



GREENWAY CHAMBERS

Jacinta Smith

Solicitor 2011/ Barrister 2025

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Background

Jacinta's experience is principally in medical negligence, acting on behalf of clients in both private health and public health settings. In this capacity she has experience in complex coronial inquests, representing the interests of individual medical practitioners, local health districts, as well as multiple government agencies. She has extensive experience appearing in both Victorian and NSW Courts, at all levels, and is proficient at providing high level legal advice, with a strong focus on litigation strategy, liability and quantum. In addition to medical negligence, Jacinta has experience in common law employer liability, public liability matters and institutional abuse claims.

Outside of the office, Jacinta is chair and president of Capital Punishment Justice Project (CPJP), a small, not-for-profit anti-death penalty NGO that fights against the death penalty and state sanctioned killings.

Qualifications

Graduate Diploma in Legal Practice (Victoria)

- Admitted Supreme Court Victoria: October 2011

Bachelor of Laws (LLB) (Hons)

- La Trobe University, Bundoora
- Honours Thesis Topic: 'Uncharged Acts: An examination of Context Evidence, Relationship Evidence and Tendency Evidence in Child Sexual Assault Trials'

Bachelor of Arts (BA)

- The University of Melbourne, Parkville
- Majors: Political Science, History.

Areas of Expertise

Commercial Law & Equity

Inquests & Inquiries

Professional Indemnity & Insurance

MINTERELLISON, SYDNEY (SEPTEMBER 2020 – MARCH 2025)

Position/Title: Special Counsel, Sydney, Insurance and Corporate Risk (ICR)

Jacinta managed the ICR health legal team, settling letters of advice and directing strategy in relation to all the work coming from the icare panel. She provided advice to a range of insurers in relation to their legal risk. Her work included product liability claims and the carriage of complex medical negligence claims, including acquired brain injury and wrongful birth cases, on behalf of defendant local health districts and visiting medical officers, as well as coronial inquiries.

MCCABE'S, SYDNEY (MAY 2019 – SEPTEMBER 2020)

Position/Title: Senior Associate, Sydney, Government (Health)

Jacinta undertook all aspects of the defence and settlement of civil claims involving government agencies, including the conduct of litigation at first instance and at all stages of appeal.

CROWN SOLICITOR'S OFFICE, NSW (MARCH 2017 – APRIL 2019)

Position/Title: Senior Solicitor Torts (Services & Regulatory Agencies)

Jacinta had a particular focus on medical negligence within the public health setting, including VMOs, representing various agencies in coronial inquests, defending complex medical claims (both litigated and unlitigated), as well as managing large, catastrophic medical claims.

IDP LAWYERS, MELBOURNE (FOLLOWING DE - MERGER OF THOMSON GEER) (JANUARY 2015 – JULY 2016)

Position/Title: Associate Insurance Lawyer (Medical Indemnity & WorkSafe)

Jacinta provided legal advice and expertise in managing the defence of accident compensation disputes, primarily for WorkSafe Victoria, and medical law disputes on behalf of a medical indemnity insurer. She was involved in all manner of interlocutory steps, including regular appearances at the Magistrates' Court, County Court, Supreme Court, Coroner's Court, and AHPRA.

THOMSONS GEER, MELBOURNE (JANUARY 2013 – DECEMBER 2014)

Position/Title: Insurance Lawyer (Medical Indemnity & WorkSafe)

Jacinta acted on behalf of a medical indemnity insurer as well as the Victorian WorkCover Authority, employers, and insurers in relation to serious injury applications and common law proceedings, including providing strategic advice with respect to quantum, liability, and litigation strategy. She had considerable experience in multi-defendant proceedings and psychiatric injury cases.

HER HONOUR JUDGE IRENE LAWSON, COUNTY COURT (SEPTEMBER 2010 - DECEMBER 2012)

Position/Title: Associate to Her Honour Judge Lawson

Jacinta case managed the Medical Negligence List for Her Honour, the Judge in charge of the list. She conducted legal research, particularly in relation to the Civil Procedure Act, Evidence Act, and Sentencing Act issues.

SLATER & GORDON LAWYERS, MELBOURNE (FEBRUARY 2008 – SEPTEMBER 2010)

Position/Title: New Client Services Senior Consultant (part-time)

Jacinta specialised in Personal Injury law and Commercial Litigation, with a portfolio that included WorkCover, ComCare, TAC, Medical Negligence, Super/TPD, Public Liability, General Litigation, Family Law, and Wills, Probate and Estates. She was responsible for the initial contact with all prospective legal clients.