



# Symposium

2016 >> Our profession, connected

18 March | Brisbane Convention & Exhibition Centre

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# Program – Day 1

Business Family Personal Injuries Property



## Friday 18 March 2016

Disc 1  
33 mins

### Welcome

*Presenter:* **Bill Potts**, President, Queensland Law Society

### Welcome to Country

*Presenter:* **Songwoman Maroochy**

### Chief Justice's Address

*Presenter:* **The Honourable Justice Catherine Holmes**, Chief Justice of Queensland

*Chair:* **Bill Potts**, President, Queensland Law Society

## FAMILY

Disc 2  
1 hr 21 mins



### Case law update: A year in review

Designed to provide you with a snapshot of recent case law, this session will summarise significant decisions over the past year.

*Presenter:* **James Linklater-Steele**, Barrister, Queensland Bar

*Chair:* **Bruce Dodd**, Partner, Jones McCarthy Lawyers and Accredited Specialist (Family Law)



### Living dangerously: Managing risks in family law practice

This session will focus on identifying common and current risks for solicitors practising in family law, and offering practical techniques and solutions on how to avoid them.

*Presenter:* **Tracy Skellern**, Legal Risk Solicitor, Lexon Insurance

*Chair:* **Bruce Dodd**, Partner, Jones McCarthy Lawyers and Accredited Specialist (Family Law)

## PROPERTY

Disc 3  
1 hr 29 mins



### Community title case and legislation update

This session will provide you with an overview of recent significant decisions and legislative changes in the community title space affecting both body corporate and management rights, with a focus on the practical implications for your day-to-day practice.

*Presenter:* **Frank Higginson**, Director, Hynes Legal

*Chair:* **Leone Costigan**, Executive Counsel, Herbert Smith Freehills and Accredited Specialist (Property Law) – Qld



### Tax in context: A masterclass perspective

Referring your client to a tax expert is one thing, but knowing when to refer them is a skill that is essential for property practitioners. Using a case scenario, this session will explore:

- the tax implications of option agreements
- GST and going concern exemptions
- stamp duty and aggregation
- land tax implications
- capital gains tax.

*Presenters:* **Peter Nugent**, Special Counsel, HWL Ebsworth Lawyers

**Fletch Heinemann**, Partner, Cooper Grace Ward Lawyers

*Chair:* **Leone Costigan**, Executive Counsel, Herbert Smith Freehills and Accredited Specialist (Property Law) – Qld

## PERSONAL INJURIES

Disc 4  
1 hr 27 mins



### NDIS and NIS: Structures, progress and pitfalls for the injured and our profession

The NDIS and NIS are interlinked game-changers for the disability sector and for the personal injuries practitioner. The session will provide an overview of the design of the schemes, an exposition of the Productivity Commission's envisioned outcome for those injured as a consequence of the negligence of others, and an explanation of the manifestations of both schemes, to date.

**Presenter:** Rod Hodgson, Principal, Maurice Blackburn

**Chair:** Luke Murphy, Partner, MurphySchmidt Solicitors and Accredited Specialist (Personal Injuries) – Qld



### Workers compensation revisited

Now that the dust has settled and workers compensation legislation has been amended, this session will recap recent legislative changes and discuss how WorkCover is implementing those changes. The session will also focus on recent claims trends and how they impact the fund.

**Presenter:** John Kinnane, Industry Manager, WorkCover Queensland

**Chair:** Luke Murphy, Partner, MurphySchmidt Solicitors and Accredited Specialist (Personal Injuries) – Qld

## FAMILY

Disc 5  
1 hr 38 mins



### Working with victims and perpetrators of domestic violence: Powerful insights, practical solutions

Sharing powerful insights and providing practical solutions, our panel will cover the following:

- current and future direction of domestic and family violence
- overview of the newly created Specialist Domestic Violence Court at Southport
- advice on how to work with clients that are either victims or perpetrators of family and domestic violence
- practical tips for family lawyers – What should you address in your submissions? What does the court need to know from you?
- how technology and social media impacts on family and domestic violence matters.

**Panellists:** Magistrate Colin Strofield, Magistrates Court of Queensland

Diane Mangan, CEO, DV Connect

Zoe Rathus AM, Senior Law Lecturer and Director of Legal Clinic, Griffith University

Sergeant Leisa Wathen, District Domestic and Family Violence Prevention Co-ordinator, Mt Gravatt and Riverside Patrol Groups

**Facilitator:** Kara Cook, Director and Principal Lawyer, Cook Legal and Vice-President, Queensland Law Society

## PERSONAL INJURIES

Disc 6  
1 hr 28 mins



### Spotlight on psychiatric injury claims

Due to the complex nature of psychological injury claims, they are notoriously difficult to pursue and defend. This session will demystify some of the complexities involved in managing such claims for damages. Through a discussion of the recent case law this session will provide practical tips on how to pursue and defend psychiatric claims. It will focus on the issues to look for in each case; the evidence that needs to be sought to focus on those issues and the presentation of such claims at conference or mediation. The session will discuss the following:

- What is a psychiatric injury? The importance of distinguishing it from stress.
- The duty of care essentials as defined by recent decisions:
  - “reasonably foreseeable” – Is there a risk that psychiatric injury would occur?
  - breach of duty
  - causation.
- Practical tips for both preparation of liability issues and the quantification of claims.

**Presenter:** Dominic Murphy, Barrister, Queensland Bar

**Chair:** Michael Garbett, Partner, Moray and Agnew and Chair, Queensland Law Society Accident Compensation/Torts Law Committee



## Return to work: Can't work or won't work?

You would imagine that most plaintiffs would look forward to the day when they can return to work after an injury, however for some returning to work creates other health issues to overcome. In this session, our presenter will provide guidance on the psychiatric issues that some plaintiffs encounter on the prospect of returning to work. Our expert will identify 'red flags' that personal injuries practitioners should be aware of, whether acting for the plaintiff or employer and will answer the following questions:

- What are the mental health obstacles facing an employer trying to get an injured worker back to work?
- When does a psychiatric injury no longer impair a return to work process?
- What are the non-injury related psychiatric reasons that impede the return to work process, and how can they be managed?

*Presenter:* **Ben Duke**, Consultant Psychiatrist

*Chair:* **Michael Garbett**, Partner, Moray and Agnew and Chair, Queensland Law Society Accident Compensation/Torts Law Committee

## BUSINESS

Disc 7  
1 hr 25 mins



## Shareholder agreements masterclass: The good, bad and ugly

Disputes, divorce, offences, bad behaviour, voluntary retirement, insolvency – all are trigger events which can have a detrimental effect on a company and, at worst, can cause a company to go bust!

Your client may not be preparing for disputes or unforeseen circumstances, but having a well drafted shareholder agreement can diffuse disputes and manage curveballs before it is too late.

This interactive session will look at the key clauses that should be included in shareholder agreements and provide a unique insight into drafting as well as how to resolve shareholder disputes.

*Presenters:* **Joe Kafrouni**, Director, Kafrouni Lawyers and Accredited Specialist (Business Law) – Qld  
**David Thomae**, Barrister, Queensland Bar

*Facilitator and presenter:* **Suzanne Brown**, Principal, McKays Lawyers and Accredited Specialist (Business Law) – Qld

## FAMILY

Disc 8  
55 mins



## Masterclass: Advocacy 202

Join the experts in an advanced advocacy workshop especially designed for experienced family law practitioners.

*Presenters:* **The Honourable Justice Colin Forrest**, Family Court of Australia  
**Dr Jacoba Brasch QC**, Barrister, Queensland Bar

*Facilitator:* **Jennifer Hetherington**, Principal, Hetherington Legal; Accredited Specialist (Family Law) and Councillor, Queensland Law Society

## PROPERTY

Disc 9  
55 mins



## E-Conveyancing in practice

E-Conveyancing is here, but many practices are yet to jump on board. This session will give you access to practitioners who use the system, PEXA and QLS experts, and address the practical issues that are impacting conveyancing practitioners. It will cover:

- how to use the system effectively and efficiently
- how to manage risk
- what risks can't be managed
- how to utilise team members and support staff.

*Presenters:* **Michael Kenny**, Principal, Queen St Legal Group  
**Mike Cameron**, COO, Property Exchange Australia Limited (PEXA)

*Facilitator:* **David Bowles**, Ethics Solicitor, Queensland Law Society

## BUSINESS

Disc 10  
57 mins



### PPSA: While you were sleeping

The *Personal Properties Securities Act 2009* has overhauled securities legislation in Australia and readjusted the norm. In this session the presenters will discuss practical, everyday issues around security interests and perfection, what you can expect when a liquidator comes knocking, and how and why you got it wrong.

**Presenters:** **Danielle Keyes**, Senior Associate, DLA Piper Australia  
**Michael Brennan**, Managing Principal, Offermans Partners and Councillor, Queensland Law Society

**Chair:** **Scott Butler**, Partner, McCullough Robertson Lawyers and Chair, Queensland Law Society Insolvency Committee

## SYMPOSIUM DEBATE

Disc 11  
56 mins

### 'You're not a real lawyer unless you've been to court'

Conducted in a classic debate format, our panellists will argue that 'You're not a real lawyer unless you've been to court'.

#### AFFIRMATIVE

**Andrew Cardell-Ree**, Partner, Thomson Geer  
**Danielle Keyes**, Senior Associate, DLA Piper Australia  
**Rebecca Treston QC**, Barrister, Queensland Bar

#### NEGATIVE

**Clarissa Rayward**, Director, Brisbane Family Law Centre, Accredited Specialist (Family Law) and President, Family Law Practitioner's Association (Qld)  
**Andrew Smyth**, Partner, Robbins Watson Solicitors  
**Brian Herd**, Partner, CRH Law

**Moderator:** The Honourable Justice Colin Forrest, Family Court of Australia

## END OF DAY 1 FILMED SESSIONS

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