

EMMA FITZGERALD

BARRISTER AT LAW

I, Emma Fitzgerald, provide this brief statement in support of my application to join the Hemmant's List.

I completed the Bar Practice Course on 22 April 2021 and I received my practising certificate as a barrister on 29 April 2021.

My practice at the bar is just beginning and it would be an honour to be included on Hemmant's List.

My practice areas include:

1. Personal Injuries;
2. Abuse Law;
3. Insurance;
4. Consumer Law;
5. Financial Services;
6. Employment and Industrial;
7. Workplace Health & Safety;
8. Inquiries and Coronial;
9. Contract Law;
10. Judicial Review & Administrative;
11. Wills & Probate.

My experience

I commenced practising as a solicitor in January 2013. My first professional role was as a graduate solicitor at Crown Law. This involved a two-year graduate rotation program and I worked across nearly all of the practise groups including commercial litigation, employment law, constitutional law, commercial and property, advocacy chambers and WorkCover. During my time at Crown Law I assisted, primarily, in forms of litigation, across most courts or tribunals including QCAT, the Industrial Relations Commission, the Supreme Court, the Court of Appeal and the High Court.

After I left Crown Law, I worked in private practice across a number of mid-tier defendant insurance practises for approximately 5 years specialising in personal injuries litigation and property damage litigation.

I also spent a short time working at the Women's Legal Service Queensland setting up their Financial Abuse Prevention Unit as the lead solicitor.

Most recently, whilst studying for the bar exams, I was working at a business called Happy Lawyer Happy Life in a non-legal role as a community manager for a community of lawyers. I am passionate about mental health and diversity in the legal profession and this role was an excellent fit for me during my studies for the exams.

As a university student, I participated in many mooted competitions and I travelled to locations such as the Hague and Kuala Lumpur to represent my university. In my penultimate year, I participated in a mooted competition before the Honourable former Justice McMurdo and I received an award for best speaker.

Examples of Experience

The following are some examples of my experience:

1. Acting on behalf of a publicly listed energy company in relation to a claim under the *Personal Injuries Proceedings Act 2002* (Qld) by a worker that was injured when a gas bottle exploded. The matter involved complex factual issues in relation to the cause of the gas leak and ignition of the fire, requiring engagement of an expert.
2. Acting on behalf of a principal contractor and its insurer in relation to a dependency claim under the *Personal Injuries Proceedings Act 2002* (Qld) and the *Civil Proceedings Act 2011* (Qld) when a truck driver, died after being struck on the head. The matter involved complex causation issues as the deceased's condition significantly deteriorated when he contracted an infection in hospital.
3. Successful defence of a litigated claim under *the Personal Injuries Proceedings Act 2002* (Qld) in the District Court of Queensland by a security guard who was injured when conducting an inspection of commercial premises during the night when he rolled his ankle on a concrete drain (*Humphries v Downs Earthmoving*).
4. Acting on behalf of and advising the Attorney General for the State of Queensland in relation to various interlocutory applications relating to the *parens patriae* jurisdiction over charitable gifts.

Thank you for considering my application.

Emma Fitzgerald