

JOSHUA LIDDLE

BARRISTER

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CAREER

Barrister

May 2022 – Present

Since May 2022 I have been practising at the private Bar, predominantly in the areas of administrative law, criminal law, health law, and personal injuries.

Selected briefs and appearances (not including written advices, matters awaiting hearing, or briefs to appear at conferences and mediations):

Administrative Law and Disciplinary Tribunals

- Appearing (led by J Hunter KC) in QCAT for a medical practitioner defending allegations of sexual harassment and assault against a receptionist (decision reserved).
- Appearing in QCAT unled for a medical practitioner in an application for review of a suspension imposed by the Medical Board on an ‘immediate action’ basis after the practitioner was charged with domestic violence offences (reasons yet to be published).
- Appearing unled for a chiropractor in a hearing conducted by the Professional Services Review (Medicare) re whether the practitioner had engaged in inappropriate practice in connection with providing services attracting Medicare benefits.
- *Health Ombudsman v De Villiers* [2025] QCAT 5 – appearing unled in QCAT for a medical practitioner regarding allegations of spanking a child patient.
- *Health Ombudsman v KGY* [2024] QCAT 337 – appearing unled for a medical practitioner who engaged in professional misconduct by sending text messages to his girlfriend containing images of patient injuries and accompanying jokes about them – re whether a reprimand is appropriate in light of delay and whether the practitioner’s identity should be suppressed.
- *Health Ombudsman v Sudusinghe* [2023] QCAT 542 - acting (on the papers) unled for a medical practitioner, in relation to sanction for professional misconduct, where the practitioner aided her husband (also a medical practitioner) to breach conditions on his registration restricting his contact with female patients.
- *Independent Assessor v Loban*, Councillor Conduct Tribunal, F21/4693 – acting (on the papers) unled for a local government councillor defending misconduct allegations relating to dealing with a conflict of interest.
- *Independent Assessor v Madsen*, Councillor Conduct Tribunal – appearing at a three-day hearing unled for a councillor defending allegations of misconduct relating to statements made in a press conference.

- *KC Fireworks Displays Australasia Pty Ltd v Resources Safety and Health Queensland* [2024] QCAT 76 – appearing for the explosives regulator opposing an application for a stay of a suspension of the applicant’s fireworks contractor licence.
- *Medical Board of Australia v Zimmerman* [2023] QCAT 248 – appearing unled for a medical practitioner who asked a female patient to join him on holidays.
- *Nursing and Midwifery Board of Australia v BCD (No 2)* [2025] QCAT 8 – appearing for the Board in relation to a nurse who stole from an elderly patient’s bank account.

Coronial Inquests and Medical Law

- Appearing unled in the Supreme Court for a Hospital and Health Service seeking orders authorising medical treatment of a minor where no person could be found with legal parental authority to consent to medical treatment on behalf of the minor (unpublished).
- *Inquest into the death of Audrey Carrick* - Appearing as counsel assisting the Coroner in an inquest concerning treatment of a patient undergoing a heart valve implant (findings pending).
- *Townsville Hospital and Health Service v R (by her litigation guardian)* [2022] QSC 251 – appearing unled for a minor in an application for a declaration that the minor was *Gillick* competent to consent to termination of a pregnancy.

Criminal Law

- Appearing unled at trial in the Magistrates Court for the defendant facing charges of contravening a domestic violence order – re whether the DV order was void at law because it was made without providing the defendant procedural fairness.
- Appearing unled in sentencing proceedings in the District Court in several cases including charges of assault occasioning bodily harm, armed robbery, breaking and entering, causing grievous bodily harm, possession and supply of dangerous drugs.

Personal Injuries / Medical Negligence

- Appearing unled in the District Court for a defendant medical practitioner to oppose an application seeking a declaration that a notice of claim complies with s 9A of the *Personal Injuries Proceedings Act 2002* (unpublished).
- *Stewart v Metro North Hospital and Health Service* [2024] QSC 41 – appearing at trial (led by G Mullins KC) and on appeal (led by B Walker KC and G Mullins KC, decision reserved) for the plaintiff concerning the issue of whether damages should reflect the cost of providing care to the plaintiff in a private residence or in an aged care facility.
- *Stewart v Metro North Hospital and Health Service (No 2)* [2024] QSC 95 (led by G Mullins KC) – concerning whether an offer to settle exclusive of funds management fees complied with r 353 UCPR.

- Appearing unled for the plaintiff in the Supreme Court in an application to sanction settlement of a medical negligence claim brought on behalf of minors (unpublished).
- *PG v State of Queensland* [2023] QDC 109 (led by G Diehm KC) – appearing for the plaintiff in an application for disclosure of ‘similar fact’ evidence in a claim alleging sexual abuse in a youth detention centre.
- Appearing unled in an application to seal a court file in an institutional abuse claim.

Solicitor, Gilshenan & Luton

October 2019 – February 2022

Associate (from 1 January 2021) and before that Lawyer

From October 2019 I have been with the firm of Gilshenan & Luton practising broadly in criminal law and professional misconduct matters.

Highlights:

- Appearing in various sentencing hearings in Magistrates Courts in the greater Brisbane area.
- Instructing counsel at a committal hearing with cross-examination of two child witnesses.
- Instructing counsel at a contested committal hearing including cross-examination of an expert witness and a successful no-case submission.
- Preparing submissions in occupational discipline matters for lawyers, medical practitioners, police officers, and local councillors.
- Advising a university student discipline committee.
- Prosecuting motor vehicle insurance fraud matters and advising on prospects of prosecution in matters on behalf of the Motor Accident Insurance Commission.
- Advising a client on issues of privilege in response to a compulsory notice by the Health Ombudsman.

Solicitor, HWL Ebsworth

February 2018 – October 2019, Brisbane

Associate (from 1 July 2018) and before that Solicitor

In February 2018, I joined HWL Ebsworth as part of a merger between HWL Ebsworth and TressCox. I worked under Katharine Philp, Partner, in the health law team. I also provided worked on matters for the broader insurance law team.

Highlights:

- Drafting pleadings in various medical negligence claims.
- Representing a medical practitioner in QCAT proceedings by the Health Ombudsman alleging professional misconduct in the prescribing of restricted medication, the making of

false notifications about another medical practitioner, and the swearing of a false affidavit for use by the Medical Board against the other practitioner.

- Drafting advices on liability and quantum in various medical negligence claims and general insurance claims.
- Drafting a defence and third party claim in a complex insurance matter involving fire damage to a property.
- Drafting a statement for a senior executive of a public hospital regarding governance issues for use in a coronial inquest.
- Drafting statements for a haematologist and instructing counsel at a coronial inquest regarding a patient involved in a motor vehicle accident while on medication for cancer pain.
- Drafting statements for a neurosurgical registrar and instructing counsel at a coronial inquest regarding the deterioration and death of a patient following brain surgery.
- Advising an aged care facility on issues of consent and use of force to treat a patient lacking capacity to give informed consent to treatment.
- Representing a medical practitioner in QCAT proceedings by the Health Ombudsman alleging misappropriation and use of restricted medications by the medical practitioner.
- Defending medical negligence claims to pre-court conference and court litigation, including appearing at conference/mediation (with and without counsel), drafting pleadings, and drafting advices on liability and quantum.
- Appearing as solicitor-advocate in an application for summary judgment in the Supreme Court of Queensland.
- Advising and representing a medical practitioner in a dispute regarding rights of private practice within a public hospital which was referred to the Crime and Corruption Commission.
- Representing medical practitioners subject to the Professional Services Review regarding after-hours billing practices under Medicare.
- Advising and drafting submissions on behalf of medical practitioners subject to investigation and prosecution by the Health Ombudsman and Medical Board of Australia in respect of professional performance, misconduct, and impairment-related matters.

TressCox Lawyers

Graduate and later Solicitor

February 2015 – February 2018, Brisbane

Between February 2015 and February 2017 I worked under all partners in the Brisbane office, gaining experience in the areas of property, commercial litigation, building and construction and wills and estates law.

In November 2016 I transferred into the Health practice group (working exclusively on Health files from February 2017) under Katharine Philp, Partner, acting for leading medical indemnity insurers and their members in all aspects of health law and litigation including regulatory proceedings, medical negligence claims, coronial inquests and Medicare investigations.

Associate to the Honourable Justice Berna Collier, Federal Court of Australia

February 2014 – February 2015, Brisbane

EDUCATION AND QUALIFICATIONS

- Bachelor of Laws (Hons) and Bachelor of Commerce (Finance), University of Queensland, July 2013
- Admission as a legal practitioner, Supreme Court of Queensland and High Court of Australia, October 2014
- Diploma of Languages (part), on exchange at Shandong University, China (July to December 2013)

PUBLICATIONS AND PRESENTATIONS

- *Patient record requests, data breaches and the Privacy Act*: presentation at the Australian Medical Association Private Practice Conference, Brisbane Convention and Exhibition Centre, November 2018
- *Communication breakdown: a case note on the coronial inquest into the death of Jared Olsen* (2018), Australian Health Law Bulletin, LexisNexis
- *Masson v State of Queensland: a case note* (2019), Australian Health Law Bulletin, LexisNexis
- *Medicines for the goose are not medicines for the gander: the standard of care of paramedics vs emergency medicine doctors (a case note on the appeal judgment of Masson v State of Queensland)* (2019), Australian Health Law Bulletin, LexisNexis
- Case note: *Australian Securities and Investments Commission v Commonwealth Bank of Australia* [2023] FCAFC 135, Chapter III, Law Council of Australia

AWARDS

Doyle's Guide Criminal Law Rising Stars (solicitors), Queensland, 2021