**JEUNESSE CHAPMAN**

**Barrister**

Frederick Jordan Chambers

P 02 9229 7333 M 0418 211 584 E chapman@fjc.net.au

**Tertiary Qualifications**

Diploma of Law, Legal Practitioners Admission Board (LPAB) 1996

**Professional Experience**

Admitted as a solicitor 1997

Called to the Bar 1998

**Areas of Practice**

Abuse and Historical Sexual Abuse

Common Law

Coronial Inquests

Insurance Law

Intentional Torts

Mediation and Alternate Dispute Resolution

Personal Injury

Medical Negligence

Professional Negligence

Products Liability

Public Liability

Statutory Tribunals

**Memberships**

Member of the NSW Bar Association.

Women Lawyers Association of NSW.

NSW Bar Association’s Equal Opportunity Committees from 2013 - 2015.

Appointed Director of Women’s Bowls NSW 2016-2018.

Currently an elected Director of Bowls Australia (since 2019).

**Experience**

During the last 24 years I have been briefed regularly to appear and to advise: insurers, the NSW Police Force (NSWPF) and various other government agencies. In recent years I have also been briefed in a range of matters for the Department of Education and the Department of Communities and Justice.

I have extensive advocacy experience, particularly in matters in the District and Supreme Courts of NSW. I have appeared in the Law Enforcement Conduct Commission (LECC) on a number of occasions for the Commissioner of Police as well as individual police officers. I was involved in drafting and submitting submissions on behalf of the NSWPF to Parliament regarding strip search practices of the NSWPF in relation to minors.

**Coronial Inquests**

I have been briefed to appear in numerous coronial inquests for medical practitioners, nurses, private hospitals, Health NSW, Roads and Maritime Services (now Service NSW), Sydney Trains, Ambulance Officers and the NSW Police Force and the Department of Education.

I have been briefed in two significant matters for the Department of Education, the Regulator of childcare services in New South Wales pursuant to the Children (Education and Care Services) National Law (NSW) (National Law) and the Education and Care Services National Regulations (NSW) (National Regulations). One of those matters continues to progress (MARAGOL), in the other matter (LOH) findings were handed down in December 2021.

**Selected Cases:** in each of which, I appeared for the Defendant as either Counsel or Junior Counsel.

***A v State of New South Wales* [2007] 230 CLR 500**

(The leading High Court authority on the elements of the tort of malicious prosecution.)

***RTA v Rolfe* [2010] NSWSC 714**

(Construction of s 102 Roads Act 1993, whether the RTA could rely on this section in circumstances where the RTA was also found to be negligent.)

***Doherty v State of New South Wales* [2011] NSWCA 225**

(Torts, Negligence, ex- police officer suing employer for negligence and breach of statutory duty, Post Traumatic Stress Disorder, vicissitudes and contributory negligence.)

***Turjman v Stonewall Hotel Pty Ltd* [2011] NSWCA 392**

(Facts - involved the collapse of the Stonewall Hotel. Tort, negligence, content of duty owed by structural engineer, *s 5D Civil Liability Act 2002 (NSW)*.)

***Berkeley Challenge Pty Ltd v Howarth* [2013] NSWCA 370**

(*s151Z Workers Compensation Act 1987*, Damages.)

|  |
| --- |
|  |

***Waco Kwikform Ltd v Perigo & Anor* [2014] NSWCA 140**

(Tort, negligence claim by employee of independent sub-contractor against his employer and principal sub-contractor, scope of duty of care.)

***Munro v State of NSW* [2019] NSWDC 13**

(Intentional tort, wrongful arrest, false imprisonment, Aggravated and Exemplary Damages.)

***Upton v State of NSW*** **[2019] NSWDC** unreported decision, Acting Judge Curtis

(Intentional tort, false imprisonment, allegations of sexual misconduct against police officers. Verdict for the Defendant.)

***Inquest into the death of Redman*** (2019) (represented the ambulance officers – partial arm amputation, death arising during air retrieval.)

***SMA v John XX111 College*** (No 2) [2020] ACTSC 211

(Tort, negligence, scope of duty of care owed to university students. Involved a student who alleged she was sexually assaulted by a fellow student following a night of excessive drinking. Issues also canvassed the role of Head of College and the need to remain impartial whilst investigating the complaint – duty owed to both students involved). Appeal 2022.

***Gray v Wagga Wagga City Council*** [2021] NSWDC unreported decision, Acting Judge Sidis (Tort, negligence claim, walked into glass door- Verdict for the Defendant.)

***Inquest into the death of Loh*** (2021)(represented the Department of Education, the Regulator of Child Services in NSW. Issue: whether changes should be made to the *Children (Education and Care Services) National Law (NSW).)*

***Lechowski v The State of New South Wales*** (2022, unreported decision, Smith J, 5 day hearing)

(Intentional tort, false imprisonment, battery and assault. Allegations of serious misconduct by police officers. Verdict for the Defendant.)