



Personal Injuries

Crucial cases, injuries updates and the legislative landscape

2 May 2012, Stamford Plaza Brisbane

Program highlights

- Recent case law update for quantum and liability issues in personal injury
- Psychological injuries in personal injury cases
- Medical negligence update
- Everything you need to know about WorkCover
- Case update on specific types of injury
- Pre-court procedural requirements for MAIA and WorkCover damages claims
- MAIA, WCRA, PIPA, CLA and CCA – coping with the interplay of the legislative acronyms
- Pain disorder issues in personal injury cases

Speakers

- Ken Fleming QC, Barrister, Queensland Bar
- Michal Horvath, Barrister, QLD Bar
- Ken Horsley, Partner, Minter Ellison
- John Kinnane, Customer Service Manager, WorkCover Queensland
- Sarah Atkinson, Senior Associate, Maurice Blackburn
- Margaret Brain, Partner, Given Law
- Donna Callaghan, Barrister, QLD Bar
- Dr Marc Walden, Pain Medicine Specialist and Independent Medical Examiner, Brisbane
- Laura Neil, Principal, Maurice Blackburn
- Richard Douglas SC, Barrister at Law, Callinan Chambers

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Personal Injuries

Crucial cases, injuries updates and the legislative landscape

Wednesday, 2 May 2012

- 8:30 Registration
- 9:00 Welcome from the Chair
Michal Horvath, Barrister, QLD Bar
- 9:15 Recent case law update for quantum and liability issues in personal injury
 - General damages: trends and issues
 - Duty of care developments
 - Obvious risk and volenti**Ken Horsley, Partner, Minter Ellison**
■ 0.75 CPD points in professional skills
- 10:00 Psychological Injuries in personal injury cases
 - Statutory claims - maximising prospects of acceptance
 - Recent cases on the reasonable management action exclusion
 - Common law case update**Laura Neil, Principal, Maurice Blackburn**
■ 0.75 CPD points in professional skills
- 10:45 Morning tea
- 11:00 Medical negligence update
 - Disclosure following *Felgate v Tucker* and *State of QLD v Allen*
 - Interim payments in catastrophic cases
 - Update on cases and issues of interest from the last 12 months
 - *Papa v Sullivan and Nicolaidis*
 - *Sarian v Elton*
 - *Gillett v Robinson***Sarah Atkinson, Senior Associate, Maurice Blackburn**
■ 0.75 CPD points in professional skills
- 11:45 Everything you need to know about WorkCover
 - WorkCover's claims management framework for pre-proceedings claims
 - Rehabilitation and return to work during common law
 - Litigation framework
 - Scheme update and industry alignment**John Kinnane, Customer Service Manager, WorkCover Queensland**
■ 0.75 CPD points in professional skills
- 12:30 Lunch
- 1:30 Case update on specific types of injury
 - School cases
 - Liability of independent contractors eg bouncers
 - Alcohol related cases
 - Liability of labour hire
 - Concurrent liability of host employers**Margaret Brain, Partner, Given Law**
■ 0.75 CPD points in professional skills
- 2:15 Pre-court procedural requirements for MAIA and WorkCover damages claims
This session will provide a study of the similarities and differences between the different schemes. Ken Fleming QC brings a wealth of experience and understanding to this complex legislative topic. Case studies and war stories will illuminate the interplay between MAIA and WorkCover and how best to prepare your claim.
Ken Fleming QC, Barrister, Queensland Bar
■ 0.75 CPD points in professional skills
- 3:00 Afternoon tea



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3:15 **MAIA, WCRA, PIPA, CLA and CCA – coping with the interplay of the legislative acronyms**

- WCRA v PIPA – *State of Queensland v Heraud*
- MAIA v WCRA – work system exception
- CLA v CCA – *Insight Vacations v Young*
- CLA v Common law – CLA s5

Richard Douglas SC, *Barrister at Law, Callinan Chambers*

■ 0.75 CPD points in professional skills

4:00 **Pain syndromes in personal injury claims**

- Overlap between physical and psychological injury
- Challenges in evidence
- Preparing the claim
- Assessment of impairment
- Assessment of quantum at common law and under statutory regimes

Donna Callaghan, *Barrister, QLD Bar*

Dr Marc Walden, *Pain Medicine Specialist and Independent Medical Examiner, Brisbane*

■ 0.75 CPD points in professional skills

4:45 **Comments from the Chair**

5:00 **Close of conference**

What delegates said about our previous QLD Personal Injuries conference:

“Very informative, thought out and practical” (re Sarah Atkinson)

“Great summary & very practical”

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- Partners
- Associates
- Senior Associates
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- Barristers
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- Insurance Assessors
- Claims Managers
- OHS Managers
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Personal Injuries

2 May 2012

Stamford Plaza Brisbane

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Brisbane QLD 4000

Online: www.lexisnexis.com.au/pd

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Phone: 1800 772 772

Fax: (02) 9422 2338

Mail: Conference Co-ordinator, LexisNexis

Locked Bag 2222, Chatswood Delivery

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or: DX 29590 Chatswood

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