court proceedings
  - Proof of liability: burden of proof – onus of proof – circumstantial evidence
- Jeffrey Phillips SC, Denman Chambers**
- 11:50 **Common law liability for psychiatric injury - at work**
- Psychiatric injuries recognised as compensable at common law - and historical introduction
  - *Tame v NSW; Annetts v Australian Stations*; and the *Civil Liability Act (2002)*
  - *Koehler v Cerebos*
  - Foreseeability under the microscope - is *Wyong Shire Council v Shirt* under threat?
  - What has happened since *Koehler v Cerebos*? Has there been any impact?
- Hugh Marshall SC, Elizabeth Street Chambers**
- 12:40 **Networking lunch for speakers and delegates**
- 1:30 **Medical negligence: principles and loss of chance**
- James Glissan QC, Sixteenth Floor Wardell Chambers; Consultant Editor, Personal Injury Litigation New South Wales, LexisNexis Butterworths**
- 2:20 **Professional negligence disputes and litigation**
- Establishing breach of duty and causation
  - Conduct and management of proceedings
  - Use of expert and non-expert evidence in professional negligence cases
  - Defences
  - Funding professional negligence claims
- Michael Cranitch SC, State Chambers**
- 3:10 **Afternoon tea**

### Upcoming events:

**Contract Law Intensive**

8 September, Sydney

**Litigation Skills Forum**

2-3 September, Sydney

**19th Annual Credit Law Conference**

30 September – 2 October, Kingscliff

**Personal Injury Law Conference**

15 October, Sydney

**Bulletproof your Personal Property Securities Act**

21 October, Sydney

**15th Annual Australian Corporate Lawyers Association National Conference**

12-13 November, Melbourne

**Reforming Privacy Practice in 2009**

13 November 2009, Sydney

For a conference program or speaker information please call: **1800 772 772** or visit: **www.lexisnexis.com.au/pd**

3:30 **Steering a successful argument for the defendant for action brought under the *Civil Liability Act (2002)***

- Developments in case law in light of the amendments to CLA (2002)
- When the plaintiff claims intentional tort
- The apportionment process limiting the liability of the wrongdoer
- When the CLA does not apply to the claim

**Ian Roberts SC, Elizabeth Street Chambers**

4:20 **Motor vehicle accident compensation claims**

- Time limits associated with compensation claims
- 2008 Medical Assessment Guides and their impact on claims
- Working with MAS and CARS
- Catastrophic injury claims in CTP and their impact on damages assessment
- Alternative dispute resolution strategies to fast-track the claim

**Genevieve Henderson, Practice Group Leader - Motor Vehicle Accidents NSW, Slater & Gordon**

5:10 **Close of conference**

### Who Should Attend?

- Personal Injuries Law Practice Groups
- Insurance Law Practice Groups
- Barristers
- Legal Officers and Managers
- Insurance Industry Executives
- Claims Assessors and Managers

### Who is LexisNexis Professional Development?

LexisNexis is a leading, quality provider of professional development solutions with a practical legal focus.

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LexisNexis Professional Development offers value when it comes to content, information and return on your professional development investment.

### Personal Injury Litigation NSW Looseleaf Service

Personal Injury Litigation NSW is a service specifically designed for solicitors and barristers practising in the area of personal injury litigation. Practitioners at all levels of experience in personal injury will benefit from the comprehensive coverage of this service, with commentary ranging from explanations of the fundamental legal principles of liability and damages to in-depth explorations of the intricacies of more specific fields such as motor accidents, work injuries, public liability, medical negligence, nervous shock and product liability. Practical aspects of personal injury litigation are well catered for by legislation, precedents, industry guidelines, actuarial tables for damages, and a procedural guide to conducting personal injury cases in the NSW Supreme, District and Local Courts. Updating four times a year, this service will keep practitioners abreast of developments in this complex, multifaceted and far-reaching field.

#### Other publications you might be interested in:

*Motor Traffic Law NSW*

*Workers Compensation NSW*

For more information please call: **1800 772 772** or visit: **[www.lexisnexis.com.au](http://www.lexisnexis.com.au)**

# Priority registration form New South Wales Personal Injuries Law Masterclass

**4 easy ways  
to register**

**Phone:** 1800 772 772  
**Fax:** (02) 9422 2338  
**Online:** www.lexisnexis.com.au/pd  
**Mail:** Conference Co-ordinator, LexisNexis  
Locked Bag 2222, Chatswood Delivery Centre,  
Chatswood NSW 2067  
or: DX 29590 Chatswood

Please complete sections A, B, C, D, E

TAX INVOICE Conference code: PD6619 ABN: 70 001 002 357

## A Delegate 1 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Position: \_\_\_\_\_

Organisation: \_\_\_\_\_

Postal address: \_\_\_\_\_

Suburb Postcode State

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

## Delegate 2 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

## Delegate 3 details

Mr/Ms/Dr: \_\_\_\_\_  
First name Last name

Position: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email (required\*\*): \_\_\_\_\_

\*\* to send conference confirmation

## B Please tick as many practice areas you work in which apply:

- |                                                        |                                                                     |
|--------------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Banking and Finance           | <input type="checkbox"/> Family Law                                 |
| <input type="checkbox"/> Commercial Litigation and ADR | <input type="checkbox"/> Insolvency & Restructuring                 |
| <input type="checkbox"/> Corporate and Commercial Law  | <input type="checkbox"/> Insurance and Risk                         |
| <input type="checkbox"/> Criminal Law                  | <input type="checkbox"/> Property                                   |
| <input type="checkbox"/> Energy and Resources          | <input type="checkbox"/> Wills and Estates                          |
| <input type="checkbox"/> Environment and Planning      | <input type="checkbox"/> Workplace Relations, Employment and Safety |
|                                                        | <input type="checkbox"/> Other: _____                               |

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

Where did you hear about this event?  
\_\_\_\_\_  
\_\_\_\_\_

### PROGRAM CHANGES

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

### CANCELLATION

Your registration will be confirmed in writing when full payment has been received. LexisNexis' cancellation policy applies as follows. If cancellation is notified in writing:

- One calendar month or more prior to the first day of event:  
LexisNexis will refund your registration fee less \$165.00 administration cost.
- Between one calendar month plus one day and 14 days prior to the first day of event:  
LexisNexis will refund 50% of the fee paid by you and provide you with a copy of event papers.
- 13 days or less prior to the first day of the event:  
LexisNexis will not refund any part of your fee. However, you may nominate a replacement delegate to attend in your place.

## C

Group Bookings Pricing Per Person (for 3 or more people from same organisation)				
Please select	Options	Qty	Price	Subtotal
<input type="checkbox"/>	One day conference		\$900.00 + GST = \$990.00	

Early Bird Pricing (register and pay by 11 September 2009)				
<input type="checkbox"/>	One day conference		\$1050.00 + GST = \$1155.00	

Standard Pricing (register and pay after 11 September 2009)				
<input type="checkbox"/>	One day conference		\$1150.00 + GST = \$1265.00	

**TOTAL**

## D

### CONFERENCE RESOURCES

- I am unable to attend but would like to purchase a set of conference papers for New South Wales Personal Injuries Law Masterclass \$180.00 + GST = \$198.00

### TEAM DISCOUNTS\*

- Register 3 or more people from the same organisation at the same time and book at the Group Booking price per person.

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

Please send me more information on:

- Personal Injury Litigation NSW  
 Motor Traffic Law NSW  
 Workers Compensation NSW

## E

### Payment details

Payment is due upon registration. This document will be a Tax Invoice/Receipt for GST upon completion of payment.

- Enclosed is my cheque for: \$ \_\_\_\_\_ made payable to LexisNexis

- Pay by credit card: Please charge \$ \_\_\_\_\_ to

- Mastercard  Visa  American Express

Card number: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Expiry: \_\_\_\_/\_\_\_\_

Name of cardholder: \_\_\_\_\_

Signature of cardholder: \_\_\_\_\_

- Charge to my LexisNexis account: \$ \_\_\_\_\_

Account number: \_\_\_\_\_

Signature: \_\_\_\_\_

Name of approving manager: \_\_\_\_\_

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- Tick here if you DO NOT wish to receive information about upcoming events.