

**GET AHEAD  
OF THE GAME**

 Legalwise

**YOUR COMPLETE  
CPD GUIDE  
VICTORIA  
AUG - OCT 2021**



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## TERMS AND CONDITIONS

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# BUILDING AND CONSTRUCTION UPDATE

TUESDAY, 14 SEPTEMBER 2021  
9.00AM TO 1.15PM

\$490  
219V01

Hear the latest legal updates affecting the building sector and leave with improved practical skills and strategies. Get clarity on the current thinking and application of the prevention principle and recent decisions in security of payments. In addition, learn how the new anti-phoenixing laws and other insolvency reforms have affected the construction industry. This morning session is packed with the latest developments that you can apply to your practice immediately.

Chair: **Alexandra Golding**, Barrister, Young's List

## Prevention Principle: Impacts of the Recent Court of Appeal Case *Bensons Property Group v Key Infrastructure Australia*

Discuss the key elements of the 'prevention principle' and its operation in light of the recent Court of Appeal judgment in Victoria in *Bensons Property Group Pty Ltd v Key Infrastructure Australia Pty Ltd* [2021] VSCA 69.

- What 'conduct' triggers the operation of the 'prevention principle'?
- How does the judgement in *Bensons* change and/or clarify our understanding of the 'prevention principle' and its relationship with other implied or express contractual obligations - including notions of good faith and obligations upon parties to cooperate.

Presented by **St John Frawley**, Partner, Thomson Geer

## Security of Payments: Refresher and Recent Case Update

Discuss the key concepts in the *Building and Construction Industry Security of Payment Act 2002*, together with a review of recent case law (including the Court of Appeal decision in *Yuanda Vic v Designs International*).

Presented by **Joel Silver**, Barrister, Svenson Barristers

## Proportionate Liability: Loss, Damages & Recent Cases

- What is an apportionable claim? Identifying loss or damage
- *Victorian Wrong Act 1958* Part IVAA and similar statutory provisions in other states
- An assessment of the Court of Appeal decision of *Tanah Merah Vic Pty Ltd v Owners Corporation No: 1* (2021) (the Lacrosse Decision)
- Lessons from Lacrosse

Presented by **Kim Moore**, Senior Associate, HFW Australia

## New Anti-Phoenixing Laws and Insolvency Reforms in the Construction Industry

Analysis of recent insolvency reforms and their impact on the construction industry.

Presented by **Scott Anderson**, Partner and Official Liquidator, Worrells Solvency & Forensic Accountants

# INSOLVENCY AND BANKRUPTCY INTENSIVE

TUESDAY, 14 SEPTEMBER 2021  
2.00PM TO 5.15PM

\$405  
219V02

You'll hear from a leading debt recovery practitioner and an Official Liquidator & Registered Trustee as they discuss and examine in-depth the latest developments in bankruptcy and corporate insolvency. Delve into some common myths and misconceptions around bankruptcy, corporate insolvency, preference payments, voluntary administration & deeds of company arrangement. Plus, gain a practical insight into defending unsecured creditors' interests in corporate and personal insolvency and much more.

## Bankruptcy and Insolvency Update

An update on the latest developments in bankruptcy and corporate insolvency in light of the ongoing effects of the coronavirus omnibus legislation and the subsequent consequences in Australia.

Presented by **John Dunne**, Principal, John Dunne & Associates

## Personal and Corporate Insolvency: Some Common Myths

- Director penalty regime: changes since 2019
- Bankruptcy and the family home
- Bankruptcy and superannuation
  - Property vesting in the trustee
  - What is excluded? Specific protections, statutory thresholds and other considerations
  - Fund assets when an individual trustee is bankrupt
  - Voiding contributions to superannuation
- What other transactions can a Bankruptcy Trustee seek to set aside?: preference payments
- Voluntary Administrations and Deeds of Company Arrangements
- Some misconceptions

Presented by **Ivan Glavas**, Partner, Official Liquidator and Registered Trustee, Worrells Solvency & Forensic Accountants

## Aspects of Defending Unsecured Creditors' Interests in Corporate and Personal Insolvency

- Voluntary administration: proposed legislative changes and their likely effects
- Consequences for unsecured creditors in debt claims when a voluntary administrator is appointed: the moratorium provisions
- Issues requiring consideration by unsecured creditors at the first creditors' meeting
- Setting aside deeds of company arrangement on grounds related to public interest and commercial morality
- Bankruptcy: proposed legislative changes and their likely effects

Presented by **John Dunne**, Principal, John Dunne & Associates

## Recent Developments and Practical Discussion

Presented by **John Dunne**, Principal, John Dunne & Associates and **Ivan Glavas**, Partner, Official Liquidator and Registered Trustee, Worrells Solvency & Forensic Accountants

4 ATTEND AND EARN

4 CPD units in Substantive Law

3 ATTEND AND EARN

3 CPD units in Substantive Law

# ADMINISTRATIVE LAW REVIEW

TUESDAY, 14 SEPTEMBER 2021  
9.00AM TO 1.15PM

\$490  
219V03

Attend this comprehensive review to get key insights on some of the most topical issues in administrative law. Hear the latest on disciplinary and statutory investigations & explore the interesting interplay between administrative law decisions and criminal law proceedings. Gain an update on judicial review procedures & hear the High Court's current approach on materiality. Finally, get that all-important overview of the latest administrative and judicial review cases that are key to your practice.

Chair: **Peter Gray QC**, List G Barristers

## Administrative Law: Disciplinary and Statutory Investigations

- Procedural fairness requirements in disciplinary and statutory investigations
- Tribunals staying decisions of decision makers
- Recent decisions

Presented by **Benjamin Jellis**, Barrister, and **Shane Dawson**, Barrister, Dever's List

## Interplay Between Administrative Law and Criminal Law Proceedings

- How do the right to a fair trial, the right to silence and the privilege against self-incrimination affect the conduct of administrative law proceedings?
- How might an administrative law proceeding constitute a contempt of court?
- When will an administrative law proceeding be stayed as a result of a related criminal law proceeding? When will a criminal law proceeding be stayed as a result of a related administrative law proceeding?
- Recent cases, including cases applying *X7 v Australian Crime Commission* [2013] HCA 29 and other relevant authorities

Presented by **Richard Knowles QC**, List G Barristers

## Judicial Review Procedures: Grounds, Remedy and Discovery

- Grounds of review
- What remedy are you seeking?
- Discovery

Presented by **Christopher Tran**, Barrister, List A Barristers

## Materiality is Here to Stay – What Does that Mean for the Hearing Rule & the Bias Rule?

- What are the origins of materiality, and what does it really mean?
- Why has it now been bolted onto jurisdictional error? Could the law have taken a different turn instead?
- The hearing rule: onus on the applicant to raise a prima facie case that the decision may have been different on the counterfactual
- The bias rule: whether two steps, or three steps, no materiality requirement

Presented by **Lisa De Ferrari SC**, List A Barristers, **Mathew Kenneally**, Greens List Barristers and **Amy Faram**, Senior Lawyer, Victoria Legal Aid

## Recent Administrative and Judicial Review Cases

Explore recent and important decisions affecting Administrative and Judicial review cases.

Presented by **Fiona Batten**, Barrister, List A Barristers

# THE GOVERNMENT LAWYER LITIGATION GUIDE

TUESDAY, 14 SEPTEMBER 2021  
2.00PM TO 5.15PM

\$405  
219V04

You will come away understanding the ethical parameters of the Model Government litigant; understanding how to assess and contest a public-interest immunity (PII) claim; and know how to prepare your department and prepare a response to royal commission or inquiry. Spend an afternoon with this exceptional panel and take away with you all-important practical insights, tips and traps on these key areas in public sector litigation.

Chair: **Kristine Hanscombe QC**, List G Barristers

## Practical Legal Ethics

### The Model of a Modern Government Litigant: What Does it Mean for You?

- The source of the obligation and the 'duty of fairness'
- Examples of its application and lessons learnt
- Practical insights and tips

Presented by **Andrea Mapp**, Managing Principal Solicitor, Victorian Government Solicitor's Office, Regulation, Administrative and Disciplinary Law

## Assessing and Contesting Public-interest Immunity (PII) Claims

- How does PII operate?
- How to assert and contest a PII Claim
- How is PII evaluated by the courts?
- Types of content that may enliven a PII claim over a document
- Indicative and leading cases in the area, tips and pitfalls

Presented by **Dr Adrian Hoel**, Barrister, Foley's List

## Professional Skills

### Responding to Royal Commissions and Public Inquiries

- Preparing a department or agency's response to match the regulatory environment of a royal commission or inquiry
- What public sector lawyers need to know to manage evidence and experts?
  - Gathering evidence to be considered
  - Advice to and preparation of government witnesses
  - Procuring, briefing and managing experts for commissions and enquiries

Presented by **Alanna Mitchell**, Acting Assistant Victorian Government Solicitor – Royal Commissions

Attend and gain your Ethics and Professional Skills units

## 4 ATTEND AND EARN

4 CPD units in Substantive Law

## 3 ATTEND AND EARN

1 CPD unit in Substantive Law  
1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Professional Skills

# ESTATE ADMINISTRATION AND PROBATE PROCEEDINGS

WEDNESDAY, 15 SEPTEMBER 2021  
9.00AM TO 1.15PM

\$490  
219V05

The Registrar of Probates will explore issues related to compliance with electronic wills and audio visually witnessed affidavits, and how to avoid them. Examine recent cases and guidelines that have reshaped the probate landscape. Explore the executor's role and how to defend a caveat application. Take a close look at mutual wills and when and how to use and enforce them. Consider when and how to remove an executor of a deceased estate. This is a must attend for all wills and estates practitioners.

Chair: **Rachael Grabovic**, Partner, Rigby Cooke Lawyer; Accredited Specialist in Wills and Estates; Recommended Wills & Estates Litigation Lawyer and Recommended Wills, Estates & Succession Planning Lawyer, *Doyle's Guide 2020*

## ★ INSIGHTS FROM THE REGISTRAR OF PROBATES

### The Court's Experience with Electronic Wills & Audio Visually Witnessed Affidavits and Updates on Procedure for Applying for a Grant

- Issues identified with compliance with the legal requirements for audio visually witnessed wills and affidavits; what to avoid
- Applying for a grant of administration *durante dementia*. When is it appropriate and how is this done?
- Update on RedCrest-Probate and the use of electronic filing

📍 Presented by **Kate Price**, Registrar of Probates, Supreme Court of Victoria

### Mutual Wills: Will They Work?

- Fundamentals of mutual wills; when and how to enforce them
- Limitations
- Interaction with family provision order claims
- Evidentiary burdens
- Equitable considerations and Practice Pointers

📍 Presented by **Christian Teese**, Special Counsel, Rigby Cooke Lawyers

### To Caveat or Not to Caveat: Contested Probate Applications

- Practical steps to lodging a caveat with a step by step guide on documents, timelines and reasons
- Summary of recent case law
- Common errors with applications and how to avoid them
- Executor's role and how to defend a caveat application

📍 Presented by **Anna Hacker**, National Manager, Estate Planning, Australian Unity Trustees Limited

### Removing an Executor of a Deceased Estate

- Circumstances for removing an executor by a court
- What needs to be proven before a court removes an executor
- Relevant case law

📍 Presented by **Nicholas Bird**, Barrister, Howells' List Barristers

# OWNERS CORPORATIONS: LEGISLATIVE AND CASE UPDATE

WEDNESDAY, 15 SEPTEMBER 2021  
2.00PM TO 5.15PM

\$405  
219V06

Explore the significant implications and practical applications of the new *Owners Corporations and Other Acts Amendment Act 2021* coming into effect on 1 December 2021. What are your obligations and what are the impacts on developers? Examine the new law on short stay letting, its limitations and how to navigate the new law. Finally, review significant recent cases from VCAT related to Owners Corporations and analyse the critical takeaways you need to know.

Chair: **Malcolm Watson**, Partner, *Gadens; Best Lawyers 2022*, Real Property Law

## New Law! Changes that Developers will Need to Consider in Delivering a New Development with an Owner Corporation

Upcoming amendments to the *Owners Corporation Act* will increase obligations on developers or require changes to current practices. Learn how to effectively navigate these changes by examining:

- What new documents need to be prepared for and provided to the OC?
- How will changes to management agreements and appointment of OC managers affect current practices?
- What is the impact of limitations on terms of agreements made before the creation of an OC?
- How might prohibition of some lot types affect structuring of embedded networks?

📍 Presented by **David Andrewartha**, Senior Associate, MinterEllison

## New Law! The Ability of Owners Corporations to Enforce Short-stay Letting Restrictions Under Owners Corporation Rules and Other Ways

Short-stay letting and residential strata living don't mix. Think late night parties and towels stolen from the gym. Can the Owners Corporation rules restrict short stays?

- Have the recently introduced Victorian legislative restrictions solved the problem?
- What can be done to protect residents from the problems of short-stay letting?
- Grasp potential solutions based on new law and innovative application of more traditional legal concepts

📍 Presented by **Jason Cornwall-Jones**, Ashurst; *Best Lawyers 2022*, Real Property Law; Recommended Leasing Lawyer, *Doyle's Guide 2021*

## ★ CRITICAL ANALYSIS OF RECENT VCAT DECISIONS ON OWNERS CORPORATIONS

- Authorising orders
- Implied easements & encroachments
- Enforcement of rules
- The benefit principle
- Amending plans of subdivision

📍 Presented by **Tim Graham**, Partner, Bugden Allen Graham Lawyers; *Best Lawyers 2022*, Real Property Law; President, Australian College of Community Association Lawyers; Council Member, Strata Communities Australia

- Appointment and removal of managers
- Encroachment into common property

## 4 ATTEND AND EARN

4 CPD units in Substantive Law

## 3 ATTEND AND EARN

3 CPD units in Substantive Law

# PERSONAL INJURY CONFERENCE

THURSDAY, 16 SEPTEMBER 2021  
9.00AM TO 5.15PM

\$770  
219V07

Keep abreast of developments in public liability, TAC and workplace injury claims plus catch up on recent medical negligence cases dealing with breach of duty and causation.

## SESSION 1: SLIPS AND TRIPS, SMASHES AND CRASHES

9.00AM - 1.15PM 219V07A \$490

Chair: **Aine Magee QC**, Greens List

### Assessing Economic Loss in Public Liability Claims by Children

- How to overcome the lack of evidence of pre-injury economic capacity of children in a claim for damages for economic loss
- Calculating loss by adopting the national average of weekly earning
- The types of evidence applied by children to demonstrate they have above-average
- Taking the NDIS into account

Presented by **Rosalind Gilsenan**, Special Counsel, Marsh & Maher Richmond Bennisson; Best Lawyers 2021, Insurance Law

### Public Liability Case Law Update

From waivers to damages verdicts, this presentation will bring you up to speed with recent public liability decisions in Victorian Courts including;

- Waivers: *Marks v Skydive Holdings Pty Ltd* [2021] VSC 21
- Damages: *Cruse v State of Victoria* [2019] VSC 574, *Waks v Cyprus & Ors* [2020] VSC 44 and *Jackson v Jones* [2021] VCC 638
- Do you need a significant injury certificate? *Thompson v State of Victoria* (Ruling) [2019] VCC 166

Presented by **Megan Caines**, Senior Associate and **Nada Breik**, Lawyer, Polaris Lawyers

### Issue Estoppel and its Application in TAC Matters

- Overview of issue estoppel
- How issue estoppel may arise in proceedings involving motor vehicle accidents
- Overview of the current Australian Authority and its general position on issue estoppel in proceedings involving motor vehicle accidents
- Importance of Victorian Authority: *Linsley v Petrie* and its significance in TAC matters

Presented by **Henry Carus**, Principal, Henry Carus & Associates; Recommended Work Injury Compensation Lawyer (Plaintiff), *Doyle's Guide* 2020

### Serious Injury Cases: TAC

- The 'kit bag' of cases for plaintiff and defendant practitioners
- Update of important recent decisions
- Practical tips: how to win them and how to lose them

Presented by **Paul Bourke**, Barrister, Green's List

## SESSION 2: WORKERS COMPENSATION, WORKPLACE INJURY, DUST DISEASE & MEDICAL NEGLIGENCE

2.00PM - 5.15PM 219V07B \$405

Chair: **Naomi Riggs**, Principal Lawyer, Rubicon Compensation Lawyers

### New Law to Create Efficient Resolution of Workers Compensation Claims

An examination of the *Workplace Injury Rehabilitation and Compensation Amendment (Arbitration) Act 2021*.

Presented by **Andrew J Saunders**, Barrister, Lennon's List

### Sexual Harassment in the Workplace and the Interaction of Personal Injury and Employment Law

- Examine key events in Australia this year relating to sexual assault or harassment survivors coming forward, the AHRC Respect@Work report and the recent Victorian Legal Services Board and Commissioner survey addressing sexual harassment in the legal profession
- Discuss the different causes of action available to a client who has experienced sexual harassment or assault with case examples
- Analysis of whether to make a claim pursuant to the *Sex Discrimination Act 1984* (Cth) or the *Equal Opportunity Act 2010* (Vic), or a common law torts claim
- Content warning: you will address factual scenarios that may be upsetting or triggering for survivors of sexual assault, harassment and violence. If you would like to seek support, a list of services is available at the AHRC website

Presented by **Diana Costaras**, Barrister, Foley's List

### Catching Up: The Latest in Breach of Duty and Causation in Medical Negligence Claims

Examine the latest cases and legislative developments in the world of medical liability law.

Presented by **Mary Anne Hartley QC**, Dever's List; Leading Insurance Law Senior Counsel, *Doyle's Guide* 2020 and **Paul Lamb**, Barrister, Dever's List

### Silica and Disease Cases: Challenges and Pitfalls

- The facts: long histories obscured in the mists of time
- The medicine: complex issues in a foreign language
- The law: wrestling with the ACA, WIRC and common law issues

Presented by **Andrew Dimsey**, Barrister, Dever's List, Preeminent Professional Indemnity Junior Counsel, *Doyle's Guide* 2020

7 ATTEND THE FULL DAY AND EARN

7 CPD points in Substantive Law

# IN-HOUSE 10 POINT CPD SERIES: CRITICAL UPDATES & PRACTICAL GUIDANCE



THURSDAY, 19 AUGUST 2021 TO FRIDAY, 26 NOVEMBER 2021  
1.00PM TO 2.00PM

\$960  
WEB218N05

Gain the CPD, updates & strategies you need with a series of key topics all tailor made for in-house counsel. Make it easy for yourself & save by registering for the series or just the sessions that interest you. Watch each session live online or as an on-demand recording.

**THURSDAY, 19 AUGUST 2021** \$155  
1.00PM TO 2.00PM WEB218N05A

## An Employer's Ability to Issue Directions to Employees & the Risks of Getting it Wrong

- When can employers require employees to comply with directions?
- Case study: When can employers require COVID-vaccinations?
- Effective COVID-19 vaccination workplace policies & ensuring compliance

Presented by **Helen Beech**, Special Counsel, Kingston Reid

**THURSDAY, 2 SEPTEMBER 2021** \$155  
1.00PM TO 2.00PM WEB219N05B

## Competition and Consumer Law Update: New Legislation & Significant New Cases

- Changes to consumer guarantees
- Developments in unfair contract terms & unconscionability
- Immunity from cartels and criminality

Presented by **Ayman Guirguis**, Partner, K&L Gates

**THURSDAY, 16 SEPTEMBER 2021** \$155  
1.00PM TO 2.00PM WEB219N05C

Practice Management & Business Skills

## Cyber Crime & Executives: Lessons for In-House Counsel

- Why executives are prime targets
- Guide to reducing executives' risk

Presented by **Chris McLaughlin**, Director, Cyber Security Group Aon and **Andrew Gray**, Chief Counsel, Aon Reinsurance Solutions APAC; Associate General Counsel Aon Commercial Risk Solutions Global

**THURSDAY, 7 OCTOBER 2021** \$155  
1.00PM TO 2.00PM WEB2110N05D

## Managing Risk: Insurance, Indemnities, Warranties, & Limitation of Liability

- Insurance obligations in contracts
- Indemnities: the benefits and limitations of a contractual indemnity
- Liability: contingent liabilities and limitation of liabilities

Presented by **Peter Yeldham**, Partner and **Emma White**, Senior Associate, King & Wood Mallesons

**THURSDAY, 21 OCTOBER 2021** \$155  
1.00PM TO 2.00PM WEB2110N05E

## Innovative Contract Drafting Strategies: Designing vs Writing

- Table of Contents, Headings, and Frequently Asked Questions
- Conversational Style & Worked Examples
- Tables, Timelines, Flowcharts, Journey Maps & Checklists
- Visualisations: Diagrams, Pictures, Photos, Icons, & Annotations

Presented by **Steven Brown**, Chairman, Etienne Lawyers

**THURSDAY, 4 NOVEMBER 2021** \$155  
1.00PM TO 2.00PM WEB2111N05F

Professional Skills

## Health & Safety Incidents: Minimising Risk Before & After Things go Wrong

- Preparing before an incident occurs: maintenance issues & stress tests
- What to do following an incident & when the relevant work authority shows up
- Should you engage an expert? How do you maintain privilege?
- Procedures: What is documentation like?

Presented by **Martin Shume**, Barrister, Denman Chambers and **Dr Shane Richardson**, Principal Forensic Engineer, Delta V Experts

**THURSDAY, 18 NOVEMBER 2021** \$155  
1.00PM TO 2.00PM WEB2111N05G

## Key Trends and Developments in Employment Law

Explore the latest trends, developments and cases in employment law and analyse the critical takeaways and strategies that in-house counsel need to minimise risk.

Presented by **Amy Zhang**, Executive Counsel & Team Leader, Harmers Workplace Lawyers

**FRIDAY, 26 NOVEMBER 2021** \$405  
2.00PM TO 5.10PM WEB2111N05H

## CPD COMPULSORY UNITS FOR IN-HOUSE COUNSEL

Chair: **Michael Chin**, Senior Corporate Lawyer, AGL

Professional Skills

## Legal Risk, Commercial Risk & Profit: Striking the Balance

How should in-house counsel approach and deal with commercial risk? How should they tread the line between their company's business and financial realities and the need to take commercial risks to remain profitable? How do legal risks factor into the equation?

Presented by **Tamara Daran**, Legal Director & Company Secretary, South Pacific, Colgate-Palmolive Company and **Steven Brown**, Chairman, Etienne Lawyers

Practice Management & Business Skills

## Culture and its Impact on Reputation and Risk

- How risky behaviours & company culture can cause significant crises
- How to assess & balance governance, risk & what is legally, socially, & morally right
- Recognising risky behaviours as an early warning to mitigate risks
- When doing what is legally right can result in reputation damage

Presented by **Craig Badings**, Partner, SenateSHJ

Ethics & Professional Responsibility

## Legal Professional Privilege: Challenges and Strategies for In-House Counsel

- Legal professional privilege ('LPP'): key principles
- When are communications with in-house lawyers privileged?
- Risks from blurred lines between legal, executive & management teams
- Strategies for in-house counsel to maintain privilege

Presented by **Kathryn Finlayson**, Partner, MinterEllison

## 10 ATTEND THE FULL SERIES AND EARN

5 CPD units in Substantive Law  
1 CPD units in Ethics & Professional Responsibility

2 CPD units in Practice Management & Business Skills  
2 CPD units in Professional Skills

# CREDIT LAW CONFERENCE 2021: FINANCIAL SERVICES - THE PISTON OF THE ECONOMY AND SOCIETY



THURSDAY, 19 AUGUST 2021  
9.00AM TO 5.15PM

\$770  
WEB218N01

Join the NSW Treasurer, ASIC, AFCA, key industry associations, & leading experts for a comprehensive guide to credit law & lending. Examine upcoming changes in the area & brand value in financial services. Hear from ASIC and AFCA on the economic recovery & complaints handling. Stay on the cutting edge of digital payments & the application of breach reporting to credit. Work through how to roll out your design & distribution obligations from 5 October & prepare for the coming unfair contract reforms.

Conference Open and Welcome from the Chair: **Andrea Beatty**, Partner, Piper Alderman

## FINANCIAL SERVICES: THE VIEW FROM BUSINESS, THE ADVISORS AND THE REGULATOR

**Keynote Address: Financial Services – The Piston of the Economy and Society**

Presented by **The Hon Dominic Perrottet MP**, NSW Treasurer

### Why Brand Value Matters in Financial Services: Connecting Governance, Risk and Compliance

- How financial services brand value is measured
- Connecting financial services brand value to the bottom line and future performance
- Connecting brand governance to the overall governance, risk and compliance framework, including customer related metrics
- Impact of reputation damage on brand value
- Tracking the impact of the Banking Royal Commission on financial services brand value

Presented by **Mark Crowe**, Managing Director, Brand Finance Australia

### The Federal Opposition Approach to Financial Services

Presented by **Stephen Jones MP**, Shadow Minister for Financial Services and Superannuation

Facilitated by **Steven Klimt**, Partner, Clayton Utz

### ASIC's Role in Australia's Economic Recovery: A Panel Discussion

Facilitated by **Joanna Bird**, Executive Director, Financial Services and Wealth Group, Australian Securities and Investments Commission

Panel Members:

**Joanna Bird**, Executive Director, Financial Services and Wealth Group, Australian Securities and Investments Commission

**Aidan O'Shaughnessy**, Executive Director, Policy, Australian Banking Association

**Karl Turner**, Chief Operating Officer and Executive Director, Policy and Risk Management, Australian Financial Industry Association

**Karen Cox**, CEO Financial Services, Consumer Rights Legal Centre

## NEW TECHNOLOGY IN FINANCIAL SERVICES

### Digital Payments Update

- Digital identity
- Buy Now Pay Later
- Central Bank digital currency
- Cryptocurrency
- What's on the regulatory horizon?

Presented by **Nikesh Lalchandani**, Chartered Banker, Innovations Accelerated and **Michael Bacina**, Partner Piper Alderman

## THE VIEW FROM THE OMBUDSMAN

### AFCA Complaints Handling and Fairness Project Update

- AFCA: two and a half years on – developments, risks and opportunities
- Trends that AFCA has seen since commencement
- Case studies discussing common issues dealt with by AFCA
- Tips and strategies for firms to minimise disputes
- Projects underway that can support the industry

Presented by **Justin Untersteiner**, Chief Operating Officer, Australian Financial Complaints Authority

## IMPLICATIONS OF THE MAJOR REGULATORY CHANGES

### Breach Reporting

- Application to Credit
- Changed provision and processes
- Getting on top of the detail

Presented by **Narelle Smythe**, Partner, Clayton Utz

### Getting Ready for Design and Distribution Obligations: Practical Considerations

- Practical considerations in design and distribution of products
- Implementation of the governance framework: A standalone or integrated process?
- Impact on continuing, legacy and new products: transitional issues
- Target market determinations: use of industry templates, tips and traps
- Case studies: home loans, credit cards, BNPL
- Next steps after implementation: the review cycle and ongoing processes

Presented by **Ian Lockhart**, Partner, MinterEllison

### Unfair Contract Terms Changes: What You Might Need to Do

- ASIC v Bendigo and Adelaide Bank
- Unfair contract terms in small business
- Reforms on the way, including creation of an offence

Presented by **Steven Klimt**, Partner, Clayton Utz

Now in its 6th Year, this conference continues to be the premier Credit Law Conference in Australia

## 7 ATTEND THE FULL DAY AND EARN

7 CPD units in Substantive Law



# SUPPORT STAFF LUNCHTIME SERIES: BUILDING EXCELLENCE AND RESILIENCE



THURS, 12 AUG, 2 SEPT, 14 OCT & 11 NOV 2021 \$405  
1.00PM TO 2.00PM WEB218N04

Key to any successful organisation is their support staff. Gain the key tools, knowledge and skills required to take your legal support role to the next level.

Chair: Lisa Gooneratne, Special Counsel, HWL Ebsworth

**THURSDAY, 12 AUGUST 2021** \$155  
1.00PM TO 2.00PM WEB218N04A

You'll identify how to manage the expectations of your managers and direct reports with expert practical tips and knowhow that you can use immediately. Take away how to deal with multiple tasks, competing priorities and the importance of honing your delegation skills.

## Managing the Expectations of your Managers and What's Expected of a Legal Assistant

Presented by **Pauline Murray**, Legal Practice Administration Manager, Herbert Smith Freehills

**THURSDAY, 2 SEPTEMBER 2021** \$155  
1.00PM TO 2.00PM WEB219N04B

Takeaway new key skills on how to take your communication to the next level when dealing with your manager, workplace colleagues and clients. Learn how to strengthen your listening and written skills for written instructions, meeting notes and file notes.

## Developing Effective Communication, Listening and Written Skills

Presented by **Leica Gilbert**, Legal Support Manager and **Chloe Sherrington**, LTS Paralegal Coordinator, Corrs Chambers Westgarth + Lawyer

**THURSDAY, 14 OCTOBER 2021** \$155  
1.00PM TO 2.00PM WEB2110N04C

Up skill yourself with simple but important project management tools that will ensure you meet those sharp deadlines, juggle tight priorities and implement structures to guarantee your success.

## Simple Project Management

Presented by **Sam Auty**, Legal Project Manager, Ashurst

**THURSDAY, 11 NOVEMBER 2021** \$155  
1.00PM TO 2.00PM WEB2111N04D

Work through important and practical steps and strategies to effectively assess, monitor and ensure both you and your colleague's wellbeing and mental health in these challenging times.

## Ensuring Your Wellbeing and Mental Health in Challenging Times

Presented by **Kirsty Dempster-Rivett**, Clinical Psychologist, University of Waikato

# PUBLIC SECTOR WORKPLACE SKILLS AND MANAGEMENT STRATEGIES



THURSDAY, 19 AUGUST 2021 \$490  
1.00PM TO 5.15PM WEB218N06

Tailored for Public Sector legal counsel, divisional heads, managers, supervisors & HR personnel, you'll hear practical ways to deal with key workplace complaints within the Public Sector workforce. Learn how to prevent non-performance allegations becoming unfair dismissal claims. Avoid investigations into claims of discrimination, harassment & bullying exploding. Understand how to deal with COVID related issues & finally, review your workplace policies are correct in light of current reforms.

Chair: **Brandon Sparke**, Senior Human Resources Advisor, NSW Health

## Practice Management & Business Skills

### Performance Management and Compliance: What to do to Prevent Allegations Turning into Unfair Dismissal Claims

- Conducting appropriate investigations into performance and discipline allegations
- Running proper investigations
- Taking file notes
- Real life scenarios

Presented by **Michael Carrick**, Principal Solicitor, Victorian Government Solicitor's Office and **Veronica Belot**, Principal Solicitor, VGSO Workplace Relations and Occupational Safety Branch

## Professional Skills

### Sexual Harassment, Discrimination and Bullying Claims: How to Run the Investigation and Manage the Claim from Exploding

- Running the investigation: what to do and not do
  - How to manage the claim: key takeaways to avoid the claim exploding
  - Interesting recent decisions affecting the government
- Presented by **Susan Moriarty**, Principal, Susan Moriarty & Associates

## Practice Management & Business Skills

### COVID Related Issues: Return to Work, Flexibility, Vaccinations

- Mandatory vaccinations vs potential discrimination claims
  - Employer directions: what are deemed lawful and reasonable directions
  - Workplace flexibility in a post-COVID-19 world
  - Managing home/office attendance
  - Application of technology
  - Health & safety considerations
  - Office design considerations
  - Policies for requests for flexible work arrangements
- Presented by **Chris Molnar**, Partner, Kennedys

### General Update on Workplace Reforms: Do Your Policies Reflect What's Important?

- Organisational responses to serious misconduct
  - Meeting the demands of a hybrid workforce
  - Health & safety at work: infection control, mental health & wellbeing and 'burn out'
  - Crafting the future of work: setting standards and creating positive and productive workforce cultures
- Presented by **Elizabeth Aitken**, Partner, National Head of Workplace Relations & Safety, SLF Lawyers

Also suitable for Junior Lawyers

**4** ATTEND AND EARN

4 CPD units in Professional Skills

**4** ATTEND AND EARN

2 CPD units in Practice Management & Business Skills  
1 CPD unit in Professional Skills  
1 CPD unit in Substantive Law

# FAMILY LAW: DIFFICULT PARENTING AND CHILDREN'S MATTERS



THURSDAY, 19 AUGUST 2021  
1.00PM TO 5.15PM

\$490  
WEB218N07

You'll learn how the courts might rule on parental alienation and AVOs. What to do when Family Law orders are inconsistent with existing orders. Importantly gain practical insights from an expert panel on how to work with and assist clients dealing with family violence, coercive control or parental alienation. Finally, explore the role of personality disorder, substance abuse and family violence in assessments and what is the best evidence to aid their determination with a clinical/forensic psychologist.

Chair: **Justine Clark**, Principal, Tisher Liner FC Law; Accredited Specialist in Family Law

## Parental Alienation and Child Protection

- How to advise and guide your client to the best resources
- How the courts might rule on parental alienation
- Divorce and separation through a child's eyes: how to protect them
- Useful tools for navigating co-parenting issues
- Parenting plans, consent orders and parenting arrangements

Presented by **Carly Middleton**, Partner, Barkus Doolan Family Lawyers; Accredited Specialist in Family Law; Leading Family & Divorce Lawyer and Parenting & Children's Matters Lawyer, *Doyle's Guide 2021*

## Family Law and Intervention Orders, Coercive Control and Family Violence

- How the Family Court deals with AVOs
- What to do when Family Law Orders are inconsistent with existing orders

Presented by **Shannon Rogers**, Partner, Barkus Doolan

### Professional Skills

## How to Work with and Assist Victims of Family Violence: Practical Issues to Consider

- Taking instructions from a family violence client, safety planning and risk assessment
- Reporting to police and how they can assist
- Other steps to take to protect the victim
- Getting the evidence
- How to mediate with victims of family violence
- Other things to consider

Panelists:

**Bianca Roche-Bolger**, Family Dispute Resolution Practitioner, Child Consultant and Collaborative Coach, The Mediation Collective

**Jessamy Downie**, Principal Solicitor, Launceston Community Legal Centre

**Kellie McDonald**, Senior Solicitor, Women's Legal Service of NSW

### Professional Skills

## Dealing with Personality Disorder, Substance Abuse and Family Violence: A Case Study

- Explore the role of personality disorder, substance abuse and family violence in family court assessments
- Highlighting what kinds of questions an expert might respond to in defending their assessment in court
- Consider what additional evidence to provide to the expert to best aid their determination and examine some common gaps in instructions

Presented by **Dr Christopher John Lennings OAM**, LSC Psychology

# FAMILY LAW DRAFTING INTENSIVE



TUESDAY 24 AUGUST 2021  
1.00PM TO 5.15PM

\$490  
WEB218N08

Attend and gain a renewed understanding of effective family law drafting that you can apply immediately in your practice. Through practical guidance and useful drafting examples you'll master drafting techniques and strategies for effective initiating applications and supporting documentation, future variations into binding child support agreements, watertight binding financial agreements and other final property agreements, and finally, interim spousal maintenance and parenting applications.

Chair: **Olivia Grobtuch**, Partner, Kennedy Partners Lawyers; Accredited Specialist in Family Law; Leading Family & Divorce Lawyer, Recommended Family Lawyer (High-Value & Complex Property Matters) and Recommended Parenting & Children's Matters Lawyer, *Doyle's Guide 2021*

## Drafting Appropriate Initiating Applications and Supporting Documentation

- Tips and traps for drafting parenting and property initiating applications
- When to amend
- Supporting documentation tips and traps including subpoenas, notices to admit and specific questions

Presented by **Rachell Davey**, Partner, Lander & Rogers; Accredited Specialist in Family Law; Recommended Parenting & Children's Lawyer, *Doyle's Guide 2021*

## Drafting Future Variations or Suspension in Binding Child Support Agreements

- Consider when and how to draft in a clause to allow for variations and/or suspension of a party's obligations under the terms of the Agreement
- Choosing between a Binding or Limited Child Support Agreement
- The requirement for child support to be paid to an eligible carer
- Suspension of Child Support Agreements
- Providing certainty in sunset and suspension clauses
- Termination or setting aside of Child Support Agreements

Presented by **Dr Robin Smith**, Barrister, Holmes List; Recommended Family Law Junior Counsel, *Doyle's Guide 2021*

## Watertight Final Property Orders: Drafting BFAs and Other Final Property Agreements

- BFA vs Consent Orders (when to choose a BFA)
- Spousal maintenance and Deed of Release
- Court's approach when setting aside the agreement (unconscionability, undue influence and uncertainty)
- S79A case updates
- Drafting tips and traps

Presented by **Karina Ralston**, Principal Lawyer, Coleman Greig Lawyers; Accredited Specialist in Family Law and Accredited Family Law Mediator and Arbitrator

## Drafting Interim Spousal Maintenance and Parenting Applications: Common Traps

- Evidence required to support the spousal maintenance application
- Tips and traps: what you need to avoid or include in your application
- Practical examples and lessons learnt to implement

Presented by **Alison Ross**, Partner; Accredited Specialist in Family Law; Leading Family & Divorce Lawyer, Leading Family Lawyer (High-Value & Complex Property Matters) and Recommended Parenting & Children's Matters Lawyer, *Doyle's Guide 2021* and Rina Biswas, Associate, HopgoodGanim Lawyers

## 4 ATTEND AND EARN

2 CPD units in Substantive Law  
2 CPD units in Professional Skills

## 4 ATTEND AND EARN

4 CPD units in Professional Skills

# LITIGATION AND EVIDENCE: PREPARING AND MANAGING YOUR CASE



WEDNESDAY, 25 AUGUST 2021 \$770  
9.00AM TO 5.15PM WEB218Q01

Analyse how to effectively prepare and manage your litigation matters & gain your core CPD units at the same time.

## SESSION 1: EFFECTIVELY PREPARING & MANAGING YOUR CASE

9.00AM - 1.15PM WEB218Q01A \$490

Chair: **Duke Myrteza**, Solicitor Director, Australian Law Partners

🕒 *Practice Management & Business Skills*

### Managing Files to Optimise Costs and Other Issues

👤 Presented by **Stephen Hartwell**, Barrister, Briggs Lane Chambers

🕒 *Ethics & Professional Responsibility*

### Ethical Obligations when Pleading a Case

👤 Presented by **Mark Martin QC**, Level 10, Inns of Court

🕒 *Professional Skills*

### Pre-Trial Procedures and Evidence Management: Tips and Traps

👤 Presented by **Brett Heath**, In-House Advocate, CarterNewell

🕒 *Practice Management & Business Skills*

### Project Management of Commercial Litigation

👤 Presented by **Sarah Davies**, Director, Sarah Davies Legal

🕒 *Professional Skills*

### Panel Discussion: Tips, Traps and Hypothetical: Putting it in Practice

👥 Panellists

**Duke Myrteza**, Principal, Australian Law Partners

**Alex Nelson**, Barrister, Sir Harry Gibbs Chambers

**Sarah Davies**, Director, Sarah Davies Legal

## SESSION 2: GETTING THE MOST OUT OF YOUR EVIDENCE

2.00PM TO 5.15PM WEB218Q01B \$405

Chair: **Timothy Matthews MBE QC**, Inns of Court

### Assessing the Admissibility of Evidence

👤 Presented by **Nola Pearce**, Barrister, Quay 11 Chambers

### Disclosure: What Do You Really Have to Disclose to the Other Side?

👤 Presented by **Allana Agnew**, Director, Agnew Litigation & HR; Accredited Specialist in Commercial Litigation

### Maximising Expert Reports and Expert Evidence: Getting the Best Out of Expert Witnesses

👤 Presented by **Anand Shah**, Barrister, Brisbane Chambers

### Lay Witness Evidence

👤 Presented by **Melanie Hindman QC** and **Andrew Schriiffer**, Barrister, Northbank Chambers

# TPD AND LIFE INSURANCE INJURY CLAIMS UPDATE



WEDNESDAY, 25 AUGUST 2021 \$490  
9.00AM TO 1.15PM WEB218Q02

Keep up to date with the recent changes to life insurance contracts which now require compliance with the unfair contract regime as well as other changes that have occurred since the Hayne Royal Commission. This seminar will also of the law applicable to when trustees who are self-insurers. And finally a look at the legal and medical perspective of vocational assessments and choice of expert.

Chair: **Keith Howe**, Barrister, Level 10 Inns of Court

### Life Insurance Contracts and Unfair Contracts Regime

On 17 February 2020, the *Financial Sector Reform (Hayne Royal Commission Response – Protecting Consumers (2019 Measures)) Act 2020* received Royal assent. Insurance contracts entered into, renewed or varied on or after 5 April 2021 will be subject to the unfair contracts regime prescribed under the ASIC Act.

- Analyse those provisions and how they may apply to life insurance contracts

👤 Presented by **Phil Nolan**, Barrister, Darrow Chambers

### Life Insurance in a Post Hayne Royal Commission

- The sustainability of the life insurance industry – what are the drivers and pain points?

- What do the regulators' sustainability enhancement measures mean for existing and new income protection contracts?

- Are standardised 'Reference Products' part of the solution

👤 Presented by **Josh Mennen**, Principal Lawyer, QLD Super and Insurance Department, Maurice Blackburn Lawyers

### Mirror Mirror: Who is the Fairest of Them All? When Trustees are Self-insurers

- When is a Trustee an "insurer"

- When will the Insurance Contracts Act 1984 apply to a Trustee

- Approach of the Courts to setting aside and substituting Trustee decisions vs insurer decisions

👤 Presented by **Rebecca Nichols**, Barrister, More Chambers

## THE MEDICAL AND LEGAL PERSPECTIVES

🕒 *Professional Skills*

### The Value of Engaging an Occupational Therapist in TPD and Life Insurance Claims

- The difference between a vocational assessment and an occupational therapy assessment in TPD

- The value of using functional abilities to determine future work capacity

- Limitations with a pure skills/experience based approach

- Case studies

👤 Presented by **Nancy Stephenson**, Consultant, Assess Medical Group

### Legal and Evidentiary Issues

- Considerations in appointing an expert for vocational assessment

- Differences between pre-litigation and post-litigation use of reports

- Rules of evidence

- Consequences of getting it wrong

👤 Presented by **Rebecca Nichols**, Barrister, More Chambers

## 7 ATTEND AND EARN

3 CPD units in Legal Knowledge  
1 CPD unit in Practical Legal Ethics  
1.5 CPD units in Practice Management & Business Skills  
1.5 CPD units in Professional Skills

## 4 ATTEND AND EARN

3.5 CPD units in Legal Knowledge  
0.5 CPD units in Professional Skills

# DEFAMATION LAW: NATIONAL REFORMS AND DAMAGES UPDATE



WEDNESDAY, 25 AUGUST 2021  
9.00AM TO 12.10PM

\$405  
WEB218N09

Gain practical insights on the new defamation laws commencing on 1 July. Our panel of experts will provide a comprehensive update on the changes and their impact. They'll also demystify the implications of the second wave of reforms related to online defamation. Finally, explore key issues, trends and outcomes in defamation damages awards. Don't miss this review of the transforming defamation law landscape and what it means for your practice.

Chair: **Jennifer Shaw**, Partner, Bartier Perry

## Changes to the Uniform Defamation Law

- The serious harm threshold test
- Change to the 'cap' on damages
- Mandatory concerns notice
- Changes to the statutory defences
- Change to the limitation period
- Introduction of the single publication rule
- Change to the 'employee' test
- Upcoming second round amendments

Presented by **Alex Nelson**, Barrister, Sir Harry Gibbs Chambers; Nationally Accredited Mediator

## Stage 2 of the Defamation Reforms: What You Need to Know & How to Prepare

- Online defamation: the state of play
- International comparisons and review processes
- Options being considered
- Practical implications of likely reform

Presented by **Sophie Dawson**, Partner, Bird & Bird; Best Lawyers 2022, Defamation and Media Law, Litigation Law, Privacy and Data Security Law, Telecommunications Law; Leading Technology, Media & Telecommunications Lawyer, *Doyle's Guide* 2021 and Joel Parsons, Associate, Bird & Bird; Intellectual Property & TMT Rising Star, *Doyle's Guide* 2019

## Trends and Issues in Damages Awards

- Key issues in defamation damages
- Emerging trends in damages awards in various classes of defamation case
- Possible impact of reforms on future damages awards
- Advising your clients on potential awards

Presented by **Toby Mullen**, Barrister, Chancery Chambers

# SEXUAL HARASSMENT IN THE WORKPLACE



THURSDAY, 26 AUGUST 2021  
9.00AM TO 1.15PM

\$490  
WEB218N10

With sexual harassment finally being recognised as a systemic workplace issue, this program is now a necessity for employment lawyers, in-house counsel & HR personnel. Master how to manage a workplace before, during and after a complaint is made. Understand how to conduct an investigation & the complexities around vicarious liability, compensation and criminal conduct. Gain in-depth guides to key changes in the law, the psychology of sexual harassment, & meeting health & safety requirements.

Chair: **Nick Stevens**, Director, Stevens & Associates Lawyers

## ★ KEYNOTE ADDRESS

Presented by **Emily Howie**, Director of Dispute Resolution and Legal, Victorian Equal Opportunity and Human Rights Commission

## WHAT IS THE LAW?

### A Roadmap for Respect: The Key Legislative Changes and the Respect@Work Report

- The definition of sexual harassment & key statistics
  - Key recommendations for employers to be aware of
  - Legislative changes including the *Fair Work Act* and *Sex Discrimination Act*
  - The impact for employers and the workplace
- Presented by **Erin Lynch**, Partner, Vincent Young Lawyers

## IDENTIFYING & UNDERSTANDING THE PROBLEM: POLICIES, PRACTICE AND CULTURE

### Ensuring a Workplace is a Safe Place: The Legal Requirements

- Proactively setting up the right policies and procedures
  - The employer's duty of care and legal requirements
  - Health & safety legislation
- Presented by **Kristen Lopes**, Partner, Colin Biggers and Paisley

### The Psychology of Sexual Harassment in the Workplace

- The importance of a proactive, preventative approach & psychological safety
  - The role of culture and suggestions for creating a safe, harassment free workplace
  - Management's impact, leadership & potential negative outcomes for workplaces
- Presented by **Kylie Young**, Principal Psychologist, Kylie Young Consulting

## RESPONDING TO A COMPLAINT: INVESTIGATIONS, RESPONSES, & REMEDIATION

### Managing the Workplace Pre and Post a Complaint

- Best practice in handling public scrutiny
  - Providing avenues and complaint pathways
  - Protective factors for staff and encouraging bystander intervention
- Presented by **Shelley Williams**, Partner, Kingston Reid

### Managing Workplace Investigations into Complaints

- Establishing misconduct: conducting a sound workplace investigation
  - Dealing with workplace misconduct vs criminal conduct
  - Resolving the issues post-investigation: disciplinary action, coaching, mediation
  - Vicarious liability: Are employers responsible for staff misconduct?
- Presented by **Alexandra Shields**, Partner, Norton Rose Fulbright

## 3 ATTEND AND EARN

3 CPD units in Substantive Law

## 4 ATTEND AND EARN

3.5 CPD units in Substantive Law  
0.5 CPD units in Professional Skills

# PRIMER IN DRAFTING COMMERCIAL DOCUMENTS



FRIDAY, 27 AUGUST 2021  
9.30AM TO 12.40PM

\$405  
WEB218N11

Elevate your skills and strategies when drafting several of the most common and significant commercial documents you may come across. Examine each clause and tactic you should include in a trust deed. Master how to draft an effective shareholder agreement that accomplishes your client or organisation's goals while minimising risk. Work through a detailed checklist of the key issues and documents you need to get right in any sale of business agreement.

Chair: **Michael Bennett**, Barrister, 13 Wentworth Chambers

## Trust Deeds: Drafting, Varying and Getting it Right

The importance of trust deeds cannot be underestimated and understanding the terms of your client's trusts has never been so important. Explore the critical issues including:

- Essential clauses and getting it right
- Beneficiaries and powers
- Appointment or removal of trustees
- Trustee decision making and liability
- Income and distribution
- Varying trust deeds
- Lost trust deeds

Presented by **Dr Philip Bender**, Barrister, List A Barristers

## Drafting Shareholder Agreements

- Assessing the needs of your client(s)
- Anatomy of a shareholders agreement
- Pressure points in different contexts including venture capital transactions
- How to minimise greenmail risk from minority holders
- Deadlocks and other sophisticated provisions
- Traps and pitfalls

Presented by **Hemang Shah**, Partner, Jones Day

## Drafting Sale of Business Agreements / Acquisition Documents for Businesses of all Sizes

- Conditions precedent
- Financing support
- Warranties and limits on warranties
- Restraints on sellers
- Foreign Investment Review Board conditions
- Listed parties vs unlisted parties

Sellers often require more certainty from buyers to commit to complete a proposed acquisition than in the past. Consider how some sellers are approaching the types of clauses above to achieve that certainty and consider the key takeaways from some examples.

Presented by **Mark Leaker**, Director, Leaker Partners

## Checklists for Business Acquisitions

Examine the key issues that might be considered either by a seller or a buyer of a business prior to offering a business for sale or alternatively making an offer for a business for sale. Several key questions will be identified so the seller and buyer may focus on the important issues in a sale.

Presented by **Mark Leaker**, Director, Leaker Partners

# WILL DRAFTING WORKSHOP FOR ALL LAWYERS



TUESDAY, 31 AUGUST & 14 SEPTEMBER 2021  
9.00AM TO 1.15PM

\$840  
WEB218N12

Perfect for all lawyers looking to begin or build their wills and estates practice, this comprehensive & practical workshop will give you the knowledge and skills needed to effectively and efficiently draft a will in a variety of circumstances and in relation to a number of asset classes. Using concrete examples, legislation & cases, experienced accredited specialists will guide you through the strategies, procedures & requirements you need to develop a toolkit for your practice.

Work through step by step guides for every stage of the will drafting process. For each stage you will gain high level guidance on:

- ✓ In-depth strategies to elevate your drafting
- ✓ Example clauses to take away and utilise in your drafting
- ✓ Example clauses to avoid & what to do differently
- ✓ Case studies into how these concepts play out in practice

Throughout this comprehensive workshop across two days you will examine:

- Taking effective instructions and conducting client meetings
- Identifying and dealing with issues relating to testamentary capacity and undue influence
- Urgent wills
- Essential clauses and will structure
- Common pitfalls and how to avoid them
- Family provision considerations
- Dealing with digital assets
- Estate and non-estate assets
- Wills in anticipation of marriage and divorce
- Wills for blended families and vulnerable beneficiaries
- Drafting issues around particular gifts and testamentary trusts
- Your legal professional responsibilities

Presented by

**Josephine Pignataro**, Solicitor; Accredited Specialist in Wills and Estates Law; Recommended Wills & Estates Litigation Lawyer, *Doyle's Guide 2020*; Adjunct Lecturer, College of Law

**Marie Brownell**, National Manager Estate Planning, Equity Trustees; Accredited Specialist in Wills and Estates Law; Lecturer, University of Western Sydney; Lecturer, College of Law

Comprehensive workshop over 2 half-days!

Testimonials from Josephine and Marie's Prior Presentations:

*Insightful, practical drafting advice*

*Content was comprehensive and both presenters were very articulate and engaging*

3 ATTEND AND EARN

3 CPD units in Professional Skills

8 ATTEND AND EARN

4 CPD units in Substantive Law  
3 CPD units in Professional Skills  
1 CPD unit in Ethics & Professional Responsibility

# MAKING IT TO PARTNER: THE ROADMAP FOR ASSOCIATES & SENIOR ASSOCIATES



TUESDAY, 31 AUGUST 2021  
9.00AM TO 12.30PM

\$405  
WEB218N14

Want to advance your career and make partner? Unfortunately being a great lawyer isn't enough. Building a successful career takes an understanding of the profession and its economics, the ins and outs of building a client base, strategies to be engaging, tips to become a leader, how to avoid the traps that can derail a career and more.

Chair: **Carina Zeccola**, Managing Partner, Griffin Legal; President, YWCA Canberra

## How to Succeed in a Competitive Environment

- Don't get left behind: trends in legal firms and where you fit in
- Building and maintaining a client base: where to start & how to succeed
- The difference between being a good senior associate and being a good partner
- Understanding the economics of the firm and leveraging that information
- Disaster averted: avoiding the pitfalls that can sink a career

Presented by **Dr Bradley Postma**, Principal and Patent & Trade Marks Attorney, Spruson & Ferguson; author, *Junior to Partner in Under 5 Years*

## Proving Your Worth: Professional Skills to Make You Indispensable

- Show that you are 'partnership material'
- Become a client-magnet & make business development part of your legal work
- Understand your client's world
- Engage your audience through speaking and writing
- Develop your skills as a thought leader

Presented by **Shelley Dunstone**, Principal, Legal Circles; Adjunct Faculty, Carnegie Mellon University; Adjunct Lecturer, College of Law

## Selling to a Friend: How to Maintain Great Client Relationships that Create Real Value

- The key to managing client relationships: how and when to sell
- Why you don't sell to people you like, and sell badly to people you don't
- Articulating value: how becoming a better salesperson will help you
- Finding your tribe: why you should be showing more love to less clients
- Purposeful pitching: how to frame your work with the client in mind
- Raising your profile: scaling your pitch & managing more relationships with less time

Presented by **Sam Burrett**, Client Relationship Manager, Clayton Utz; Podcast Host & Author, *The Leading Lawyer Project*; Distinguished Fellow, Centre for Legal Innovation

## The Legal Recruiter's Perspective: The Realities of the Legal Market & Becoming a Partner

Join John Castello, a former lawyer and a specialist legal recruiter, for a practical, real world look at the 5 things you will need to become a partner.

Presented by **John Castello**, Director, Gatehouse Legal Recruitment

## What's It Really Like When you Get There? The Truth About Life as a Partner

- I'm liable now, what have I done?!
- So I now run a business...wait, was there an instruction manual I didn't read?
- Who is my boss now and who will teach me?
- Being mindful of conscious and unconscious power dynamics
- Looking after the team and what your clients expect

Presented by **Luke Geary**, Partner, Mills Oakley; Founder & Former Managing Partner, Salvos Legal

# NDIS LAW: CASE UPDATE AND LEGAL OBLIGATIONS



WEDNESDAY, 1 SEPTEMBER 2021  
2.00PM TO 5.10PM

\$405  
WEB219N01

Unravel the latest cases and decisions on persons living with disabilities. Explore the role of the Public Trustee and how to revoke guardianship and administration orders. Examine practical approaches to substitute decision making and hear the latest updates on the Royal Commission. This webinar is a must-attend for all personal injury, workers compensation, not for profit, and government lawyers, along with anyone else working in the area.

Chair: **Kim Boettcher**, Barrister, Frederick Jordan Chambers

## Review of Recent Cases at the AAT and Federal Court

- The right to self-determination in capacity decisions
- The role of the fourth estate in advocating for incapacitated people
- Protection or profiteering; the lengths and limitation of state sanctioned advocacy
- Review of recent cases

Presented by **Christine Smyth**, Principal, Christine Smyth Estate Lawyers

## Substitute Decision Making

- Approaches to substitute decision making in NSW, VIC and QLD
- Overview of current issues and solutions for providers, including fluctuating capacity and resolving disagreement

Presented by **Penelope Eden**, Partner, MinterEllison; *Best Lawyers 2022*, Health and Aged Care Law, Insurance Law, Medical Negligence and Personal Injury Litigation; Recommended Health & Aged Care Lawyer and Recommended Medical Negligence Lawyer (Defendant), *Doyle's Guide 2020* and **Sacha Shannon**, Senior Associate, MinterEllison

## Dealing with Guardianships and Trustees: Key Strategies and Principles

- Legal framework regarding guardianship and administration orders
- The role of Trustees and removing Trustees
- Revoking guardianship and administration orders

Presented by **Amea Grattan**, Director, Disability Law Queensland

## Royal Commission Update

This presentation will provide key insights into a summary of the work done by the Royal Commission to date, the key themes the Royal Commission is examining moving forward and the likely areas for recommendations and policy / legislative change. Specifically, this session will explore:

- Attitudinal, environmental, institutional and communication barriers to inclusion within Australian society that people with disability continue to face
- What service providers can do to provide advocacy and support for people with disability in their care
- Likely changes to restrictive practices
- Funding implications arising from necessary adjustments to the NDIS
- What the disability housing sector will need to look like for the future

Presented by **Luke Geary**, Partner, Mills Oakley; *Best Lawyers 2022*, Non-Profit/Charities Law

### 3 ATTEND AND EARN

2 CPD units in Practice Management & Business Skills  
1 CPD unit in Professional Skills

### 3 ATTEND AND EARN

3 CPD units in Substantive Law

# ENVIRONMENTAL LAW: KEY NATIONAL ISSUES



WEDNESDAY, 1 SEPTEMBER 2021  
1.00PM TO 5.15PM

\$490  
WEB219N06

Gain valuable insights into some of the most important environmental issues facing you today. Address the *EPBC Act* reforms and its implications plus the impacts & opportunities arising from the *Recycling and Waste Reduction Act 2020*. Explore the important cross over of native title, cultural heritage & environmental protection legislation. Get up to date on climate change litigation and consider bushfire management with a comparative analysis and case update.

Chair: **Dr Bruce Lindsay**, Lawyer, Environmental Justice Australia

## **EPBC Act Reforms: The Story So Far and Where to From Here?**

- Status and outline of reforms to the EPBC Act
- What are implications of these reforms?
- Where to from here?

Presented by **Breellen Warry**, Partner, Holding Redlich

## **Recycling and Waste Reduction Act 2020: Implications and Opportunities**

- Implementation of the export ban on certain waste streams
- Reforms to product stewardship regulation
- Opportunities for the resource recovery industry

Presented by **Claire Smith**, Partner, Clayton Utz

## **Native Title & Cultural Heritage Update: National Impacts on Cultural Heritage after Juukan Gorge**

- 2020 Independent Review of the Environmental Protection and Biodiversity Conservation Act 1999 (Cth) by Professor Graeme Samuel AC
- 2020 Productivity Commission study of resource sector regulation
- Western Australia's *Aboriginal Cultural Heritage Bill 2020*
- South Australia's 2019 amendments to the Mining Act 1971
- Victoria's proposed changes to the *Aboriginal Heritage Act 2006*
- Queensland's proposals arising from the 2019 review of the *Aboriginal Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003*
- Tasmania's recommendations from the 2019 review
- NSW's draft *Aboriginal Cultural Heritage Bill 2018*

Presented by **Tina Jowett**, Barrister, Sixth Floor Windeyer Chambers

## **The Development of Climate Change Litigation: From Traditional to New Generation**

- Climate change: from environmental to financial risk
- First, second and third (new) generation climate change litigation
- What's next?

Presented by **Anna Gudkov**, Senior Lawyer, Safe Climate (Corporate and Gas) Team, Environmental Defenders Office

## **Bushfire Management: Comparative Law and Recent Case Update**

- Legislating for bushfire management vs policy-based approaches
- Negligence and bushfire management
- Integrating traditional Indigenous fire management
- Climate change litigation and bushfire management
- Opportunities for bushfire management reform

Presented by **Alyce Kliese**, Senior Solicitor, Shaw Reynolds Lawyers; Member, Planning Committee & Chair, Policy Implementation Committee, Property Council of Australia; Member, Planning Committee, Urban Development Institute of Australia

# CPD COMPULSORY UNITS: OVER LUNCH, OVER 3 WEEKS



FRIDAY, 3, 10 & 17 SEPTEMBER 2021  
1.00PM TO 2.00PM

\$405  
WEB219N07

Gain your core CPD units while developing skills & strategies to maximise your practice, minimise risk & avoid ethical pitfalls. Sharpen your negotiation skills to achieve better outcomes in your matters. Examine the ins and outs of confidentiality. Master how to deal with a mistake or oversight right when it happens & before it's too late. Take advantage of this convenient & efficient lunchtime web series where you'll gain your CPD units & bolster your practice once a week at lunchtime & online.

## FRIDAY, 3 SEPTEMBER 2021

\$155

1.00PM TO 2.00PM

WEB219N07A

*Practice Management & Business Skills*

### **How to Deal with an Oversight or Inadvertent Mistake in Your Practice**

- Understanding the nature of oversights & mistakes
- Steps to take immediately upon discovering a mistake
  - Evaluating the mistake, who and how to confer with or notify
  - Disclosure: getting the manner & timing of the disclosure right
- How to avoid compounding the mistake & maximising your chance at rectification
- What about another practitioner's error?

Presented by **Ashley Macknay**, Director, MDS Legal

## FRIDAY, 10 SEPTEMBER 2021

\$155

1.00PM TO 2.00PM

WEB219N07B

*Ethics & Professional Responsibility*

### **Confidentiality: A Paramount and Fundamental Duty**

- Sources of the duty
  - Ethical rules and guidelines
  - Lawyer's oath of office
  - Recent High Court decisions and some other cases
  - Lawyer disclosing information and exceptions to the rule: Lawyer X
- Presented by **Tim Houweling**, Director, Cornerstone Legal; Adjunct Professor of Law, Murdoch University

## FRIDAY, 17 SEPTEMBER 2021

\$155

1.00PM TO 2.00PM

WEB219N07C

*Professional Skills*

### **Effective Negotiation Strategies**

- Objectives: setting goals for the negotiation
- Pre-negotiation strategies: persuading parties to negotiate and preparation tips
- Presenting your position: seeking common ground, uncovering assumptions and maximising interests
- Effective bargaining: creating options, effectively using facilitators and mediators, expanding issues, trading concessions
- Breaking Impasse: strategies for avoiding deadlock
- Closing the deal: techniques for reaching closure

Presented by **Harold Werksman**, Partner, Thomson Geer; Accredited Specialist in Commercial Litigation and Mediation

## 4 ATTEND AND EARN

4 CPD units in Substantive Law

## 3 ATTEND AND EARN

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Practice Management & Business Skills  
1 CPD unit in Professional Skills

# IMMIGRATION LAW: LATEST VISA ISSUES AND CASE REVIEW



TUESDAY, 7 SEPTEMBER 2021  
9.00AM TO 1.10PM

\$490  
WEB219N09

Join a panel of eminent Accredited Immigration Law Specialists to work through the most important visa issues you'll face in migration law right now including partner visas, the global talent visa program, work visas, and business innovation and investment visas. In addition, review the key takeaways from the latest immigration decisions.

Chair: **Simon Jeans**, Principal, Jeans Lawyers; Accredited Specialist in Immigration Law; *Best Lawyers* 2022, Immigration Law

## Partner Visas: PIC 4020 & Schedule 3, Evidence and Impact of COVID-19

- PIC 4020 and Schedule 3 for partner visas: the law and case studies
  - The evidentiary hurdles to overcome in long-distance relationships due to COVID-19
  - The impact of COVID-19 on partner visa processing
  - What constitutes a genuine relationship to the exclusion of all others;
- Presented by **Carina Ford**, Managing Partner, Carina Ford Immigration Lawyers; Accredited Specialist in Immigration Law; *Best Lawyers* Lawyer of the Year 2022, Immigration Law; *Leading Immigration Lawyer, Doyle's Guide* 2021

## Global Talent Visa Program

- An overview of the EOI process and discretionary power
  - Nomination process, which is now part of the EOI process
  - Directions: processing of applications
  - Future cancellation: Documents provided with EOI
- Presented by **Valerie Dagama Pereira**, Barrister and Solicitor, Da Gama Pereira & Associates; Accredited Specialist in Immigration Law; *Best Lawyers* 2022, Immigration Law

## Business Innovation and Investment Visas

- The new Business Innovation and Investment Program
  - Understanding the key differences between the streams of the BIIP
  - How to progress to permanent residency through the different streams of the BIIP
  - Tips and traps when preparing business skills visa applications
- Presented by **Lena Hung**, Principal, Lena Hung & Associates; Accredited Specialist in Immigration Law; *Best Lawyers* 2022, Immigration Law

## Work Visas and Travel Exemptions During the Global Pandemic

- Determining the correct visa to undertake activity in Australia
  - Border closures and travel exemptions
  - Impact on visa processing
  - Updates to employer sponsored work visa policy and occupation lists
- Presented by **Hedvika Gibbs**, Practice Leader, Fragomen

## Review of Immigration Decisions by the Federal Court and Federal Circuit Court

In this session, you will explore which decision is reviewable where, who is the right applicant and the need to establish materiality. You will also gain insights on the common grounds of review.

Presented by **David Godwin**, Barrister, Queens Square Chambers

# FAMILY LAW: ADVANCED INTERDISCIPLINARY AND PROPERTY ISSUES



TUESDAY, 7 SEPTEMBER 2021  
9.00AM TO 5.15PM

\$770  
WEB219N08

Examine essential key cross-disciplinary areas in family law practice. Consider succession planning in property settlements & the impacts from third parties. Understand when a family provision claim might be instigated post settlement. Explore caveatable interests in family law proceedings & the evidence required to support an application. Gain insights in dealing with trustees & liquidators in bankruptcy. Finally, delve into superannuation, tax and unrealised tax liabilities in property settlements.

## SESSION 1: FAMILY LAW INTERDISCIPLINARY ISSUES: SUCCESSION, PROPERTY AND INSOLVENCY

9.00AM - 1.15PM

WEB219N08A

\$490

Chair: **Dr Martha Barnett**, Barrister, Culwulla Chambers

### Succession Planning: Property Settlement and Secondary Issues

Presented by **Robert Monahan**, Director, Monahan Estate Planning

### Family Provision Claims Post a Family Law Property Settlement

Presented by **Linda Clarke**, Barrister, Second Floor Wentworth Chambers

### Caveats in Family Law Property Proceedings

Presented by **Vikram Misra**, Barrister, Clarence Chambers

### Family Law and Insolvency: Dealing with the Liquidator and Trustee in Bankruptcy

Presented by **Colin Brown**, Partner, O'Neill Partners and **Aaron Lucan**, Partner, Worrells; Registered Trustee in Bankruptcy and a Registered Liquidator

## SESSION 2: ADVANCED SUPER AND TAX ISSUES FOR FAMILY LAW PROPERTY SETTLEMENTS

2.00PM - 5.15PM

WEB219N08B

\$405

Chair: **Duncan Holmes**, Director, Holmes Donnelly & Co Solicitors

### Beyond Super Splitting: Key Risk Areas in Complex Family Superannuation

Presented by **Peter Bobbin**, Principal Lawyer, Coleman Greig Lawyers

### Tax Implications of Property Settlements

Presented by **Greg Vale**, Legal Practitioner - Director Principal, Charter Law

### Dealing with Unrealised Tax Liabilities to Produce Equitable Outcomes

Presented by **Nick Gaudion**, Director Forensic Accounting, Cutcher & Neale; Part-time Member of the Administrative Appeals Tribunal

MARA Approval Numbers  
Live Online - SM610  
On Demand - DN403

4 ATTEND AND EARN

4 CPD units in Substantive Law

7 ATTEND THE FULL DAY AND EARN

7 CPD units in Substantive Law



# WINNING YOUR CONTRACT LAW DISPUTES



TUESDAY, 7 SEPTEMBER 2021  
9.00AM TO 1.10PM

\$490  
WEB219N10

Gain the insights & strategies needed to ensure that any contract dispute ends up going your way. Explore the latest unfair contract developments & what they mean for your contracts. Master how to make sure your contract interpretation arguments win out. Work through each step in the breach of contract process, from mitigation to remedies to damages. Perfect your procedural and evidentiary tactics in contract litigation. Examine which contract dispute resolution processes you should adopt & why.

Chair: **Josephine Brook**, Special Counsel, Clayton Utz

## Unfair Contracts Update: Recent & Upcoming Reforms & the Latest Cases

- Understanding the genesis of unfair contracts legislation and the impact of its basis in unconscionability & other underlying legal principles
- The legal development of unfair contracts law and where it currently stands
- Key takeaways and updates of the latest legislative reforms
- Practical analysis and implications of the latest unfair contract cases

[P](#) Presented by **Sally Armitage**, Barrister, Inns of Court

## Contract Interpretation Disputes: Convincing the Court to Use Your Interpretation

- Analysis of recent cases dealing with contract interpretation
- Identifying and defining the existence of an ambiguity
- Key considerations involving surrounding circumstances & extrinsic evidence
- What to do with evidence of prior negotiations, intent or subsequent conduct
- When is rectification available?

[P](#) Presented by **Bridie K. Nolan**, Barrister, 12 Wentworth Selborne Chambers

## Navigating a Breach of Contract: Options, Remedies, Mitigation and Damages

- A party's ability to cancel a contract for repudiation, breach or misrepresentation
- Alternatives to cancellation
- Knowing your termination rights
- The effects of breach, including the right to seek damages

[P](#) Presented by **Stephen Carius**, Barrister, Gibbs Chambers

## Litigating Contract Disputes: Procedural and Evidentiary Matters

- Analysis of pleadings and particulars
- Overview of evidentiary principles in oral & written contract disputes
- The approach to discovery in proceedings
- The efficient and timely use of witnesses and experts
- Issues with damages and expert evidence
- The challenges of adducing evidence

[P](#) Presented by **Sally Heidenreich**, Barrister, Murray Chambers

## Dispute Resolution Processes in Contract: What, Why and How Much?

Examine four different dispute resolution processes that parties can incorporate into contract, including a breakdown of the advantages and disadvantages of each process in a contract dispute context and why they might be attractive for parties.

- Expert Determination, Arbitration, Mediation, Litigation

[P](#) Presented by **Peter Yeldham**, Partner and **Karmen Gallegos**, Senior Associate, King & Wood Mallesons

# TAX FUNDAMENTALS FOR COMMERCIAL LAWYERS & IN-HOUSE COUNSEL



WEDNESDAY, 8 SEPTEMBER 2021  
9.00AM TO 1.10PM

\$490  
WEB219N12

Build a solid foundation for dealing with the most important tax issues commonly faced by commercial lawyers and in-house counsel. Gain a practical and working understanding of how these issues arise & play out in practice so that you can spot the potential risks early on & respond appropriately and effectively before it's too late to avoid serious tax problems. Explore the tax implications in business structures, business sales, shareholder agreements, tax losses, loans, tax adjustments and more.

Chair: **Valentina Stojanovska**, Consultant, Sparke Helmore Lawyers; Chartered Tax Advisor; former General Counsel (ANZ), Chartered Accountants Australia and New Zealand

## Structure Selection for Acquisitions and Disposals to Obtain the Best Tax Outcomes

- Acquisition structure: Company or trust?
- Tax and asset protection
- Funding the acquisition
- Using a super fund
- Access to small business CGT concessions

[P](#) Presented by **Ken Schurgott**, Director – Solicitor, Schurgott & Co Lawyers; former National President of the Tax Institute & member of the Advisory Panel to the Board of Taxation and of the Working Group on Managed Investment Trusts

## Tax Implications for Sale of Business: The Key Issues to Have on Your Radar

- Critical tax issues associated with the sale of a business
- Share sale vs asset sale: GST, stamp duty and income tax considerations
- Pre-sale dividends & earnout arrangements
- GST: supply of a going concern
- Stamp duty: pre-sale restructuring
- Purchase price allocation & adjustments

[P](#) Presented by **Sanjay Wavde**, Partner – Tax Practice and **Elke Bremner**, Senior Associate – Tax Practice, Ashurst

## Tax Issues and Shareholder Agreements

- Taxation issues to consider when drafting a shareholder agreement
- CGT events: when they occur and how you have to plan for them
- Entry and exit strategies: key considerations in business succession and shareholder agreements
- Tax issues and shareholder dispute resolution settlements
- Examples of good and bad shareholder agreement drafting with respect to tax issues

[P](#) Presented by **Timothy Poli**, Director, Kings Park Legal; Associate of the Tax Institute of Australia & 2016 Emerging Tax Star

## Answers to 5 Common Questions on Commercial Tax Issues

- Can I claim tax losses incurred in previous years for tax?
- What are the issues around shareholder loans and unpaid present entitlements?
- What tax risks do I take on when I become a director?
- Do I have a GST adjustment and why?
- How will land tax affect my business?

[P](#) Presented by **Suzie Boulous**, Partner, Brown Wright Stein Lawyers; Chartered Tax Advisor

## 4 ATTEND AND EARN

4 CPD units in Substantive Law

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4 CPD units in Substantive Law

# A GUIDE TO ACQUIRING TITLE BY ADVERSE POSSESSION



WEDNESDAY, 8 SEPTEMBER 2021  
4.00PM TO 6.00PM (AEST)

\$295  
WEB219W02

Adverse possession is a complex area of the law that poses dynamic and interesting questions for property lawyers and real estate agents. Examine measuring time, the nature of the presence on the land, and scrutinise difficult and unusual cases in the area. This in-depth session will shed light on the grey areas of land ownership so you're fully prepared when these issues arise in your practice.

## Adverse Possession: Not Just a Neighbourly Problem

- The test and principles
- Adverse possession and Torrens Land
- Measuring time
- Nature of presence on the land: uninterrupted, open, exclusive and without consent
- State of mind: Animus Possidendi
- Alternative claims
- Difficult and unusual cases

Presented by **Katja J Levy**, Principal, Rossello Chambers and **Richard Douglas**, Barrister, Francis Burt Chambers

# LAWYERS ON BOARDS: ADVANCE YOUR CAREER BY BEING BOARD READY



THURSDAY, 9 SEPTEMBER 2021  
9.00AM TO 1.10PM

\$490  
WEB219N15

Explore the many career benefits for lawyers serving on boards, how to create a plan to get on a board, and what a board CV should look like. Gain the skills to make the most of a board position through strategic thinking, governance skills, risks strategy, and what makes a good board paper. Avoid risks by delving into conflicts of interest, privilege & insurance issues.

Chair: **Kirsten Mander**, Chair, Legalsuper; Chair, International Women's Development Agency; Non Executive Director, Peninsula Health

## The Benefits of Going on a Board & Seizing an Opportunity when it Arises

- Reasons to consider a board role & the benefits for your career in law
- Setting a plan: Where do you want to go? Which board is right for you?
- Steps to take to get onto a board: marketing yourself and understanding and demonstrating the skills, knowledge and experience relevant to the company
- Turning your profile into a board CV: mistakes to avoid & a sample CV

Presented by **Ruth Medd**, Executive Chair, Women on Boards; Chair, Australian Health & Science Institute; Australian Chocolate Company

## Essential Skills Required to Make the Most of a Board Position: Strategy, Governance & Risk

- Thinking Strategically
- Understanding the job & the relevant legislation: the company constitution; powers of directors; and delegation of powers
- Governance processes: strategy, business plans, appointments & delegations, policies, monitoring & oversight
- Risk strategy: assessing, avoiding, minimising, managing or expanding risk
- What makes a good board or committee paper
- Separating the roles of lawyer and director

Presented by **John Edstein**, Chair, Macquarie Investment Management Limited; Director, Perpetual Equity Investment Company; Director & Counsel, Walsh Bay Partners

## How to Avoid Legal, Ethical, Commercial & Career Risks as a Lawyer on a Board

- Potential conflicts of interest between lawyer directors, law firms and the organisation
- The risk of blurred lines between acting as a director or as a lawyer
- Protecting legal professional privilege
- Insurance considerations; strategies for mitigating risk

Presented by **Sonia Petering**, Principal, Sonia Petering Lawyer; Chair, Virtus Health Ltd; Non Executive Director, TAL Life Australia; Non Executive Director, Qantm IP Pty Ltd

## LESSONS FROM THE BOARDROOM: WAR STORIES, INSIGHTS & GUIDANCE FROM BOARD MEMBERS

### How the Skills and Experience Gained as a Board Member can Contribute to Legal Practice

Presented by **Adrienne Parker**, Partner – Head of Perth, Pinsent Masons

### How Networking, Fundraising and Governance Skills Help Secure Board Positions

Presented by **Alison Gaines**, Managing Director & Founder, Gaines Advisory; Independent Non Executive Director, Blackstone Minerals Limited

### Being More than a Good Lawyer: Adding Value to a Board and Positive Disruption

Presented by **Kieran McCarthy**, Principal, Naughton McCarthy; Deputy Chair, Mercy Partners; Director, Brigidine College Indooroopilly



## 2 ATTEND AND EARN

2 CPD units in Substantive Law

## 4 ATTEND AND EARN

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Practice Management & Business Skills  
2 CPD units in Professional Skills

# PHARMACEUTICALS AND LIFE SCIENCES: LEGAL ISSUES



WEDNESDAY, 8 SEPTEMBER 2021  
10.00AM TO 1.15PM

\$405  
WEB219N25

Pharmaceutical drug companies face pressure from many directions – a complex legal and regulatory landscape, pressure to preserve their intellectual property, compliance with strict privacy and advertising requirements, as well as ensuring that all their activities meet strict competition and consumer compliance. Spend a valuable half day exploring these advanced issues for pharmaceutical products at this unique and focused webinar specifically tailored to answer the legal needs of the industry.

Chair: Elizabeth de Somer, Chief Executive Officer, Medicines Australia

## Pharmaceutical Patents and the Industry's Special Regulatory Features

- Overview of patents: Crown use, compulsory licensing and patent settlements
- Patent litigation the global multinational way
- Who can sue, seeking undertakings in a demand letter, when to escalate
- Information sources and the TGA transparency regime
- Preliminary injunctions: proving irreparable harm and aligning with the business
- Final hearings, injunctions, damages, how it fits with the NHA, PBS
- Alternative options: administrative law, FOI, alternative dispute resolution
- Increased enforcement action by the TGA
- Protecting commercial confidentiality and maintaining privilege

Presented by **Odette Gourley**, Partner, Corrs Chambers Westgarth; Leading Contentious Intellectual Property Lawyer NSW and Recommended Intellectual Property Lawyer – Australia, *Doyle's Guide 2020*

## Competition Issues in Pharmaceutical Industry and Life Sciences

- Attending industry association meetings: anti-trust issues
- Exclusive dealing
- Resale price maintenance
- Distributor's risk issues
- Competition and Consumer Act: important issues

Presented by **Kirsten Webb**, Partner, Clayton Utz; Recommended Competition Lawyer – Australia, *Doyle's Guide 2020*

## Advertising and Marketing Law Refresher and Update – Pharmaceuticals and Life Sciences

- Refresher on specialist healthcare professional marketing and advertising law
- Hot topics and tips for achieving alignment with the business on advertising clearance
  - Comparative advertising and substantiation issues
  - Misleading advertising to healthcare professionals
  - Half-truths and unjustified implied messages
  - Managing advertising risk on company social media accounts and websites
  - Unapproved medicines, misleading claims, and social influencers
  - COVID claims and restricted representations in therapeutic goods advertising
  - Managing IP and privacy risks, and Australian privacy reforms
  - Modern Slavery regulation
- Code complaints relating to promotional material for prescription medicines
- TGA's role in advertising regulation including relationship with the ACCC, and TGA advertising enforcement action

Presented by **Alison Jones**, Special Counsel, Corrs Chambers Westgarth

# WORKPLACE LAW CONFERENCE 2021



THURSDAY, 9 SEPTEMBER 2021  
9.00AM TO 5.15PM

\$770  
WEB219N14

Receive critical updates on all the urgent issues in employment law such as employee vs contractor distinctions, redundancies & terminations, casual employment reforms, general protections, & vaccinations. In the afternoon gain practical strategies on how to handle sexual harassment, performance management and misconduct in the workplace

## SESSION 1: WORKPLACE LAW REFORMS AND RECENT DEVELOPMENTS

9.00AM - 1.15PM

WEB219N14A

\$490

Chair: **Adrian Barwick**, Solicitor Director, WilliamsonBarwick; Accredited Specialist in Employment & industrial Law; Recommended Employment Lawyer (Employee & Trade Union Representation), *Doyle's Guide 2021*

### Casual Employment Reforms: Looking at the New Legislation

Presented by **Dean Tolkin**, Special Counsel, Keypoint Law

### Workplace Engagement: Employee, Contractor or Something Else?

Presented by **Erin Lynch**, Partner, Vincent Young Lawyers

### Risk Management and Terminations: Redundancy and Fixed and Maximum Term

Presented by **Ben Motro**, Partner, Piper Alderman

### Recent Developments in the Law on Mandatory Vaccinations in the

Presented by **Alexandra Grayson**, Principal Lawyer, Maurice Blackburn

### General Protections in a Changing World of Work

Presented by **Alina Kaye**, Special Counsel, The Workplace Lawyers

## SESSION 2: PREVENTING, MANAGING AND RESPONDING TO WORKPLACE MISCONDUCT

2.00PM - 5.15PM

WEB219N14B

\$405

Chair: **Paul Madden**, Barrister, Frederick Jordan Chambers

### Preventing and Responding to Sexual Harassment in the Workplace: A New Approach

Presented by **Amber Sharp**, Partner, McCullough Robertson

### Managing Misconduct and Investigations

Presented by **Tom Brett**, Senior Lawyer, Gilbert and Tobin

### Out of Hours Misconduct

Presented by **Deirdre McEvoy**, Special Counsel, McArdle Legal

## 3 ATTEND AND EARN

3 CPD units in Substantive Law

## 7 ATTEND THE FULL DAY AND EARN

7 CPD units in Substantive Law

# PREPARING FOR A CRIMINAL TRIAL 101: A GUIDE TO THE FUNDAMENTALS



THURSDAY, 9 SEPTEMBER 2021  
2.00PM TO 5.15PM

\$405  
WEB219N16

Don't miss this opportunity to gain a step by step guide on how to successfully prepare for a criminal trial. Junior and graduate lawyers or those needing a refresher will gain the skills, strategies & knowledge needed to succeed in the courtroom. Gain the necessary information to prepare your brief to counsel succinctly & effectively, scrutinise the ethical questions that will arise & how to navigate them, consider the practicalities of how to deal with clients, and elevate your advocacy skills

Chair: **Nick Dore**, Managing Principal, Fisher Dore Lawyers; Accredited Specialist in Criminal Law; Pre-eminent Criminal Defence Lawyer, *Doyle's Guide 2021*

© Professional Skills

## Tips on Preparing your Brief to Counsel and Instructing Counsel in Court

- Overview of the best practice tips and tricks for preparation of a brief to counsel, including:
  - The index: ensuring it is clear, concise and cross-referenced to sections/page numbers
  - The essentials: What topics should be covered in your brief
  - The extras: What would make your brief more effective?
- E-briefs: tips for organising in a way that's easy for counsel to navigate
- Best practice tips for instructing counsel in court

Presented by **Danae Younger**, Barrister, Griffith Chambers

© Ethics & Professional Responsibility

## Tricky Ethical Questions: Practical Advice

- Issues arising while you're on your feet in court
- Issues arising in client conferences
- General issues during the course of a matter

Presented by **Melanie Morris**, Senior Associate, Gilshenan & Luton Legal Practice

© Professional Skills

## Hints and Tips on Methods and Techniques for Dealing with Clients to Optimise Outcomes

- The importance of obtaining client instructions
- Preparing detailed statements from the client and witnesses
- Managing clients' expectations on issues ranging from fees to penalties
- Efficient management of a client's file

Presented by **Andrew Hoare**, Barrister, Halsbury Chambers

© Professional Skills

## Effective Solicitor Advocacy at all Court Levels

- The paramountcy of preparation to all advocacy
- Development of techniques to assist with effective advocacy
- Discussion of personal skills required to be an effective advocate
- Structuring your oral submissions
- Using authorities
- Supporting material (references, psychological reports etc)

Presented by **Kylie Hillard**, Barrister, Griffith Chambers

# DRONES: RISKS, REGULATIONS & LIABILITY



TUESDAY, 14 SEPTEMBER 2021  
9.00AM TO 1.10PM

\$490  
WEB219N18

Catch up on the latest developments & risks with drones, data, cyber security and privacy. Master every step of the process when dealing with drone contracts & licences. Examine the latest insurance issues impacting drones. Explore how to deal with the areas and sources of liability from drone use. Finally, perfect your tactics when dealing with the Regulator.

Chair: **Mark Mackrell**, Senior Partner, Norton White; Pre-eminent Aviation Lawyer, *Doyle's Guide 2021*; *Best Lawyers 2022*, Aviation Law

## On the Radar: Drones, Cyber Security and Privacy

This session will consider and discuss the cyber security and privacy compliance risks relating to drones and the data collected by drones, including:

- How data is stored and accessed on drones and the relevant legal issues
- Surveillance and privacy liability issues for drone operators.

Presented by **Helen Clarke**, TMT and IP Partner, and Corrs Cyber, Corrs Chambers Westgarth

## Issues for Commercial Drone Contracts

- Drone contracts and their aims
  - Types of drone contract documents; properly drafting drone contracts
- A practical guide to navigating the Request for Proposal process
  - Identifying & evaluating operators; requesting regulatory documents
  - Carefully describing the drone services & setting boundaries of responsibility
- Operator Agreements
  - Establishing deliverables, confidentiality, IP & termination provisions
  - Legal compliance: clauses regarding approvals, audits, & accident reporting
  - Liability limitation: warranties, indemnities, insurance, inspection, maintenance

Presented by **Julie Brown**, Special Counsel, K&L Gates

## Insurance & Liability Risks: A New Dawn, a New Drone in Agriculture

- Overview of agricultural spraying drones and the related risks and insurance issues
  - Fires, batteries and being prepared
  - Chemical application, bodily injury and property damage
  - The cost of drone disruption on aviation safety culture
- Future risks: drone delivery and the potential risks to have on your radar
  - Last mile delivery liability; the COVID safe acceleration to next gen mobility

Presented by **Simon Hooper**, Head of Product, Precision Autonomy

## Drone Liability: Areas and Sources of Liability

- Areas of liability: Personal Injury; property damage; economic loss; trespass; nuisance
- Sources of liability: strict liability under legislation; in tort (commonly negligence)
- Public safety considerations

Presented by **Brendan Lord**, Solicitor, Norton White

## Drone Regulations & Working with the Regulators

- Overview of drone regulation and licensing in different jurisdictions
- A guide to working with the Regulators
  - Effective communication & negotiation; managing drone projects
  - Preparing applications regarding drone operations and permissions
- Enforcement of drone regulations and penalties

Presented by **Rebecca Johnston**, Legal Practice Director, Johnston Wheeler

## 3 ATTEND AND EARN

1 CPD unit in Ethics & Professional Responsibility  
2 CPD units in Professional Skills

## 4 ATTEND AND EARN

3.5 CPD units in Substantive Law  
0.5 CPD units in Professional Skills

# FILM AND TELEVISION LAW: BRINGING CONTENT TO FRUITION



WEDNESDAY, 15 SEPTEMBER 2021 \$770  
9.00AM TO 5.15PM WEB219N20

This industry-leading legal event brings together renowned legal, financial and industry experts to explore current and key film and television issues. Scrutinise the latest content regulations, creator deals, music licensing and screen adaptations issues. Plus focus on financial issues, contracts, format rights and risk strategy.

Chair: Theo Dorizac, General Counsel, SBS

## SESSION 1: CONTENT, CREATION AND PRODUCTION

9.00AM - 1.15PM WEB219N20A \$490

### SOURCING CONTENT AND SELLING IT

#### Local Content & the Regulation of Streaming Networks

Presented by **Amy Noble**, Director of Business Affairs and Legal, Fremantle

#### Creator Deals and Optioning Existing Works for Television and Film

Presented by **Janine Lapworth**, Senior Consultant, Simpsons Solicitors

### CREATING CONTENT & WHAT GOES INTO IT

#### Music Licensing and Publishing

Presented by **Chris Chow**, Managing Director, Creative Lawyers

#### Based on a True Story: Risk and Strategies for Adapting True Stories

Presented by **Lucinda Edwards**, Senior Legal Counsel and **Nicole Choolun**, Legal Counsel, SBS

## SESSION 2: FINANCIAL ISSUES AND RISK STRATEGY

2.00PM - 5.15PM WEB219N20B \$405

### PAYING FOR THE PRODUCTION

#### Auditing Productions for Rebate

Presented by **Christopher Coote**, Principal, Christopher Coote & Co

### MINIMISING THE PRODUCTION'S RISK

#### Co-Productions: Common Misconceptions and Practical Tips

Presented by **Jenny Lalor**, Principal, Lalor Law and **Colleen Champ**, Co-Production Manager, Producer Offset and Co-production, Screen Australia

#### Navigating (and Avoiding) Contractual Disputes

Presented by **Scott Coulthart**, Special Counsel, Mills Oakley

#### Format Rights: Legal Issues

Presented by **Shaun Miller**, Principal, Shaun Miller Lawyers (Livestream from Melbourne)

# NOT FOR PROFITS AND CHARITIES: THE LEGAL ISSUES



THURSDAY, 16 SEPTEMBER 2021 \$770  
9.00AM TO 5.15PM WEB 219N21

Everything you need in a day. Scrutinise the rights and obligations of members, operational restructures, board inductions, employment issues like bullying, harassment, discrimination & wages plus data risk management.

## SESSION 1: GOVERNANCE, IP AND EMPLOYMENT ISSUES IN THE NFP SECTOR

9.00AM - 1.15PM WEB219N21A \$490

Chair: Mark Fowler, Principal, Fowler Charity Law

### GOVERNANCE IN THE NOT FOR PROFIT SECTOR

#### The Rights and Obligations of Not for Profit Members

Presented by **Vera Visevic**, Partner, Mills Oakley

#### Organisational and Operational Restructures: Post COVID-19 Mergers, Acquisitions and Restructures of NFPs

Presented by **Alison Choy Flannigan**, Partner, Hall and Wilcox

#### Board Inductions for Not for profit Organisations

Presented by **Jonathan Casson**, Director, CorGov, Pty Limited

### IP AND DATA RISK MANAGEMENT

#### Data and Analytics Risk Management for Not-for-Profits

Presented by **Peter Leonard**, Principal, Data Synergies and Professor of Practice (IT Systems & Management), UNSW Business School; Chair Privacy and Data Law Committee Law Society of NSW

### EMPLOYMENT MATTERS

#### Employment Disputes in the Not for Profit Sector: Practical Tips and Helpful Strategies

Presented by **Joseph O'Mara**, Associate, Toomey Pegg Lawyers

## SESSION 2: FINANCIAL RESILIENCE AND TAX CONSIDERATIONS FOR NFP ORGANISATIONS

2.00PM - 5.15PM WEB219N21B \$405

Chair: Ian Miller, Senior Consultant, Hunt and Hunt Lawyers

### ★ INSIGHTS FROM THE ACNC

Presented by **Anna Longley**, Assistant Commissioner General Counsel, Australian Charities and Not-for-Profits Commission

### TAXATION ISSUES, DGRS AND INSOLVENCY

#### NFP Taxation Status and Financial Structures

Presented by **Kaylene Hubbard**, Partner, KPMG Tax

#### Deductible Gift Recipients: A Legislative Update

Presented by **Josephine Heesh**, Partner, Carroll and O'Dea

#### Staying Solvent

Presented by **Nunzio Giunta**, Managing Partner, Giuntabell

7 ATTEND AND EARN

7 CPD units in Substantive Law

7 ATTEND AND EARN

7 CPD units in Substantive Law

# ADVERTISING AND MARKETING LAW CONFERENCE

9TH ANNUAL



TUESDAY, 12 OCTOBER 2021  
9.00AM TO 5.15PM

\$770  
WEB2110N01

This comprehensive program will guide you through the key legal issues impacting the advertising and marketing sector. We have you covered with timely updates on the latest developments and reform proposals, pricing and sales advertising, and traps for advertisers. Examine the relevant developments arising in advertising on social media, e-marketing, online contracts and the legal issues for AI.

Chair: **David Fleming**, Director, Legal, PWC

## SESSION 1: LATEST LEGAL DEVELOPMENTS AND KEY ISSUES IN ADVERTISING

9.00AM - 1.15PM 2110N01A \$490

### Advertising and Marketing Law: Latest Developments and Reform Proposals

Presented by **Odette Gourley**, Partner, Corrs Chambers Westgarth

### Price and Sales Advertising

Presented by **Heidi Bruce**, Managing Director, Sydney, Anisimoff Legal

### Ad Clearance 101: A Practical Guide to Defensible Advertising

Presented by **Hannah Marshall**, Partner and **Danielle Kroon**, Senior Associate, Marque Lawyers

### Regulatory Creep: Traps for Advertisers

Presented by **Shanna Protic Dib**, Solicitor, Addisons

## SESSION 2: SOCIAL MEDIA, E-MARKETING AND AI LEGAL ISSUES

2.00PM - 5.15PM 2110N01B \$405

### Advertising on Social Media

Presented by **Brigit Rubenstein**, Co-founder and Principal Lawyer, Level Up Legal

### Managing Risk with E-marketing and Online Contracts

Presented by **Alison Jones**, Special Counsel, Chambers Corrs Westgarth

### Legal Issues for AI: Biometrics, Chatbots and Best Practices

Presented by **Tony Eades**, Chief Strategy Officer, Salted Stone

# LEGAL PROJECT MANAGEMENT MASTERCLASS



WEDNESDAY 18 AUG, 1 SEPT & 15 SEPT, 2021  
1.00PM TO 2.00PM

\$405  
WEB218N03

Develop essential skills in collaboration, scoping, planning, scheduling, resourcing, and costing so you can improve your practice's efficiency, stability and growth. For one hour a week over 3 weeks, global leader Therese Linton will share the secrets of 35 years' experience as a project delivery expert and academic so you can master the management of your legal projects in today's challenging environment.

## WEDNESDAY, 18 AUGUST 2021

1.00PM TO 2.00PM

### Part 1: LPM Core Concepts & Matter Scoping

Explore foundation concepts and the first of the core LPM disciplines: Matter Scoping.

- LPM overview
- The Triple Constraint
- Matter scoping
- Deliverables vs activities
- Assumptions, constraints and external factors
- LPM precedents: matter overview and matter structure

## WEDNESDAY, 1 SEPTEMBER 2021

1.00PM TO 2.00PM

### Part 2: Matter Scheduling & Matter Resourcing

- Project time concepts
- Matter schedules
- Matter resourcing
- LPM precedents: matter timeline, matter checklist and responsibility assignment matrices

## WEDNESDAY, 15 SEPTEMBER 2021

1.00PM TO 2.00PM

### Part 3: Matter Costing & Matter Monitoring

- Matter costing vs matter pricing
- Monitoring and reporting progress
- Managing variations
- LPM precedents: matter status reports

Includes detailed written materials with precedents, examples and more!

7 ATTEND AND EARN

7 CPD points in Substantive Law

3 ATTEND AND EARN

3 CPD units in Practice Management

# FAMILY LAW CHILD SUPPORT AGREEMENTS INTENSIVE



THURSDAY, 14 OCTOBER 2021 \$155  
3.30PM TO 5.00PM WEB2110N03

You'll spend an intensive afternoon with the Child Support Agency, Services Australia as they delve into the intricacies of drafting Child Support Agreements under the Child Support (Assessment) Act 1989 and explore the impacts of the July 2018 reforms. Hear common traps seen by the Agency in practitioners' Agreements and take away key tips on how to ensure that your Agreement achieves what it is intended to cover and can adequately deal with any potential changes as circumstances evolve.

## Child Support Agreements: Drafting Issues Identified by the Child Support Registrar

Consider some of the practical implications of drafting complex child support agreements, including in relation to the July 2018 reforms.

- Does the agreement achieve its intended purpose?
- Can it be accepted and implemented by the Child Support Registrar?
- Is it drafted to adequately deal with the (routine) changes that parents and their children experience in the life of a child support case?
- Should lump sum orders be considered?
- Should an agreement survive despite certain clauses being severed?
- BFA and Binding Child Support Agreements in the same document: Is that a good idea? potential risks
- Example clauses and some common traps for practitioners

Presented by **Brett Walker-Roberts**, Senior Policy Advisor, and **Amanda Nates**, Policy Officer, Child Support Agency, Services Australia

# LEGAL MARKETING MADE SIMPLE FOR THE TIME POOR



THURS, 14 & 28 OCT, 11 & 25 NOV 2021 \$490  
1.00PM TO 2.00PM WEB2110N24

This in-depth series from a renowned marketing expert will show you how to make your marketing efficient & effective, even when you don't have the time to focus on business development. Gain strategies to build a firm foundation & a system that will consistently work for you. Sharpen your LinkedIn & social media strategies. Attend the entire series & save big while watching live online or as on-demand recordings.

▶ THURSDAY, 14 OCTOBER 2021 \$155  
1.00PM TO 2.00PM WEB2110N24A

## The Latest Marketing Trends & Strategies and What You Need for Your Marketing Foundation

Whether you're looking to get started in marketing your practice or you've already begun, this session will show you how to build a solid foundation for your marketing strategy.

- Understanding your shoulds vs coulds
- How to start with what you already have
- Why everything is about your audience and how to market accordingly
- Using current trends to be seen by your ideal clients

▶ THURSDAY, 28 OCTOBER 2021 \$155  
1.00PM TO 2.00PM WEB2110N24B

## Simple Marketing Steps to Make Your Life Easier and Your Results Stronger Down the Road

Once you have a plan for your marketing strategy, what are the actual, concrete, and practical steps you should take? How do you know if they're working? What if they're not?

- Uncover a simple 7 step process that keeps the marketing tap on
- Time saving tips to create content
- Understand how to measure results & what to do next

▶ THURSDAY, 11 NOVEMBER 2021 \$155  
1.00PM TO 2.00PM WEB2111N24C

## LinkedIn Strategies to Build your Personal and Business Brand

Explore how to use LinkedIn to generate leads, build relationships, find strategic partners & learn new skills.

- The basics to optimise your profile
- How to showcase your expertise in an authentic way
- How to use overlooked tools like Lives, Stories and Audio Messages
- Using authentic conversations to engage & attract the right clients

▶ THURSDAY, 25 NOVEMBER 2021 \$155  
1.00PM TO 2.00PM WEB2111N24D

## A Deep Dive and Guided Tour to Finding Social Media Success

Learn what you need to know about using social media to evaluate your audience, reach them, and communicate a message that will get you where you want to go.

- Facebook, LinkedIn and Insta: Who's using them & how are they being used?
- Expert social tips and tactics that increase your organic views
- Content creation tools to build a professional brand on social media

Presented by **Tanya Williams**, Marketing Strategist, Digital Conversations

1.5 ATTEND AND EARN

1.5 CPD units in Substantive Law

4 ATTEND AND EARN

4 CPD units in Practice Management & Business Skills

