

Emma Dawes

Partner

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OVERVIEW

Emma Dawes focuses her practice on medical defence claims, professional indemnity, general liability and insurance coverage. She has extensive experience in medical negligence claims across all jurisdictions, acting for public hospitals, rural doctors, community health services, ambulance services, the State of Victoria and the Department of Human Services in defence of civil litigation and at Coronial Inquests. Emma represents her clients before the Victorian Civil and Administrative Tribunal acting in Freedom of Information matters and actions regarding alleged breaches of privacy.

Emma has acted for public hospitals and regional general practitioners in the defence of complaints to the Health Services Commissioner and the Australian Health Practitioner Regulation Agency.

Emma also handles general personal injury and public liability litigation. She is involved in defending WorkCover and TAC recovery actions and regularly provides advice on policy interpretation and various aspects of coverage for insureds.

PROFESSIONAL BACKGROUND

Emma has given presentations on Freedom of Information legislation, the Coronial Inquiry process and Victoria's *Charter of Human Rights and Responsibilities 2006*.

ACHIEVEMENTS

- Listed in *The Best Lawyers in Australia*™
  - Medical Negligence, 2021-2027
  - Personal Injury Litigation, 2025-2027

PROFESSIONAL / CIVIC ACTIVITIES

- Law Institute of Victoria member

- Victorian Women Lawyers member
- Australian Insurance Law Association member
- Women in Insurance member

EDUCATION

- Bachelor of Health Science, University of Adelaide, 1999 *(Honours)*
- LL.B., University of Adelaide, 1999

ADMISSIONS

- Supreme Court of Victoria

THOUGHT LEADERSHIP *POWERED BY HUB*

- 24 February 2026, AA v The Trustees of the Roman Catholic Church for the Diocese of Maitland-Newcastle [2026] HCA 2
- 21 July 2023, NSW Supreme Court Considers Inherent Risk and Peer Professional Opinion in Bariatric Surgery Case *Polsen v Harrison* (No. 8)
- 23 June 2023, *Goodridge & Anor v Baker* [2023] VSC 331
- 15 June 2023, Implications of the *Comensoli v O'Connor* Decision on the Assessment of Damages in Historical Institutional Abuse Claims

NEWS & EVENTS

- 16 April 2026, More Than 80 K&L Gates Lawyers Across Asia-Pacific Recognised in 2027 Best Lawyers, Ones to Watch Editions
- 24 February 2020, K&L Gates Names 41 New Partners Across Global Platform

AREAS OF FOCUS

- Commercial Disputes

INDUSTRIES

- Life Sciences

REPRESENTATIVE EXPERIENCE

- Acting in Coronial Inquests, including an investigation into five deaths at a nursing home allegedly due to food poisoning in which Ms. Dawes represented the interests of the nursing home. The inquest ran for several weeks and received significant publicity.
- Advising on strategically significant matters, including judicial review of Medical Panel determinations and acting in several Supreme Court reviews which have sought to clarify the law in this area.
- Successfully opposing an application for an extension of time under the Limitations of Actions Act 1958 where the plaintiff sought to bring proceedings regarding treatment provided some 20 years earlier.
- Advising on property damage claims and insurance coverage issues.
- Providing risk management advice to agencies following claims and inquests.
- Acting for government departments and agencies in defence of claims for alleged abuse in care.
- Investigating and advising on indemnity and contribution where a privately insured doctor had recommended and performed a controversial surgery. Experts considered the surgery inappropriate for the patient's symptoms.