



Valerie Heath
Barrister
Maurice Byers Chambers
Level 60 MLC Centre
19 Martin PI Sydney NSW 2000
Tel. (02) 9223 4065

v.heath@mauricebyers.com

Valerie has been in private practice as a barrister for more than 20 years and previously worked in insurance and government roles.

Valerie's practice is principally in insurance and related fields. She specialises in life insurance and superannuation (particularly TPD and income protection claims), general insurance and government liability.

She has substantial experience in advising on statutory construction, particularly relating to statutory insurance schemes and the regulation of insurance and insurers. She regularly acts for insureds and beneficiaries, superannuation trustees, major insurers and financial institutions, brokers and statutory corporations and other government entities.

Valerie has advised and appeared on issues arising in

- total and permanent disability (TPD), income protection, trauma and group insurance
- death benefits
- public and broadform liability, CTP, professional indemnity, fire and commercial risks, product liability and D & O policies
- statutory caps on liability
- judicial review of administrative action
- state and commonwealth statutory superannuation
- complex psychiatric claims
- fraudulent claims
- fraud on superannuation trustees
- claims analysis and management strategies suitable for superannuation trustees
- liability of financial advisors.

Valerie has recently appeared in the Royal Commission into Trade Union Governance and Corruption in respect of the unauthorised disclosure of personal information by a regulated superannuation fund.

Reported or noted cases

Taylor v The Owners – Strata Plan No 11564 (2014) 88 ALJR 473

Taylor v The Owners – Strata Plan No 11564 (2013) 83 NSWLR 1

Kowalski v Mitsubishi Motors (Aust) Ltd & Ors (2011) 198 FCR 153

Insurance Australia Ltd t/as NRMA v Checchia (2011) 80 NSWLR 1; (2011) 58 MVR 145

Kowalski v Superannuation Complaints Tribunal [2010] FCA 473; (2010) 22(3) SLB 51 (case note)

Host-Plus (Qld) Pty Ltd v Kelley [2009] FCA 1504; (2010) 21(8) SLB 135 (case note)

Gilberg v Maritime Super Pty Ltd [2009] NSWCA 325; (2010) 21(6) SLB 97 (case note)

Checchia v Insurance Australia Ltd t/as NRMA (2009) 54 MVR 55

Kowalski v Mitsubishi Motors (Aust) Ltd & Ors (2009) 178 FCR 401; (2009) 259 ALR 319

Kowalski v MMAL Staff Superannuation Fund Pty Ltd (No 3) [2009] FCA 53; (2009) 21(1) SLB 2 and (2009) 47(9) LSJ 50 (case notes and article)

Yakmor v Hamdoush (No 2) (2009) 76 NSWLR 148

Rowlands v NSW (2009) 74 NSWLR 715

Gilberg v Stevedoring Employees Retirement Fund Pty Ltd [2008] NSWSC 1318; (2009) 47(9) LSJ 50 (article); (2009) 20(6) SLB 91 and (2009) 21(1) SLB 2 (case notes) (but revd on appeal in *Gilberg v Maritime Super Pty Ltd* [2009] NSWCA 325; (2010) 21(6) SLB 98 (case note) *Gilberg v Maritime Super Pty Ltd (No 2)* [2009] NSWCA 394)

Mabbett v Watson Wyatt Superannuation Pty Ltd (2008) 15 ANZ Insurance Cases 90-138; and (2008) 20(3) SLB 44, (2008) 20(2) SLB 31, (2008) 23(7) ILB 110 (case notes)

Sayseng v Kellogg Superannuation (2007) 213 FLR 174; (2007) 14 ANZ Ins Cas 61-738; and (2007) 19(3) SLB 47 and (2007) 23(1) ILB 12 (case notes)

Cullinane v Mercer Benefits (2006) 152 FCR 1; (2006) Wickens RLC.15

Cullinane v Mercer Benefits [2005] FCA 1470; (2006) 17 ILJ 205 (article) (revd on appeal)

Green (as liquidator of Arimco Mining Pty Ltd (in liq)) v CGU Insurance Ltd and Others (2005) 215 ALR 612; (2005) 23 ACLC 545; (2005) 13 ANZ Ins Cas 61-650

Sayseng v Kellogg Superannuation (2003) Wickens LIC.16; [2003] NSWSC 945

Campbelltown City Council v Bussell (2002) 37 MVR 563

Parramatta City Council v Watkins (2001) 35 MVR 102

Taylor v EPA (2000) 50 NSWLR 48

McDonald v Stelzer (2000) 27 Fam LR 304

South Sydney Council v Morris [2000] Aust Torts Reports 81-576

Nolan v Repatriation Committee (1999) 90 FCR 560

Unreported cases cited in other cases

McCarthy v NSW Racing Appeals Tribunal [2014] NSWSC 798 (per Beech-Jones J)

Soden v Kowalski; Mitsubishi Motors Australia Ltd, MMAL Staff Superannuation Fund Pty Ltd and AMP Superannuation Ltd v Kowalski [2011] FCA 318 (per Stone J)

Re An Application under S 73 of the Civil Law (Wrongs) Act 2002 (ACT) (No 2) [2011] ACTSC 26 (per Refshauge J)

Gilberg v Maritime Super Pty Ltd (No 2) [2009] NSWCA 394 (per Allsop P, as his Honour then was, and Hodgson and Campbell JJA)

Kowalski v MMAL Staff Superannuation Fund Pty Ltd (No 3) [2009] FCA 53

Martin John Green in his capacity as liquidator of Arimco Mining Pty Limited (in liquidation) v CGU Insurance Limited [2008] NSWSC 929 (per Einstein J)

Sayseng v Kellogg Superannuation Pty Ltd [2007] NSWSC 1009 (per Nicholas J)

Christakos Transport Pty Ltd (in liq) v Croft [2005] NSWCA 472 (per Santow and McColl JJA and Campbell AJA)

Cullinane v Mercer Benefits [2005] FCA 1470 (per Lindgren J) but revd on appeal

Weber v Tiss Pty Ltd [2005] NSWSC 67 (per Nicholas J)

Nile v Club Plus Superannuation Pty Ltd [2005] NSWSC 55 (per Brownie AJ)

Sutherland Shire Council v Dietz [2004] NSWCA 53 (per Meagher, Tobias and McColl JJA)

Sayseng v Kellogg Superannuation Pty Ltd [2003] NSWSC 945 (per Bryson J)

Barghouthi v ING Custodians Pty Ltd [2003] FCA 1272 (per Allsop J, as his Honour then was)

South Sydney Council v Morris [No 3] [2001] NSWCA 200 (per Meagher and Heydon JJA and Fitzgerald AJA)

Coe v NSW Bar Association [2000] NSWCA 13 (per Mason P and Meagher and Priestley JJA)

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